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Compiler's Note

The Journal of the House of Representatives regular session of 1996 and special session of 1995 is bound in two separate volumes. The large number of pages made it impractical to bind into one volume.

Volume I contains January 8, 1996 through March 7, 1996. Volume II contains March 8, 1996 through March 18, 1996 regular session, August 14, 1995 through September 12, 1995 special session, and the complete index.

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JOURNAL

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OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF GEORGIA

AT

THE REGULAR SESSION

Commenced at Atlanta, Monday, January 8, 1996
and adjourned Monday, March 18, 1996

VOLUME II



1996

Atlanta, Ga.

Representative Hall, Atlanta, Georgia**Friday, March 8, 1996**www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Dr. Michael L. Cash, Pastor, First United Methodist Church, Tucker, Georgia.

The members pledged allegiance to the flag.

Representative Barger of the 120th, Chairman of the Committee on Journals, 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 Bills and Resolutions of the House were introduced, read the first time and referred to the committees:

HB 1881. By Representative Bannister of the 77th:

A bill to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions, so as to provide a homestead exemption to certain permanently disabled veterans who do not qualify for a homestead exemption under Code Section 48-5-48.

Referred to the Committee on Ways & Means.

HB 1882. By Representatives Parrish of the 144th and Parham of the 122nd:

A bill to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, the "Georgia Medical Assistance Act of 1977," so as to provide applicants for, recipients of, and providers of assistance under such article with certain information regarding terms and conditions of such assistance.

Referred to the Committee on Health & Ecology.

HB 1883. By Representative Watson of the 139th:

A bill to amend Chapter 9 of Title 33 of the Official Code of Georgia Annotated, relating to the regulation of rates, underwriting rules, and related organizations, so as to provide that a statistical agent or rating organization authorized to file advisory rates or loss costs reports, collect data, or promulgate experience modifications shall do so as a public service and shall not charge any fee or assessment.

Referred to the Committee on Insurance.

HB 1884. By Representatives Bailey of the 93rd and Brooks of the 54th:

A bill to amend an act establishing a new charter for the City of College Park, so as to provide for an increase in salaries of the mayor and council members.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1885. By Representatives Poston of the 3rd and Snow of the 2nd:

A bill to amend an Act placing the judge of the probate court and the clerk of the Superior Court of Catoosa County on an annual salary in lieu of fees, so as to increase the clerical help allowance of the judge of the probate court and the clerk of the superior court.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1886. By Representative Smith of the 19th:

A bill to amend an Act providing a new charter for the Town of Clermont, so as to change provisions relating to the terms of office of the mayor and councilmembers.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1887. By Representative Smith of the 19th:

A bill to amend an Act granting a new charter to the City of Dawsonville, so as to provide a new charter for the City of Dawsonville.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1888. By Representatives Wiles of the 34th, Woods of the 32nd, Ehrhart of the 36th and Kaye of the 37th:

A bill to amend an Act creating the State Court of Cobb County, so as to change certain provisions relating to the chief judge and judges of the State Court of Cobb County.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1889. By Representative Stephenson of the 25th:

A bill to amend an Act creating a new charter for the City of Dacula, so as to change the provisions relating to the corporate boundaries of said city.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1890. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Buckner of the 95th and Johnson of the 97th:

A bill to amend an Act creating the State Court of Clayton County, so as to change the compensation of the solicitor of said court.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1891. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Johnson of the 97th and Buckner of the 95th:

A bill to amend an Act consolidating the offices of tax receiver and tax collector of Clayton County into the office of tax commissioner, so as to change the provisions relating to the salary of the tax commissioner.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1892. By Representatives Bailey of the 93rd, Benefield of the 96th, Johnson of the 97th and Buckner of the 95th:

A bill to amend an Act changing the composition and manner of selecting members of the Board of Education of Clayton County, so as to provide for nonpartisan elections of such members without prior nonpartisan primaries.

Referred to the Committee on State Planning & Community Affairs Local.

HR 1218. By Representatives Buckner of the 95th, Trense of the 44th, Hegstrom of the 66th, Bunn of the 74th, McBee of the 88th and others:

A resolution creating the House Study Committee on Parental Commitment During Sex Education.

Referred to the Committee on Rules.

HR 1219. By Representatives Barfoot of the 155th, Coleman of the 142nd and Byrd of the 170th:

A resolution designating the J.W. "Champ" Harrelson Memorial Bridge.

Referred to the Committee on Transportation.

HR 1220. By Representative Connell of the 115th:

A resolution commending and congratulating Ted Turner, Stan Kasten, Bobby Cox, John Schuerholz, and the Atlanta Braves baseball team and urging the posting of certain signs.

Referred to the Committee on Rules.

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

HB 1875	SB 773
HB 1876	SB 774
HB 1880	SB 775
HR 1196	SB 776
HR 1197	SB 777
SB 699	

Representative Chambless of the 163rd District, Chairman of the Committee on Judiciary, submitted the following report:

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Your Committee on Judiciary has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 611 Do Pass, by Substitute
SB 636 Do Pass, by Substitute
SB 670 Do Pass, by Substitute

Respectfully submitted,
/s/ Chambless of the 163rd
Chairman

Representative Hanner of the 159th 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 Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 749 Do Pass

Respectfully submitted,
/s/ Hanner of the 159th
Chairman

Representative Lee of the 94th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

Your Committee on Rules 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 1014 Do Pass

Respectfully submitted,
/s/ Lee of the 94th
Chairman

Representative Dobbs of the 92nd District, Chairman of the Committee on State Institutions & Property, submitted the following report:

Mr. Speaker:

Your Committee on State Institutions & Property 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 285 Do Pass, by Substitute

Respectfully submitted,
/s/ Dobbs of the 92nd
Chairman

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Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs 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 1502	Do Pass, by Substitute	HB 1874	Do Pass
HB 1503	Do Pass, by Substitute	HB 1877	Do Pass
HB 1869	Do Pass	HB 1878	Do Pass
HB 1870	Do Pass	HB 1879	Do Pass
HB 1871	Do Pass	SB 758	Do Pass, by Substitute
HB 1873	Do Pass		

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HOUSE RULES CALENDAR
FRIDAY, MARCH 8, 1996

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 35th Legislative Day as enumerated below:

SB 310	MARTA compensation of members & Bd. of Directors (Thomas of the 10th)
SB 316	Trade Secrets Act of 1990 customer, supplier info. is trade secret (Tysinger of the 41st)
SB 396	Deprivation of a Minor penalty for contributing to (Johnson of the 1st)
SB 435	Emp Ret; cert county emp in Child & Youth Serv Abernathy of the 38th)
SB 482	Health Insurance minimum in-patient care for childbirth Thomas of the 10th)
SB 493	Child Abuse Prevention Panel attachment, staff support (Oliver of the 42nd)
SB 496	Courts of Record pilot programs for nonuniform courts (Oliver of the 42nd)
SB 521	Special Education parents of deaf determine school placement (Marable of the 52nd)
SB 613	School Supts. appt. before contract expires (Marable of the 52nd)
SB 626	Firefighter Appreciation Day provide (Crofts of the 17th)
SB 693	Pardons & Paroles Bd. supervision of persons in cert. programs (Dean of the 31st)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

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Respectfully submitted,
/s/ Lee of the 94th
Chairman

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

HB 1502. By Representative Ashe of the 46th:

A bill to provide a new charter for the City of Atlanta.

The following Committee substitute was read and adopted:

A BILL

To provide a new charter for the City of Atlanta; to provide for a bill of rights; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for ordinances and codes; to provide for initiative and referendum; to provide for staff of the council; to provide for a city internal auditor and audit committee; to provide for their powers, duties, and authority; to provide for an elected officials compensation commission; to provide for a mayor and certain duties, powers, and other matters relative thereto; to provide for administrative affairs and responsibilities; to provide for departments, boards, commissions, and authorities; to provide for a chief financial officer; to provide for a city attorney, a municipal clerk, and other personnel and matters relating thereto; to provide for rules and regulations; to provide for a civil service system; to prohibit discrimination; to provide for residency of employees; to provide for credit preference, temporary employees, retirement, modification of pension plans, and other personnel matters; to regulate complaints, fraud, waste, and abuse; to provide for development plans; to provide for a citizen's service planning review commission; to provide for a municipal court and the judge or judges thereof and other matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and procedures; to provide for court officers and personnel; to provide for the right of certiorari; to provide for selection and retention; to provide for taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting, and appropriations; to provide for a budgeting commission; to provide for city contracts and purchasing; to provide for the conveyance of property; to provide for bonds for officials; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal certain specific local Acts; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

THE CHARTER BILL OF RIGHTS

The council, mayor, and all departments of government of the City of Atlanta shall be guided by the provisions of this Bill of Rights:

1. Religion and Conscience. The City of Atlanta shall not interfere with the freedom of each person in the city to follow the dictates of his or her own conscience concerning religious worship, nor shall the city support any religion.

2. Speech, Assembly, and Press. The City of Atlanta shall not interfere with the rights of freedom of speech, of freedom of the press, to petition the government, or of peaceable assembly.
3. Unreasonable Searches and Seizures. The City of Atlanta shall not authorize any unreasonable search or seizure.
4. Nondiscrimination. The City of Atlanta shall not, directly or indirectly, discriminate among persons because of race, religion, sex, marital status, sexual orientation, or national origin. Nothing herein shall prevent the City of Atlanta from remedying present discrimination or the present effects of past discrimination by a race-conscious affirmative action program which is in compliance with the Constitution and laws of the United States of America and State of Georgia.
5. Environmental Protection. The City of Atlanta shall promote the right of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and aesthetic qualities of the environment.

ARTICLE 1

Name, Powers, and Boundaries

SECTION 1-101.

Name.

The name of the city shall be the "City of Atlanta" which shall be a municipal corporation of the State of Georgia with perpetual duration.

SECTION 1-102.

Powers.

(a) The City of Atlanta (hereinafter at times referred to as "city") shall be the legal continuation of and successor to said city as heretofore incorporated; and may contract and be contracted with; may sue and be sued, and plead and be impleaded in all courts of law and equity and in all action whatsoever, and do all other acts relating to its corporate capacity; may purchase, lease, or otherwise acquire such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed or dedicated to or otherwise acquired by it, and from time to time may hold or invest, lease, sell, or dispose of any such property; and shall have and use an official seal.

(b) The city shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the city and its inhabitants.

(c) The city shall have all powers now vested in the city and now or hereafter granted to municipal corporations by the laws of Georgia and shall have the power to do the following:

- (1) To levy and to provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;
- (2) To levy and provide for the collection of license fees and taxes on privileges, occupations, trades, and professions, not in conflict with the general law of this state, and to license and regulate such privileges, occupations, trades, and professions and to provide for the manner and method of payment of such licenses and taxes;
- (3) To assess, charge, and collect rentals, interests, fees, penalties, fines, and costs; to assess and collect fees, charges, and tolls for sewer and water services under such rules and regulations prescribed by ordinance; to levy and collect garbage, trash, refuse, and rubbish collection service charges and sanitary taxes under such rules and regulations as prescribed by ordinance; to collect income on investments and to accept funds, services, or property from other political subdivisions and public agencies, either local, state, or national, and from private persons, firms, or corporations;
- (4) To make appropriations for the support of the government of the city, to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia, and to provide for the payment of expenses of the city;
- (5) To appropriate and borrow money to provide for payment of the debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the general laws of the state; provided, however, such bonding authority shall be exercised in accordance with the laws governing the issuance of bonds by municipalities;

- (6) To acquire, dispose of, and hold in trust or otherwise any real, personal, or mixed property, or any interest therein, inside or outside the corporate boundaries of the city and to dispose of said property or any interest therein by sale, lease, or easement;
- (7) To ~~accept or refuse gifts~~ accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to the powers and duties of the city and the general welfare of its citizens, on such terms and conditions as the donor or grantor may impose;
- (8) To condemn property, inside or outside the corporate boundaries of the city, for present or future use, and for any corporate purpose deemed necessary by the council, under Title 22 of the O.C.G.A., as now or hereafter amended, including but not limited to an Act approved Feb. 20, 1945 (Ga. L. 1945, p. 690), granting to the city a fee simple title to property condemned upon payment of the condemnation of money, or under other applicable state Acts, including but not limited to an Act of the General Assembly of Georgia, approved March 2, 1953 (Ga. L. 1953, Jan.-Feb. Sess., p. 360), as now or hereafter amended, and Section 6 of an Act of the General Assembly of Georgia, approved March 7, 1955 (Ga. L. 1955, p. 3025, Sec. 6). The city may also condemn any real property or interest therein necessary for the collection, conveyance, treatment and disposal of sewage, and other sanitary purposes both inside and outside the city, including but not limited to the waters known as Tanyard Branch and adjacent land. In addition, the city shall be authorized to construct water and sewer utility lines through private property by condemnation or agreement; provided, however, that the condemnation of an existing public use shall be denied unless it can be shown that the specific property to be condemned is absolutely essential to the condemning authority and the use to be condemned does not materially impair the existing public use;
- (9) To acquire, lease, construct, operate, maintain, regulate, control, sell, and dispose of public utilities, including but not limited to a system of waterworks, sewers and drains, sewage disposal, natural gas systems, electrical power systems, transportation facilities, airports, and any other public utility inside and outside the corporate limits; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and liens, penalties, and withdrawal of service for refusal or failure to pay same and the manner in which such remedies shall be enforced, provided liens shall be enforced in the same manner and with the same remedies as a lien for city property taxes; to assess the cost or a portion of the cost of such facilities and services against abutting property under such rules, procedures, terms, and conditions of payment and enforcement thereof as provided by ordinance, provided the council shall have no power or authority to sell or in any way alien the city's system of waterworks;
- (10) To grant franchises or make contracts for public utilities and public services as provided by law. The council may prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with such regulations by the Public Service Commission, and may grant franchises and rights-of-way throughout the streets and roads, and over the bridges and viaducts, for the use of public utilities; the council may extend, renew, or amend a franchise at any time by mutual agreement of the parties and by adoption thereof by the council at two consecutive meetings. In all other cases, the council shall have no authority or power to grant, consent to, or permit the extension, removal, or change of the term for which franchises have been or may be granted or in any way to extend or renew the time for which permission has been or may be given to occupy the streets and public places, except and only during the 12 months immediately preceding the expiration of the term of such franchises and permit; and all extensions and renewals made in violation of this section shall be void;
- (11) To lay out, open, extend, widen, narrow, establish or change the grade of, vacate, abandon, or close, construct, pave, repave, curb, gutter, adorn with shade trees, otherwise improve, maintain, repair, clean, prevent erosion of, and light streets, alleys, sidewalks, and walkways within the corporate limits of the city; to acquire land for such improvements and to assess the cost or a portion of the cost of payment and enforcement thereof against abutting property under such rules, procedures, terms, and conditions as provided by ordinance;

- (12) To undertake and expend tax or nontax funds to foster mutual understanding, tolerance, respect, and improvement of human relations among all citizens of the city;
- (13) To establish and fix a system of grading and draining of the streets of the city; and to cause the owners of lots or cellars to drain or fill the same to the level of the streets or alleys upon which said lots or cellars are located. After reasonable notice, the city shall be authorized to have said lots or cellars so drained or filled and the amount so expended collected by executions against the owner or occupant thereof;
- (14) To acquire, lease, construct, operate, maintain, regulate, control, sell, and dispose of public ways, parks, public grounds, cemeteries, markets, and market houses, public buildings, libraries, airports, auditoriums, and charitable, educational, recreational, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; and any other public improvements, inside or outside the corporate limits of the city; and to regulate the use thereof, and for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A., as now or hereafter amended, or other applicable public Acts, or under any power or procedure of eminent domain now or hereafter provided by the General Assembly of Georgia;
- (15) To require estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands; and to enact ordinances establishing the term and conditions under which such repairs and maintenance shall be effected, including the penalties to be imposed for failure to do so;
- (16) To regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air conditioning codes and to regulate all housing, building, and building trades; to license all building trades; and to license the construction and erection of buildings and all other structures;
- (17) To regulate or prohibit junk dealers; to regulate and control billiard rooms; to regulate and control pawnshops; to regulate the manufacture, sale, or transportation of intoxicating liquors; to regulate the use and sale of firearms; and to regulate the transportation, storage, and use of combustible, explosive, and inflammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property;
- (18) To regulate and control the conduct of peddlers, and itinerant trades, theatrical performances, exhibitions, or shows of any kind whatever, by taxation or otherwise;
- (19) To license, tax, regulate, or prohibit professional fortunetelling or palmistry;
- (20) To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or abutting the corporate limits of the city, and to prescribe penalties and punishment for violation of such ordinances;
- (21) To prescribe standards of safety and sanitation and to provide for the enforcement of such standards;
- (22) To regulate emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the city;
- (23) To fix and establish fire limits and from time to time extend, enlarge, or restrict same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting, and to prescribe penalties and punishment for violation thereof;
- (24) To provide for the destruction and removal of any building or other structure which may or might become dangerous or detrimental to the public;
- (25) To provide for the collection and disposal of garbage, rubbish, and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials and to provide for the sale of such items; and to establish and operate incinerators for the purpose of disposal of garbage and other refuse of the city;
- (26) To levy, fix, assess, and collect a garbage, refuse, and trash collection and disposal and other sanitary service charge, tax, or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing

in or doing business therein benefiting from such services; to enforce the payment of such charges, taxes, or fees and to provide for the manner and method of collecting such service charges, provided that any such charges, taxes, or fees, if unpaid, shall constitute a debt which shall be subject to a lien against any property of persons served, which lien shall be enforceable in the same manner, and under the same remedies, as a lien for city property taxes;

(27) To levy a fee, charge, or sewer tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining, and extending of a sewage disposal plant and sewage system and to levy on the users of sewers and the sewerage system a sewer service charge, fee, or sewer tax for the use of the sewers; and to provide for the manner and method of collecting such service charges and for enforcing payment of same;

(28) To charge, impose, and collect a sewer connection fee or fees and to change the same from time to time; such fees to be levied on the users connecting with the sewerage system;

(29) To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards;

(30) To define a nuisance in the city and to provide for its abatement; to cause nuisances which are likely to endanger the health of the city or any neighborhood therein to be abated in a summary manner at the expense of the party whose act or negligence caused such nuisance, or of the owner of the property upon which the same may be located, as the council shall elect. The council may provide by ordinance for any building, structure, or condition maintained in violation of any valid law of this state or any valid ordinance of the city to be adjudged a nuisance and for its abatement at the owner's expense upon failure or refusal to abate the same within ten days after written notice and hearing from the city to do so, said expense to be a lien upon the property for which execution may issue as for property taxes;

(31) To provide for the preservation and protection of property and equipment of the city and the administration and use of same by the public and to prescribe penalties and punishment for violations thereof;

(32) To establish minimum standards for, and to regulate building construction and repair, electrical wiring and equipment, gas installation and equipment, plumbing, and housing for the health, sanitation, cleanliness, welfare, and safety of inhabitants of the city and to provide for the enforcement of such standards; to require adequate fire escapes on buildings; and to regulate or restrict smoking in public places, dangerous substances, and weapons;

(33) To provide that persons given jail sentences in the municipal court shall work out such sentences in any public works or on the public streets of the city as provided by ordinance; or the council may provide for the commitment of city prisoners to any county or other correctional institution, to jail, or to any other government agency, by agreement with the appropriate county officers or any other government agencies; or the council may provide programs of conditional leave or furlough persons given sentences by any court prior to completion of such sentences;

(34) To adopt ordinances and regulations for the prevention and punishment of disorderly conduct, public drunkenness, and disturbing the peace in the corporate limits of the city and to prohibit the playing of lotteries, except as otherwise authorized under the Constitution and general laws of this state, and to prohibit and regulate by ordinance such other conduct and activities within said city which, while not constituting an offense against the laws of this state, is deemed by the council to be detrimental and offensive to the peace and good order of the city or to the welfare of the citizens thereof;

(35) To regulate and license, or prohibit, the keeping or running at large of animals and fowl and to provide for the impoundment of same in violation of any ordinance or lawful orders; also to provide for their disposition, by sale, gift, or humane destruction, when not redeemed as provided by ordinance; to provide for the location, use, and cleanliness of private stables; to forbid the erection of such stables when they are

likely to be injurious to the health of citizens; and to provide punishment for violation of ordinances enacted hereunder;

(36) To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in amounts prescribed by ordinance; to regulate and rent parking spaces in public ways for the use of such vehicles; to regulate transportation lines and terminals, pedestrian and vehicle traffic, parking, and common carriers;

(37) To regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the city;

(38) To provide that upon the conviction of the violation of any ordinance, rule, regulation, or order such person shall be punished as provided by ordinance but not exceeding any limitations now or hereafter prescribed by the charter;

(39) To develop for park or recreational purposes land adjacent to the banks of rivers, creeks, and other streams in counties of which the city is a part, which is now owned by the city or which may be dedicated or otherwise acquired by it for such purposes; and to solicit and accept grants of land adjacent to said banks and use the same for such purpose; and to abate in any manner provided by law any pollution of said rivers, creeks, or other streams caused by deleterious substances such as sewage of any kind, brush, logs, or other deleterious matter or things; and any of such pollution shall constitute a nuisance;

(40) To levy taxes and to make appropriations for the purpose of advertising the city, its advantages, and resources, so as to bring new capital, commercial, manufacturing, and other enterprises into the city, and also to levy taxes and to make payment from the general revenues and funds of the city for the support of libraries;

(41) To regulate and control streets, public alleys, and ways and the uses thereof; and to negotiate and execute leases over, through, under, or across any city property or the right of way of any public street, public alley, or way or portion thereof for bridges, passageways, or any other purpose or use between buildings on opposite sides of the street and other bridges, overpasses, and underpasses for private use at such locations; and to charge a rental therefor in such manner as may be provided by ordinance;

(42) To regulate land use by the adoption of zoning ordinances, planning ordinances, and other regulatory ordinances. This power to regulate land use shall include authority to identify, nominate, designate, and regulate historic zones or areas, whether such zones or areas are individual buildings, structures, or sites, or are combinations of buildings, structures, or sites, so as to promote the public health, safety, and morality, and the educational, aesthetic, cultural, economic, and general welfare of the city, by preserving and protecting historic buildings, structures, and sites and combinations thereof. It shall also include authority to empower the Atlanta Urban Design Commission to: prepare inventories and conduct studies and surveys; prepare and promulgate administrative design criteria for historic zones or areas; apply for and use public or private funds; hold public hearings; review urban design aspects, including works of art, of public projects and private projects impacting public property; identify, nominate, and make recommendations regarding historic zones or areas; prohibit or authorize, conditionally or otherwise, construction, demolition, or alteration within or of designated historic zones or areas and issue permits relative thereto; and in connection therewith, may form a three-person panel of real estate and economic experts to render decisions and advice regarding economic hardships affecting historic properties; administer Atlanta's historic preservation regulations; promulgate administrative rules governing the commission's operating procedures; and perform other similar historic preservation and urban design functions. It shall also include authority to provide for appeals of final decisions of the urban design commission to the Superior Court of Fulton County;

(43) To engage the necessary personnel to administer and enforce ordinances, rules, and regulations adopted by the council;

(44) To inspect, weigh, measure, and otherwise regulate any products grown, mined, manufactured, or otherwise produced or acquired;

- (45) To regulate by licenses, bonds, permits, or otherwise, or restrict, the manufacture, sale, lease, rental, use, or solicitation of any real or personal property and the presentation of any services or spectator activities;
- (46) To regulate or restrict through permits, fees, codes, review boards, or otherwise the construction, use, and maintenance of real or personal property and the emission and disposal thereon or therefrom of any substance that tends to pollute land, water, or air;
- (47) To enforce city ordinances outside the city limits along and for 50 feet on all sides of transportation lines in unincorporated Fulton County and to the end of transportation lines, except as to railroads, along and for 300 feet on all sides of city water mains and along and for ten feet on all sides of the city sewer lines and sewage treatment property;
- (48) To make contracts for and to accept grants-in-aid and loans from the federal, state, city, and county governments and their authorities and other agencies for constructing, expanding, examining, and operating any project or facility or performing any function, which the city may be authorized by law to provide or perform;
- (49) To provide for post entry training, blanket surety bonds, federal social security, and other employee services;
- (50) To establish a civil defense plan for the continuity of city government in the event of any enemy attack or other emergency;
- (51) To grant to city police officers the same power in the unincorporated areas of Fulton County to make arrests, to execute and return all criminal warrants and processes, and exercise other powers as peace officers as sheriffs have;
- (52) To build, repair, or put in a safe condition a bridge or the approaches thereto across tracks and roadbeds at the expense, with interest and cost, of a railroad or railroad company in the case of the latter's failure after reasonable notice to do so when the council shall have declared the same necessary for the protection of human life. Execution may issue therefor, as other executions are issued by the city, and be levied on any property of such railroad or railroad company; and such execution shall bear interest at the rate of 7 percent per annum; provided, however, that nothing in this paragraph shall require railroads or railroad companies to build bridges otherwise than is required by the general laws of this state, or the charter of such railroad companies, respectively, except in all cases in which a public street was in existence before the tracks of any such railroad or railroad companies were laid or placed across any such public streets;
- (53) Group life insurance for all officers and employees of the City of Atlanta and the Atlanta Board of Education shall be managed by a board of trustees consisting of 18 trustees, whose initial terms of office shall commence on the third Thursday in March, 1978. Twelve trustees shall be elected for staggered terms of four years as follows: Two by employees of the City of Atlanta's Department of Public Works, two by employees of the City of Atlanta's Department of Public Safety, six by officers and employees of the Atlanta Board of Education and two by officers and employees of the City of Atlanta outside the departments, bureaus, and offices set forth above. In February, 1980, and February of each even-numbered year thereafter, an election shall be held to fill the vacancies of those trustees whose terms expire on the third Thursday of March of each such year. For the initial election of said trustees, that trustee of the two trustees elected by employees of the department of public works who receives the larger number of votes from said employees shall serve for a term of four years, with the trustee who receives the fewer number of votes from said employees serving for a term of two years. That trustee of the two trustees elected by employees of the department of public safety who receives the larger number of votes from said employees shall serve for a term of four years, with the trustee who receives the fewer number of votes from said employees serving for a term of two years. Those three trustees of the six trustees elected by officers and employees of the Atlanta Board of Education who receive the largest number of votes from said officers and employees shall serve for terms of four years, with those three trustees who receive the fewest votes from said officers and employees serving for terms of two years. That trustee

of the two trustees elected by officers and employees of other departments, bureaus, and offices who receives the larger number of votes from said officers and employees shall serve for a term of four years, with the trustee who receives the fewer number of votes from said officers and employees serving for a term of two years. One trustee shall be elected as chairperson of the board, and one trustee shall be elected as vice-chairperson of the board for terms of two years by the 12 elected members of the board of trustees from among their number, provided that said chairpersonship and vice-chairpersonship shall be held by a representative of City of Atlanta officers and employees and a representative of the Atlanta Board of Education officers and employees on an alternating basis. If said chairperson or vice-chairperson is a licensed insurance agent or counselor, he or she shall not be affiliated with any insurance company with which the board of trustees shall maintain insurance coverage for its officers and employees. The remaining six trustee positions shall be ex officio, nonvoting positions and shall be filled by the city's chief financial officer, who also shall serve as secretary-treasurer of said board, director of purchasing and real estate, and commissioner of the department of personnel and human resources, and the Atlanta Board of Education's comptroller, purchasing agent, and director of the department of personnel and human resources. Said board shall be required to meet at least twice each year. A majority of the voting members shall constitute a quorum for meeting purposes. Said board shall have the power to adopt bylaws putting into effect these provisions and other provisions relating to meetings of the board, the filing of vacancies occurring on said board, and such other matters pertaining to the management of group insurance as may properly come under its supervision. Said board, exclusive of those trustees representing officers and employees of the Atlanta Board of Education, shall also manage the hospitalization and major medical insurance for the officers and employees of the City of Atlanta, including the power to adopt bylaws relating to meetings, election of officers, and such other matters relating to the management of group hospitalization and major medical insurance as may properly come under its supervision;

(54) To make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city;

(55) To establish procedures for determining and proclaiming that an emergency situation exists inside or outside the city, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

(56) To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the city and its inhabitants; to exercise all implied powers necessary to carry into execution all powers granted in this charter, as fully and completely as if such powers were fully enumerated herein; to exercise all powers now or in the future authorized to be exercised by other municipal governments under the Constitution and general laws of the State of Georgia, and to do, perform, and render (or refrain therefrom) all things necessary or convenient to the carrying out of the objects of the powers, duties, and requirements set forth anywhere in this charter. No enumeration of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to cities under the Constitution or applicable public laws;

(57) To appropriate moneys from the general fund for the purchase of evidence and the purchase of information by law enforcement officers of the city in the performance of their official duties;

(58) To exercise the power and to provide services in the area of public housing; to make appropriations and to authorize the expenditure of funds for such purposes; and to provide a definition of public housing;

(59) To cooperate or join, by contract or otherwise, with other cities, with the state or nation, or other governmental bodies, singly or jointly, or in districts or associations, for promoting or carrying out any of the powers of the city for the sharing of tax base or revenue with other governments, for agreements concerning allocation of taxes among other governments, or for the acquisition, construction, or operation of any works, plants, or structures convenient or necessary for carrying out any of the purposes or objects authorized by this charter;

(60) To transfer or consolidate functions of the city government to or with appropriate functions of the state, county, or other municipal government, or to make use of such functions of the state, county, or other municipal government and, in the case of any such transfer or consolidation, the provisions of this charter and code of ordinances providing for the function of the city government so transferred or consolidated shall be deemed suspended during the continuation of such transfer or consolidation to the extent that such suspension is made necessary or convenient by said transfer or consolidation and is set forth in the contract or other document establishing such transfer or consolidation.

SECTION 1-103.

Legislative powers.

(a) All legislative powers of the city are hereby vested in the council (hereinafter at times referred to as the "governing body"), except those powers specifically reserved in this charter to the electors of the city. The power to levy, assess, and provide for the collection of all taxes and fees authorized to be levied, assessed, and collected by the city by general law and this charter shall be vested in the council.

(b) The council shall adopt and provide for the execution of such ordinances, resolutions, and rules, not inconsistent with this charter, as shall be necessary or proper for the purpose of carrying into effect the powers and duties conferred by this charter and may enforce all ordinances by imposing penalties and fines for the violation thereof not to exceed a \$1,000.00 fine or six months' imprisonment, or both.

SECTION 1-104.

Executive powers.

All executive and administrative powers of the city are hereby vested in the mayor and such other administrative officers, departments, and agencies created or continued by this charter or now or hereafter established by ordinance.

SECTION 1-105.

Boundaries.

The corporate boundaries of the city shall be the same as those of the City of Atlanta as provided by law and existing on the effective date of this charter, or as hereafter lawfully changed. The municipal clerk shall maintain a current map and written legal description indicating the boundaries and council districts of the city.

ARTICLE 2 LEGISLATIVE

Chapter 1. The Council

SECTION 2-101.

Composition; term of office.

Effective with the regular municipal elections of November, 1997, the qualified electors of the city shall elect 15 representatives, in accordance with the provisions of this charter, to serve as a city council. Twelve representatives shall be elected from 12 individual council districts apportioned in accordance with the provisions of this charter. Three representatives shall be elected at large and shall represent residency posts as follows: Post 1 which shall consist of contiguous Council Districts 1 through 4; Post 2 which shall consist of contiguous Council Districts 5 through 8; and Post 3 which shall

consist of contiguous Council Districts 9 through 12. At-large representatives must be residents of the residency posts from which they are elected.

www.libtool.com.cn SECTION 2-102.
Qualifications.

- (a) To qualify for election as a councilmember, a person:
- (1) Must be at least 18 years of age;
 - (2) Must be a resident of the city and of the council district from which he or she seeks to qualify for at least one year immediately preceding the date of his or her filing of notice of candidacy to seek office;
 - (3) Must be a qualified elector of the city; and
 - (4) Must not be an employee of the city.
- (b) To hold office as a councilmember, a person:
- (1) Must continue to possess the qualifications prescribed in subsection (a) of this section;
 - (2) Must, if elected from one council district or residency post, continue to reside in the same council district or post from which elected; and
 - (3) Must not hold any other elective public office.
- (c) The one-year residency requirement as provided in subparagraph (a)(2) herein shall not be applicable to persons seeking election to the council if this charter is amended by the General Assembly reapportioning council districts of the city. Under such circumstances, persons seeking election to the council must have been a resident of the city and the council district from which he or she seeks to qualify for at least six months.
- (d) The council shall be the judge of the qualifications of its members.

Chapter 2.
President of the Council

SECTION 2-201.
Election; term.

The president of the council shall be elected from the city at-large for a term of four years commencing on the first Monday in January after each regular municipal election as provided in this charter and shall serve until his or her successor has taken office.

SECTION 2-202.
Qualifications.

- (a) To qualify for election as president of the council, a person:
- (1) Must be at least 18 years of age;
 - (2) Must be a resident of the city for at least one year immediately preceding the date of his or her filing of notice of candidacy to seek office;
 - (3) Must be a qualified elector of the city; and
 - (4) Must not be an employee of the city.
- (b) To hold office as president of the council, a person:
- (1) Must continue to possess the qualifications prescribed in subsection (a) of this section; and
 - (2) Must not hold any elective public office.

SECTION 2-203.
Powers and duties; limitations.

- (a) The president of the council:
- (1) Shall preside at meetings of the council but shall not be a member of that body;
 - (2) Shall vote only in the case of a tie vote of the council;
 - (3) Shall appoint the members and chairpersons of such committees as may be established by the council pursuant to its rules, and fill vacancies therein, provided any such appointments shall be subject to rejection by a majority vote of the total membership of the council; and the president of the council shall not be a member of any said committees;
 - (4) Shall exercise all powers and discharge all duties of the mayor in the case of a vacancy in the office of mayor or during the disability of the mayor;

- (5) Shall be authorized to compel the attendance of councilmembers by subpoena, subject to the rules of council;
 - (6) Shall have such further powers and perform such other duties consistent with law as may be provided by ordinance or resolution of council; and
 - (7) May speak to any pending matter before the council but shall not introduce ordinances or resolutions.
- (b) If the president speaks to a matter pending before the council, the president shall temporarily relinquish his or her role as presiding officer to the president pro tempore while speaking to such matter.
- (c) If the president of the council exercises the powers and discharges the duties of the mayor as provided in subsection (a) herein, he or she shall not exercise any of the powers and duties enumerated herein.

Chapter 3. Organization, Rules, Officers and Employees

SECTION 2-301.

Organizational meeting; oath of office.

The council shall meet for organization in the council chamber, or any other designated public place, on the first Monday in January following each regular election, or, if such Monday is a legal holiday, then on the next following day not a legal holiday. The mayor, president of the council, and councilmembers shall take and subscribe before a judge of the superior court, or any official authorized to administer oaths, the following oath of office: "I do solemnly swear (or affirm) that I will faithfully and impartially discharge the duties of the mayor, the president of the council or councilmember of the City of Atlanta, Georgia, during my term in office. I will not knowingly permit my vote in the election or appointment of any person to a position in the city government to be influenced by fear, favor, or affection, reward or expectation thereof. In all things pertaining to my said office, I will be governed by the public good and interests of the city. I will observe the provisions of the charter, ordinances, and regulations of the City of Atlanta. I further swear that I will support and defend the Constitutions and laws of the State of Georgia and of the United States of America."

SECTION 2-302.

Rules; quorum; voting.

- (a) The council shall by ordinance adopt and publish rules to govern its proceedings and transactions of business consistent with the provisions of this charter.
- (b) A majority of the councilmembers, excluding the president, shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members. The council may by ordinance provide methods to compel the attendance of its members and to punish for the violation thereof.
- (c) The affirmative vote of a majority of the councilmembers shall be required for the transaction of business and the passage of ordinances and resolutions, except as otherwise provided by law. Where no quorum can be assembled except by the filling of vacancies, a smaller number of members may transact business by a majority vote of members present to the extent necessary to fill such vacancies in the membership of the council as provided in this charter and by law. Should the number of vacancies in the membership of the council be one-half or greater than its total membership, the remaining members of the council shall cause to be called a special election to fill such vacancies.
- (d) No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Such member of the council shall, prior to the vote being taken, publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting.
- (e) No councilmember present at a meeting shall abstain from voting for any reason other than those provided herein.

SECTION 2-303.

Meetings.

(a) The rules of the council shall provide for the time and place of holding regular meetings which shall be held at least twice each month on the first and third Monday with the exception of July and December. If such Monday is a legal holiday, then the meeting shall be held on the next day not a legal holiday. The council shall designate in its rules the place for holding regular meetings and shall designate a time for such meetings which is convenient for public participation. The council shall be in recess during the second cycle of committee and council meetings in July and December of each year.

(b) Special meetings of the council may be called by the president of the council or mayor and shall be called by the president upon the written demand of at least seven members of the council. Notice of any special meeting shall be made as provided by Code Section 50-14-1 of the O.C.G.A., as now or hereafter amended. No business may be transacted at such special meeting other than that specified in the call and notice of such meeting.

(c) All meetings of the council and of the committees and of every agency, board, commission, and authority, or similar body of the city, shall be public in the same manner and to the same extent as required by Chapter 14 of Title 50 of the O.C.G.A., relating to open and public meetings, as now or hereafter amended. Any person shall have access to the minutes and records thereof at reasonable times in the same manner and to the same extent as required by Article 4 of Chapter 18 of Title 50 of the O.C.G.A., relating to inspection of public records, as now or hereafter amended.

(d) The council and its committees shall provide a reasonable opportunity for the public to be heard during its meetings. The council shall prescribe rules and regulations for the receipt of such comments from the public.

SECTION 2-304.

Election of president pro tempore.

At its first regular meeting in January of each year, the council shall elect one of its members as president pro tempore who shall act as the presiding officer in the absence of the president of the council and, in case of disability of the president of the council or of vacancy in the office of the president of the council, shall exercise the powers and duties which remain in the president of the council under the provisions of this article. The president pro tempore shall not lose his or her rights as a member of the council during any temporary absence or disability of the president of the council. When the president pro tempore is serving during the temporary absence or disability of the president, he or she cannot also vote as the president of the council.

SECTION 2-305.

Succession to offices of mayor
and president of council.

The council shall by ordinance establish a line of succession to the offices of mayor and president of council beyond that specified in this charter.

SECTION 2-306.

Compensation and expenses of elected officials.

(a) The council may by ordinance change the annual salary of the mayor, the president of the council, or councilmembers, subject to the following conditions and requirements:

- (1) Such action shall take into consideration any recommendation made by the Elected Officials Compensation Commission as provided in Chapter 7 in this article;
- (2) No action to increase such salaries shall be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the city at least once a week for three consecutive weeks immediately preceding the week during which the action is taken;
- (3) Any action to change such salaries shall not become effective until the date of commencement of the terms of the mayor, president of the council, and councilmembers elected at the next regular municipal election following such action;
- (4) Such action shall not be taken during the period between the date when the candidates for election to the positions of mayor, president of the council, and

councilmembers may first qualify as candidates and the date when the mayor, president of the council, and councilmembers take office following their election; and

(5) The amount established for each councilmember shall be the same.

(b) As used in this section, the words "salary or compensation" shall include any expense allowance or any form of payment or reimbursement of expenses, except reimbursement of expenses actually and necessarily incurred by the mayor, president of the council, or councilmember in carrying out his or her official duties. The council is authorized to provide by ordinance for the reimbursement of such actual and necessary expenses.

SECTION 2-307.

Municipal clerk.

(a) There shall be a municipal clerk, who shall be appointed and removed by the council in accordance with this section. To be eligible to occupy this position, the municipal clerk must be designated a certified municipal clerk by the Georgia Municipal Association and the Georgia Finance Officers Association, or by an equivalent certifying agency from another state, or must receive such certification within one year following his or her appointment. No member of the council shall be eligible for appointment. The municipal clerk shall be appointed and removed at the pleasure of the council upon a majority vote of its membership. The municipal clerk need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(b) The municipal clerk shall be the custodian of the official seal and of all records and documents of the city which are not assigned to the custody of some other officer. The clerk, or his or her designee, shall keep the rules of the council and the minutes of the proceedings of the council, maintain a current and comprehensive index of all ordinances and resolutions, publish notice of ordinances proposed for adoption under rules prescribed by council or required by this charter or law, and perform such other duties as may be assigned by this charter or by ordinance.

(c) The municipal clerk shall be responsible to the council and perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council, acting through its chairperson.

SECTION 2-308.

Staff of council

and president of the council.

(a) Staff of council. The council shall be authorized to employ such employees as may be necessary for the proper discharge of its functions. Adequate facilities and office space for such staff shall be provided for by the council.

(b) Staff of president of the council. The president of the council shall be authorized to employ such employees as may be necessary for the proper discharge of the functions of the office of president of the council. Adequate facilities and office space for such staff shall be provided.

(c) Director of council staff.

(1) The council shall appoint a director of council staff who shall not be a member thereof. The director of council staff shall be appointed and removed at the pleasure of the council upon a majority vote of its membership. The director of council staff need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(2) The director of council staff shall supervise all research undertaken on behalf of the council and shall further supervise the provision of administrative support to hearings and meetings of committees and subcommittees of the council and shall perform such other duties as may be assigned by this charter or by ordinance.

(3) The director of council staff shall be responsible to the council, and shall perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council.

Chapter 4.
Procedures of Council

www.libtool.com.cn SECTION 2-401.

Form of legislation.

Every official act of the council having the force and effect of law shall be by ordinance and shall begin with the words: "The City Council of the City of Atlanta, Georgia, hereby ordains...." All other actions shall be by resolution or shall take such other form as prescribed by rules of the council.

SECTION 2-402.

Introduction, consideration, passage, and publication of
legislation.

- (a) Every proposed ordinance and every amendment shall embrace one subject which shall be clearly expressed in its title.
- (b) No ordinance shall be passed and adopted until it has been read by title at two regular meetings not less than one week apart, except for emergency ordinances as provided in subsection (c) herein.
- (c) To meet a public emergency threatening life, health, property, or public safety, the requirement herein for ordinances may be dispensed with, and the emergency ordinance may be passed and adopted on the same day of its introduction. The emergency ordinance shall be in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and contain a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or it may be rejected at the meeting at which it is introduced, but the affirmative vote of two-thirds of the members of the city council shall be required for adoption. Any emergency ordinance shall become effective upon adoption or at such later time as specified within the ordinance. Every emergency ordinance shall be automatically repealed on the sixteenth day following the date on which it was adopted; however, should the emergency still persist, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance also may be repealed by adoption of a repealing ordinance in the same manner specified in this section for the adoption of emergency ordinances.
- (d) The passage of all ordinances shall be contingent upon the recording in the minutes of council proceedings of the "ayes" and "nays" of each councilmember and the names of the members voting for and against each proposed ordinance or amendment, those abstaining, and those absent.
- (e) The caption or title of every ordinance, excluding emergency ordinances, showing its general contents shall be published once, within seven days after the proposed ordinance has been introduced, in a newspaper of general circulation in the city and such electronic media as determined by the council, and shall include notice that a copy thereof is available in the office of the municipal clerk for public inspection and purchase at any reasonable time.

SECTION 2-403.

Submission to mayor; mayor's veto.

Every ordinance or resolution adopted by the council shall be signed by the president of the council, certified by the municipal clerk, and presented to the mayor's office within two calendar days following its adoption. The mayor shall approve or veto the ordinance or resolution within eight calendar days after adoption, and no ordinance or resolution shall become effective without the mayor's approval except as herein provided. If the mayor vetoes an ordinance or resolution, he or she shall within two business days of such veto return it to the council accompanied by a written statement of the reasons for the veto. If the council shall pass the ordinance or resolution by a vote of two-thirds of its total membership at the regular meeting next held after the ordinance or resolution has been returned with the mayor's veto, it shall become law without his or her approval. In the event the mayor does not approve or veto the ordinance or resolution within the time required, it shall become law without such approval. The

mayor may veto any item or items of any ordinance or resolution making appropriations; the part or parts of any ordinance or resolution making an appropriation which is not vetoed shall become law, and the part or parts vetoed shall not become law unless passed by the council over the mayor's veto as provided herein with respect to the passage of a vetoed ordinance or resolution.

SECTION 2-404.

Codes of technical regulations.

The council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. A copy of each adopted code of technical regulations shall be made available by the municipal clerk for public inspection at any reasonable time or for purchase at a reasonable price.

SECTION 2-405.

Codification and printing.

The council shall provide for the continuous updating, revision, codification, and printing of all ordinances of general application, copies of which shall be made available to the public at reasonable cost. The municipal clerk shall file any ordinances amending or revising the charter as required by Code Section 36-35-3 of the O.C.G.A., as now or hereafter amended.

SECTION 2-406.

Hearings and investigations.

(a) The council, or any committee composed entirely of councilmembers to which such power is specifically granted by the council, shall be authorized to conduct hearings and investigations of the operations and affairs of the city or of any office, department, or agency thereof, and for such purpose the council or said designated committee thereof shall have power to compel the attendance of witnesses by subpoena, administer oaths, take testimony, and require the production of documents and other evidence at any meeting thereof. The conduct of such proceedings shall be subject to such rules and regulations as the council may prescribe.

(b) If any person duly subpoenaed as a witness shall fail to appear or appearing refuse to testify or produce such books and papers, the council shall report such failure to any court of record or judge thereof, who may make such order as shall be proper as to the future appearance of the witness for the purpose of giving testimony and for the production of any such books and papers and who may, after due notice and opportunity to be heard, punish him or her for failure to comply therewith.

SECTION 2-407.

Quadrennial relegation of pending legislation.

Following the general election, and on a quadrennial basis, all pending legislation in committee will be automatically terminated by being adversely or filed at the end of the last council meeting in December of that year.

Chapter 5.

Initiative and Referendum

SECTION 2-501.

Initiative and referendum.

(a) The council shall by ordinance prescribe procedures to govern the initiation, adoption, and repeal of ordinances by the electorate, and the council shall authorize an initiative or referendum election on petition of at least 15 percent of the registered voters qualified to vote in the preceding general municipal election.

(b) The council shall be authorized to submit to the qualified voters of the city at any election not called only for the purpose of putting said ordinance or resolution before the voters any ordinance or resolution which it may deem proper; and in the event a majority of voters shall vote for this ordinance or resolution, it shall be adopted. If a majority of the votes so cast are against the resolution or ordinance, it shall be defeated and shall not thereafter be adopted by the council until resubmitted to and adopted by

the qualified voters of the city. If it receives a majority vote of the people and becomes effective, then it can only be repealed by a majority vote of the qualified voters voting at an election for such purpose.

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Chapter 6.
City Internal Auditor

SECTION 2-601.

Selection; removal.

(a) There is hereby created the office of city internal auditor. The city internal auditor must be a certified internal auditor or a certified public accountant, demonstrating at least ten years' experience in public financial and fiscal practices, performance and financial auditing, and municipal accounting. The city internal auditor shall be appointed by a majority of the members of the audit committee, subject to confirmation by a majority of the council, for a period not to exceed six years. Removal of the city internal auditor from office before the expiration of the designated term shall be for cause by a vote of two-thirds of the members of city council.

(b) The city internal auditor need not be a resident of the city at the time of his or her appointment, but he or she shall reside in the city within six months of such appointment and continue to reside therein throughout such appointment.

(c) The city internal auditor shall not be involved in partisan political activities or the political affairs of the city.

SECTION 2-602.

Appointment of assistants and employees.

(a) Within the budget approval process and established personnel policies for all departments, the city internal auditor shall have the power to appoint, employ, and remove such assistants, employees, and personnel as he or she may deem necessary for the efficient and effective administration of the office. The present employees in the division of internal auditing of the finance department are hereby transferred to the city internal auditor's office and shall serve such assistants and employees to the city internal auditor as provided herein.

(b) Professional employees employed in this office shall serve in unclassified positions. The city internal auditor shall appoint such other employees subject to the civil service rules, and such employees shall be within the civil service system of the city.

(c) Neither the members of the council, the president of the council, nor the mayor shall in any manner dictate the appointment or removal of any such officer or employee whom the auditor is empowered to appoint.

SECTION 2-603.

Powers and duties.

The city internal auditor and city internal auditor's office shall be charged with the following duties and responsibilities:

(1) To conduct performance and financial audits of all departments, offices, boards, activities, and agencies of the city in order to independently determine whether:

(A) Activities and programs being implemented have been authorized by the council, state law, or applicable federal law or regulations and are being conducted and funds expended in compliance with applicable laws;

(B) The department, office, or agency is acquiring, managing, protecting, and using its resources, including public funds, personnel, property, equipment, and space, economically, efficiently, and effectively and in a manner consistent with the objectives intended by the authorizing entity or enabling legislation;

(C) The organization, programs, activities, functions, or policies are effective, including the identification of any causes of inefficiencies or uneconomical practices, such as inadequacies in management information systems, internal and administrative procedures, organization structure, use of resources, allocation of personnel, purchasing policies, and equipment;

(D) The desired result or benefits are being achieved;

(E) Financial and other reports are being provided that disclose fairly, accurately, and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities, and that is necessary to establish a proper basis for evaluating the results of programs and activities including the collection of, accounting for, and depositing of revenues and other resources;

(F) Management has established adequate operating and administrative procedures and practices, systems, or accounting internal control systems and internal management controls; and

(G) Indications of fraud, or abuse or illegal acts are present;

(2) To submit at the beginning of each fiscal year an audit schedule to the Audit Committee for review and comment. The schedule shall include the departments, offices, boards, activities, subcontractors, and agencies subject to audit for the period. This schedule may be amended during the period after review by the Audit Committee. Additionally, the city auditor may initiate and conduct any other audits deemed necessary;

(3) To submit an annual report to the council and mayor indicating audits completed, major findings, corrective actions taken by administrative managers, and significant findings which have not been fully addressed by management;

(4) To perform such other duties and responsibilities as provided for by this charter or ordinance.

SECTION 2-604.

Audit Committee; established;
powers and duties generally.

(a) To ensure independence of the audit function, an Audit Committee is hereby established. The Audit Committee is a management committee and not a public board, commission, or committee as specified in Article 3 herein. The Audit Committee shall be comprised of five voting members who shall include the mayor or mayor's appointee, the president of the council or the president's appointee, and three at-large members appointed by the entire city council. The three at-large members shall be residents of the city with expertise in auditing, preferably internal or management auditing, and shall be either a certified public accountant, certified internal auditor, or certified management auditor. Of the three at-large members initially appointed, one member shall be appointed for a term expiring on January 31, 1998; one member shall be appointed for a term expiring on January 31, 1999; and one member shall be appointed for a term expiring on January 31, 2000. Thereafter, members shall be appointed for three-year terms. Members of the committee shall select a chairperson from among its members yearly.

(b) The Audit Committee shall consult with the city internal auditor regarding technical issues and work to assure maximum coordination between the work of the city auditor's office and the needs of the council, the mayor, and departments and the coordination of external audit efforts.

(c) The Audit Committee shall meet as needed to perform its duties but shall not meet less than once quarterly and shall be responsible for:

(1) Providing general direction to the internal audit function by reviewing the internal auditor's annual audit plan and any proposed amendments thereto and submitting the plan and the committee's recommendations to the council;

(2) Reviewing and approving internal audit reports before the final audit report is issued;

(3) Sending copies of draft and final internal audit reports to the mayor, president of the council, and members of the council;

(4) Performing an evaluation of the city internal auditor annually and reporting the results of the evaluation and effectiveness of the audit function annually to the council;

(5) Providing oversight of the external audit efforts and coverage; and

(6) Performing such other duties as provided for by an ordinance of the council.

SECTION 2-605.

Access to records and property.

(a) All city officers and employees shall allow the city internal auditor immediate access to any ~~and all books, records,~~ documents, and other requested information, including automated data, pertaining to the business of the city and within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts, and methods of business required to conduct an audit or other official duties. In addition, such officers and employees shall provide access for the auditor to inspect all property, equipment, and facilities within their custody. Further, all contracts with outside contractors and subcontractors shall provide for the city auditor's access to all financial and performance-related records, property, and equipment purchased in whole or in part with city funds and facilities.

(b) The city internal auditor shall not publicly disclose any information received during an audit that is considered confidential by nature by any local, state, or federal law or regulation.

(c) Any reports issued by the internal auditor shall be made available for public inspection or copying at a reasonable cost.

SECTION 2-606.

Quality assurance reviews.

(a) The audit activities of the city internal auditor's office shall be subject to a quality review at least every three years by a professional, nonpartisan objective group utilizing guidelines endorsed by the National Association of Local Government Auditors or the State Auditors' Association of the United States General Accounting Office. A copy of the written report of the independent review shall be furnished to the council, president of the council, mayor, and members of the Audit Committee and made available to the public.

(b) The quality review shall determine compliance with generally accepted governmental auditing standards and the quality of audit effort and reporting, including but not limited to staff qualifications, due professional care, and quality assurance; fieldwork standards such as planning, supervision, and audit evidence; and reporting standards such as report content, presentation, and timeliness.

(c) The city shall reimburse travel and living expenses for the quality review team from funds budgeted in the city internal auditor's budget or other in-kind support.

SECTION 2-607.

Funding of auditor's office.

The council shall provide funds necessary for the facilities, equipment, and staffing of the city internal auditor's office to carry out the responsibilities specified herein and by ordinance.

SECTION 2-608.

Special audits.

The president of the council or members of council may request the city auditor to perform special audits or assignments of a limited scope intended to determine the accuracy of information provided to council, costs and consequences of recommendations made to the council, and other information concerning the performance of departments, offices, or agencies of the city. After consultation with the Audit Committee, a special audit requested by the president of the council or members of the council may become an amendment to the annual audit schedule.

Chapter 7.

Elected Officials Compensation Commission

SECTION 2-701.

Created.

There is hereby created an elected officials compensation commission which shall make recommendations regarding the salaries of the mayor, president of the council, councilmembers, and members of the Atlanta Board of Education.

SECTION 2-702.

Composition; appointment; term of office; vacancies.

(a) Composition; appointment. The elected officials compensation commission shall consist of ~~seven members~~ with one member appointed by the mayor, one member appointed by the president of the council, two members appointed by the council, two members appointed by the board of education, and one member appointed by the Atlanta Planning and Advisory Board. Each member must be a qualified elector of the city at the time of his or her appointment and all times during the term of office. No member or employee of the executive, legislative, or judicial branch of the city or family members of any member or employee shall be eligible to be a member of the commission.

(b) Term of office. Except as provided herein, the term of office of each member shall be four years. The initial members shall be appointed within 30 days after the effective date of this charter and shall serve until the regular municipal elections of November, 1997. Thereafter, each member shall be appointed to serve with a term of office expiring with the regular municipal elections.

(c) Vacancies. If a vacancy occurs before the expiration of a member's term, the vacancy shall be filled in the same manner as prescribed for the original appointment.

SECTION 2-703.

Powers and duties.

At least one year prior to a regular municipal election, the commission shall recommend to the council and board of education the amount of compensation which it deems appropriate for the mayor, president of council, members of council, and members of the board of education. The amount recommended for each member of council or the board of education shall be the same; however, the amount recommended for the president of the council or the president of the board of education may exceed that of the members of the council or board of education. Any amount recommended shall be an amount which takes into account the nature of the office and which is commensurate with salaries then being paid for other public positions having similar duties, responsibilities, or obligations. No recommendations shall be made except upon the affirmative vote of four members of the commission. Recommendations, with supporting rationale, shall be made in writing. Prior to the submission of any recommendation to the council or board of education, the commission shall conduct at least one public hearing on the matter.

SECTION 2-704.

Meetings; quorum; election of chairperson;
compensation of members.

The elected officials compensation commission shall meet as needed every four years. A majority of the members of the commission shall constitute a quorum for conducting the business of the commission. The commission shall elect a chairperson from among its members. The members of the commission shall receive no compensation but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

SECTION 2-705.

Assistance to commission.

The council shall provide such assistance as the commission shall reasonably require.

ARTICLE 3
EXECUTIVEChapter 1.
The Mayor

SECTION 3-101.

Election; term; limitation of term.

The mayor shall be elected from the city at-large for a term of four years commencing on the first Monday in January after each regular municipal election, and he or she shall serve until his or her successor has taken office. Any mayor who has been elected for

two consecutive four-year terms under the provisions of this charter shall not be eligible to be elected for the succeeding term.

www.libtool.com.cn SECTION 3-102.
Qualifications.

- (a) To qualify for election as mayor, a person:
- (1) Must be at least 18 years of age;
 - (2) Must be a resident of the city for at least one year immediately preceding the date of his or her filing of notice of candidacy to seek office;
 - (3) Must be a qualified elector of the city; and
 - (4) Must not be an employee of the city.
- (b) To hold office as mayor, a person:
- (1) Must continue to possess the qualifications prescribed in Section 3-102(a); and
 - (2) Must not hold any other elective public office or hold any position of employment with the State of Georgia, any county thereof, or with the city.

SECTION 3-103.
Oath of office.

Before entering upon the duties of his or her office, the mayor shall take and subscribe to the oath as provided in Section 2-301 of this charter.

SECTION 3-104.
Powers and duties.

The mayor shall be the chief executive officer of the city and he or she shall have the power and it shall be his or her duty to:

- (1) Execute and enforce the provisions of this charter, the ordinances of this city, and all other laws;
- (2) Exercise supervision over all the administration of all departments of the city and delegate all or part of such supervision to the chief operating officer;
- (3) Prepare periodically, but not less than annually, and submit to the council for approval a comprehensive development policy which shall consider the city's physical, economic, and social aspects and state the goals and objectives of Atlanta and its citizens and the necessary recommendations, policies, plans, programs, and priorities for attaining them;
- (4) Submit to council the recommended annual budget prepared by the appropriations committee as provided in Section 6-302 in this charter;
- (5) Approve or veto proposed ordinances and resolutions as provided in this charter;
- (6) Convene special meetings of the council at his or her discretion;
- (7) At his or her discretion, conduct studies and make investigations and reports to the council concerning the operations of departments, offices, and agencies of the city and require any department, board, commission, or agency under his or her jurisdiction to submit written reports and information;
- (8) Prescribe, require, publish, and implement standards of administrative, management, and operating practices and procedures to be followed and adhered to by all offices, departments, boards, commissions, authorities, and other agencies of the city subject to his or her supervision and jurisdiction or delegate all or part of such responsibilities to the chief operating officer;
- (9) Advise the council as to the financial condition, future needs, and general welfare of the city and make such recommendations to the council concerning the affairs of the city as he or she deems desirable;
- (10) When authorized by the council, negotiate deeds, bonds, contracts, and other instruments and documents on behalf of the city and execute same after final approval by the council;
- (11) Represent the city in affairs of intergovernmental relations, promote and improve the government of the city, encourage the growth of the city, and promote and develop the prosperity and social well-being of its people;
- (12) At his or her discretion, initiate such administrative reorganization within city government as he or she may deem desirable and as provided in Section 3-302(b);

(13) Perform such duties as may be required by law, and in his or her discretion perform such other duties as may be authorized by law;

(14) Purchase supplies, material, equipment and personal property of every type and description, and services for the rental, repair, or maintenance of equipment, machinery, and other city-owned property; provided, however, the purchase amount does not exceed \$100,000.00, such purchases conform with the provisions within Chapter 4 of Article 6 herein and any purchasing and procurement ordinances of the city, and a duly enacted appropriation by the council authorizes expenditures for such purposes. Any award of contract not competitively procured in accordance with this charter or ordinances of the city, or not awarded to the lowest bidder or offeror, shall be approved by the city council prior to an award;

(15) Prepare annually a plan for increasing the efficiency of city services based upon the findings and recommendations of the Citizen's Service Planning Review Commission as provided in Chapter 7 of this article.

SECTION 3-105.

Delegation of powers and duties; prohibition.

In no event shall the mayor delegate to the chief operating officer or any other appointed officer or employee the power to approve or veto ordinances or resolutions, convene meetings of the council, serve as acting mayor, remove the city attorney, chief financial officer, or chief operating officer, or amend budgets.

SECTION 3-106.

Mayor's staff.

(a) The mayor may appoint such staff to aid in the discharge of the mayor's duties, including a chief of staff, as authorized by the council. The chief of staff shall have such duties as assigned by the mayor but shall not be assigned any supervisory or management duties outside of the mayor's office or duties which are inconsistent with the provisions of this charter. Such persons shall serve at the pleasure of the mayor.

(b) Any person appointed chief of staff need not be a resident of the city at the time of his or her appointment but shall be a city resident during his or her appointment.

SECTION 3-107.

Investigations of departments.

The mayor may conduct an investigation of any city department or office within the executive branch, hear and determine all charges affecting the work of the department under investigation or any of its employees, and administer oaths and affirmations at such hearings. For furtherance of such investigations, the mayor may issue subpoenas to compel the attendance of witnesses and the production of books, papers, vouchers, and other written instruments. If any person duly subpoenaed as a witness shall fail to appear or appearing refuse to testify or to produce such books and papers, the mayor shall report the failure of the witness to appear or refusal to testify or to produce books and papers to any court of record or judge thereof, who may make such order as shall be proper as to the future appearance of the witness for the purpose of giving testimony and for the production of any such books and papers and who may, after due notice and opportunity to be heard, punish him or her for failure to comply therewith.

Chapter 2.

Chief Operating Officer

SECTION 3-201.

Appointment; qualifications; residency; compensation; removal.

(a) Appointment. The mayor shall appoint, subject to the confirmation by a majority vote of the entire council, an officer whose title shall be "chief operating officer."

(b) Qualifications. The chief operating officer shall have a graduate or professional degree plus a minimum of ten years, or an undergraduate degree plus a minimum of 15 years, of progressively responsible administrative experience in the public or private sector which has included responsibility for supervising a large scale service delivery program

with a substantial budget. The qualifications herein may be waived by the city council upon a three-fourths' vote of its membership.

(c)Residency. The chief operating officer need not be a resident of the city or of the State of Georgia at the time of his or her appointment but shall reside in the city throughout his or her appointment.

(d)Compensation. The chief operating officer shall receive such compensation as fixed by the council.

(e)Removal. The chief operating office shall hold office at the pleasure of the mayor and may be dismissed by the mayor without the approval of the council.

SECTION 3-202.

Powers and duties.

The chief operating officer shall have the following powers and duties:

- (1) To the extent delegated by the mayor, to exercise supervision over all activities of city departments and the boards and commissions connected with such departments and be the contact officer between the mayor and such departments, boards, and commissions;
- (2) To make periodic reports with such recommendations to the mayor regarding the activities of the various departments, bureaus, boards, commissions, authorities, and other agencies of the city under his or her jurisdiction and make or cause to be made investigations and studies of the organization and procedures thereof and to require such reports therefrom as deemed necessary;
- (3) To provide liaison, coordination, and communications between and among city departments and agencies and the various agencies of the federal, state, and local governments and other public and private agencies concerning the affairs of the city;
- (4) To provide direction on participation in federal and state grant-in-aid programs, monitoring and evaluation of grant contract programs, and communication of program policies and priorities;
- (5) To conduct research and make information available to the mayor, council, and the various departments, offices, and agencies of the city;
- (6) To attend meetings of the council and its committees and to make available such information as may be requested; and
- (7) To perform all other duties as required by this charter or lawfully delegated to him or her by the mayor.

Chapter 3.

City Departments

SECTION 3-301.

General.

(a) Except where another meaning is clearly intended, the word "department" in this charter shall mean any agency in the executive and administrative branch of the city government. The departments of the city shall be created and established by ordinance, and the departments shall be responsible for the performance of the functions and services enumerated therein.

(b) The operations and responsibilities of such departments shall be distributed among such divisions or bureaus and shall consist of such officers, employees, and positions as may be authorized by ordinance.

(c) There shall be a director of each department who shall be the principal officer thereof. Each director shall be responsible for the administration and direction of the affairs and operations of his or her department and shall exercise general management and control thereof.

(d) Vacancies occurring in an appointive office shall be filled in the same manner as prescribed by this charter for original appointments.

(e) The directors of departments and other appointed officers shall be appointed solely on the basis of their respective executive, administrative, and professional qualifications which shall be prescribed by ordinance.

(f) The compensation of appointed officers and directors of departments shall be fixed by the council.

(g) The mayor may initiate or create additional departments, or propose the abolishment of departments, subject to the provisions of this charter and approval by the council.

SECTION 3-302.

Administrative reorganization.

(a) The mayor, as chief executive of the city, is hereby empowered, subject to any limitations of this charter, to initiate, direct, and implement the reorganization of any department.

(b) The mayor shall prepare and sign a plan of reorganization of any department or departments and shall submit such plan to the council. Any plan presented shall be in the form of a proposed ordinance and the council shall by majority vote approve, modify, or reject any such plan within 60 days of its submission to the council. No reorganization shall become effective until the council has acted or 60 days have elapsed from the date of submission, whichever first occurs.

SECTION 3-303.

City attorney.

(a) Appointment; removal. There shall be a city attorney who shall be appointed by the mayor subject to confirmation by a majority vote of the city council. The city attorney may be removed at the pleasure of the mayor or the city council by a three-fourths' vote of its membership.

(b) Qualifications. The city attorney shall be an active member of the State Bar of Georgia in good standing and shall have at least ten years' experience in the active practice of law immediately preceding his or her appointment. The number of years' experience herein may be waived by the city council upon a three-fourths' vote of its membership.

(c) Residency. During his or her appointment, the city attorney shall be a resident of the City of Atlanta.

(d) Duties. The city attorney shall serve as the chief legal advisor of the city and shall be the director of the department of law. He or she shall perform such duties as prescribed by this charter, ordinance, or law.

(e) Prohibited activities. The city attorney and all full-time assistants shall not engage in the private practice of law.

SECTION 3-304.

Chief financial officer.

(a) Appointment; removal. There shall be a chief financial officer who shall be appointed by the mayor, subject to the confirmation by a majority vote of the city council. The chief financial officer may be removed at the pleasure of the mayor or by the city council upon a three-fourths' vote of its membership.

(b) Qualifications. The chief financial officer shall have at least ten years' experience in the management of fiscal operations or public finance and proven administrative ability or have served at least ten years as a comptroller or financial head of a business with a substantial budget. The number of years' experience herein may be waived by the city council upon a three-fourths' vote of its membership.

(c) Residency. During his or her appointment, the chief financial officer shall be a resident of the city.

(d) Duties. The chief financial officer shall be the director of the department of finance and shall perform such duties as shall be provided by this charter or by ordinance or resolution or required by law.

SECTION 3-305.

Directors of departments—Appointment; removal; residency;

appointment of other city employees.

(a) Appointment; removal. The mayor shall appoint all directors of departments, subject to confirmation by a majority of the city council. As used in this section, "director"

means the administrative head of each department regardless of the title of a particular department head. Directors may be removed at the pleasure of the mayor.

(b) Residency. A director, deputy director, or bureau administrator of a department need not be ~~a resident of the city~~ at the time of his or her appointment but shall reside in the city throughout such appointment.

(c) Appointment and removal of other employees. Directors of departments shall have the power and duty to appoint and remove deputy directors and bureau administrators. A deputy director or bureau administrator may be removed by a director.

Chapter 4. Boards and Commissions

SECTION 3-401.

General.

(a) As related to corporate, municipal, governmental, or public purposes and for the security of the peace, health, and good government of the city, the council shall have the authority to create commissions, councils, or boards which shall perform duties prescribed by the council, including, but not limited to, making studies, conducting research and investigations, holding hearings, and preparing recommendations as to needed ordinances and resolutions. All members of such boards, commissions, or councils shall be legal residents of the city.

(b) The council shall have the authority to provide for the composition of such commissions, councils, or boards, their periods of existence, and for the compensation of their members and employees, in whole or in part. The council may provide by ordinance for reimbursement of the actual and necessary expenses incurred by the members thereof in the performance of their official duties. The council shall have the authority to annually appropriate and donate money, derived from taxation, contributions, or otherwise, for and to such commissions, councils, and boards to provide for their operation, either in whole or in part.

(c) All regular, full-time employees of commissions, councils, or boards which have been previously created or hereafter created by the council shall be considered to be employees of the city. Such employees shall be entitled to all of the benefits and privileges as are other employees of the city and shall be subject to all laws, ordinances and resolutions governing employees of the city except as otherwise specifically prescribed in the code of ordinances. Such employees shall be within the unclassified service of the civil service unless the council shall provide by ordinance for other terms and conditions of employment and personnel matters relating to such employees. No member of a board or commission shall be deemed an employee of the city under the provisions of this subsection.

(d) Any vacancy in office of any member of a board or commission shall be filled for the unexpired term in the manner prescribed for the original appointment.

(e) No member of any board or commission shall assume office until he or she has executed and filed with the municipal clerk an oath or affirmation obligating himself or herself to faithfully and impartially perform the duties of his or her office, such oath or affirmation to be prescribed by ordinance and administered by the mayor or the municipal clerk.

(f) Any member of a board or commission created by the council may be removed from office for cause by a majority vote of the council members present.

(g) Each board and commission may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the council, or applicable state law, as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be filed with the municipal clerk.

(h) All boards and commissions and their employees shall comply with the budgetary procedures of the city as provided in this charter.

(i) The functions of boards and commissions of the city, whether established by Acts of the General Assembly or the city council, shall be provided for by ordinances or resolutions of the city council. However, any boards and commissions which derive their powers from general law shall continue to exercise such powers.

(j) The mayor may initiate the creation of additional boards and commissions subject to the approval of the council.

www.libtool.com.cn SECTION 3-402.

Charter review commission authorized.

The council shall by ordinance establish a charter review commission so that a review of the city charter may be accomplished every 20 years, to make recommendations, and to hold hearings with respect to amendments to the charter.

SECTION 3-501.

Civil service.

(a) The council shall establish by ordinance a system of civil service of the city, which shall be divided into a classified and an unclassified service. The classified and unclassified service shall cover the positions presently in the classified or unclassified service respectively on the effective date of this charter, unless otherwise provided by ordinance. The civil service system of the city shall not include employees of the Atlanta school system.

(b) The council shall adopt by ordinance civil service rules and regulations to govern the classification of positions, the manner and method of publicizing vacancies, employing and appointing, and dismissing personnel, the qualifications of employees, the terms, conditions, and benefits of employment, retirement policy, grievance procedures, and any other measures that promote the hiring and retaining of capable, diligent, honest career employees.

SECTION 3-502.

Discrimination prohibited.

It shall be the policy of the city, its departments, and boards that all personnel matters shall be determined solely on the basis of merit and qualification, without respect to race, color, religion, sex, national origin, or political affiliation.

SECTION 3-503.

Residency of employees.

Except as otherwise provided in this charter, the council may by ordinance provide from time to time for employees to reside within the city during their continuance in such office or employment with the city.

SECTION 3-504.

Credit preference.

The council may provide by ordinance for a credit preference to be given to residents of the city on their employment examination scores.

SECTION 3-505.

Temporary employment of persons retired
under pension laws.

The mayor and council may authorize the employment of any person who has retired under any of the pension laws, notwithstanding the age of such person, to render any special or particular service under contract, provided the employment is temporary and the necessity therefor is certified by the department head making the contract of employment. Such employees shall acquire no further pension or civil service rights by virtue of such temporary employment.

SECTION 3-506.

Compulsory retirement; waiver of penalties.

(a) No employee of the city shall be required to retire from employment with the city based upon the age of any such employee.

(b) Any employee of the city who has completed at least five years of service with the city and who retires under any pension plan covering city employees shall be entitled to retire upon attaining 65 years of age without the application of any vesting penalties which may be set forth under any such pension plan.

SECTION 3-507.

Modification of pension plans.

As authorized by the provisions of the Constitution of the State of Georgia of 1983, Article IX, Section III, Paragraph III (a)(14), the Acts, approved February 15, 1933, August 13, 1927, and August 20, 1974 (found respectively at Ga. L. 1933, p. 213, et seq.; Ga. L. 1927, p. 265, et seq.; Ga. L. 1924, p. 167, et seq., all as amended), providing for pensions for officials and employees of cities having a population of 300,000 or more according to the United States Census of 1920 or any subsequent census thereof, shall be modified, insofar as they appertain to employees and officials of the City of Atlanta and its board of education in accordance with the following rules and procedures:

(1) Any other provisions in the charter notwithstanding, any pension law modification shall be effected only by ordinance adopted by at least two-thirds of the total membership of the council and duly approved by the mayor;

(2) Any such ordinance shall be considered by the council only after receipt of:

(A) An investigation by an independent actuary of any such proposed modification, evidenced by a written report from such actuary which shall include, but not be limited to, such actuary's analysis of the funding requirements relating to any such modification and the opinion of such actuary as to the propriety of any such modification. Any such opinion must state that such modification is in conformity with applicable state laws governing the funding requirements for modifications to such pension plans. Such opinion shall be accompanied by the written recommendations of the city attorney and chief financial officer;

(B) A written recommendation concerning such ordinance adopted by at least two-thirds of the membership of the board of trustees of each of the respective pension funds affected by such modification; such recommendation shall be considered by, but shall not be binding upon, the council;

(C) Any such ordinance modifying the Act approved August 13, 1927 (Ga. L. 1927, p. 265 et seq., as amended) and affecting employees of the Atlanta Board of Education shall become effective as to such employees only after such modification is adopted by a majority of the total membership of the Atlanta Board of Education;

(3) No substitute or amendment to any ordinances presented to the council hereunder shall be considered without a subsequent investigation of such proposed substitute or amendment by an independent actuary as provided in (b)(1), hereinabove, and the recommendation of the board of trustees of the respective pension fund affected by such modification as set forth in (b)(2), hereinabove;

(4) No ordinance which modifies any of the aforesaid pension laws and has a fiscal impact on the pension systems established by such laws shall be adopted by the council or approved by the mayor until adequate provision for funding such modification has been made to defray the fiscal impact of such modification;

(5) Limitation on annual benefit. Notwithstanding any provisions to the contrary, an employee's or officer's annual benefit attributable to nonemployee contributions shall not exceed the lesser of: (A) 100 percent of the employee's or officer's highest three consecutive years' average applicable compensation or (B) a dollar amount which is adjusted for inflation based on Section 215(i)(2)A of the Social Security Act, as amended. Furthermore, if the employee or officer retires before age 62 the limit shall be actuarially reduced in accordance with Internal Revenue Code Section 415(b), as now or hereafter amended;

(6) Forfeiture of benefits. An employee or officer who is not entitled to any vested continuing pension benefits at or after his or her last termination date must, within seven years thereafter, apply for a refund of his or her employee contributions to the fund; otherwise said contributions shall be forfeited to the pension fund.

An employee or officer who is entitled to a continuing pension benefit on or after the date of the last termination date must, within seven years after said benefits become duly vested and payable, either apply for benefits or claim a refund of his or her employee contributions to the pension fund; otherwise said payments shall be forfeited to the pension fund.

SECTION 3-508.

Regulation of complaints, fraud,
waste, and abuse; definitions.

(a) As ~~used in this section,~~ the term:

(1) "Municipal employee" means classified and unclassified employees of the City of Atlanta, and individuals who perform services for the City of Atlanta on a contract or fee basis, but does not include elected officials.

(2) "Municipal employer" means any department, board, bureau, commission, authority, or other agency of the city which employs or appoints any municipal employee, except the mayor and members of the city council and the City Court of Atlanta.

(b) A municipal employer may receive and investigate complaints or information from any municipal employee concerning the possible existence of any activity constituting fraud, waste, and abuse in or relating to any municipal programs and operations under the jurisdiction of such municipal employer.

(c) Notwithstanding any other local law or ordinance to the contrary, such municipal employer shall not, after receipt of a complaint or information from a municipal employee, disclose the identity of the municipal employee without the written consent of such municipal employee, unless the municipal employer determines such disclosure is necessary and unavoidable during the course of the investigation. In such event, the municipal employee shall be notified in writing at least seven days prior to such disclosure.

(d) No action against any municipal employee shall be taken or threatened by any municipal employer who has authority to take, direct others to take, recommend, or approve any personnel action as a reprisal for making a complaint or disclosing information to the municipal employer unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(e) Any action taken in violation of subsection (d) of this section shall give the municipal employee a right to have such action set aside by the personnel board after a hearing.

Chapter 6.
Planning

SECTION 3-601.

Comprehensive development plan.

The mayor shall have a comprehensive development plan of the City of Atlanta prepared and maintained to be used as a guide for the growth and development of the city and which will identify its present and planned physical, social, and economic development. This plan shall: (1) set forth the comprehensive development goals, policies, and objectives for both the entire city and for individual geographic areas and communities within the city and (2) in conformance with such development goals, objectives, and policies, identify the general location, character, and extent of streets and thoroughfares, parks, recreation facilities, sites for public buildings and structures, city and privately owned utilities, transportation systems and facilities, housing, community facilities, future land use for all classifications, and such other elements, features, and policies as will provide for the improvement of the city over the next 15 years.

SECTION 3-602.

Five-year and one-year development plans.

The mayor shall have a comprehensive five-year development plan prepared which shall: (1) present a recommended generalized land use development pattern to guide the growth of the city over a succeeding five-year period and (2) include the city's specific development goals and objectives based upon existing and projected demographic and socioeconomic factors and public and private community facilities for the entire city and individual geographic areas and communities within the city, as related to the comprehensive development plan and to regional plans. In addition, the mayor shall have a one-year development plan prepared that delineates the city's proposed land use

development pattern for a succeeding 12 month period and is based upon the development goals and objectives specified in the city's five-year development plan.

www.libtool.com.cn SECTION 3-603.

Implementation; updating and revision.

(a) Prior to the preparation of each comprehensive development plan, the mayor shall have hearings held in such manner as the council shall prescribe by ordinance. The mayor shall submit to the council such plans that will include a 15 year, five-year, and one-year comprehensive development plan, along with a comprehensive land use plan for all property within the city limits. These plans, updated each year, shall be submitted to the council not later than its first regular meeting in May each year. Beginning with the transmittal date of said plans to council, the general public shall be afforded a period of 45 consecutive days in which to review said plans. Subsequent to the expiration of the aforementioned 45 day period, the council shall conduct public hearings concerning such plans. Thereafter, the council shall adopt the comprehensive development plans, after making any amendments or revisions thereto that the council considers appropriate, but not later than the last regular council meeting in July of each year. Such plans shall become effective immediately upon adoption and approval of the authorizing legislation.

(b) The approved comprehensive development plans shall be used as a guide for the preparation of the city's capital improvement program and capital budget.

(c) The mayor shall maintain an up-to-date zoning map for all properties within the city limits.

(d) Following the annual updating and adoption of the city's development plans, the council shall amend the city's zoning ordinance to conform with the updated development plans in accordance with procedures prescribed by general law.

(e) Approved comprehensive development plans distributed to the public shall include a brochure or similar document containing the names, addresses, telephone numbers and facsimile numbers of appropriate city and county officers, as an appendix to the document, and such comprehensive development plans and appendices shall be provided to all neighborhood planning units of the city within 30 days of the adoption of such comprehensive development plans.

SECTION 3-604.

Program for human and economic development.

Within one year after the effective date of this charter, the mayor and city council shall provide an administrative mechanism with appropriate status and adequate budget to develop and implement a comprehensive program of human and economic development. The program shall be responsible for identifying and securing resources needed to address these problems and needs effectively. The program shall encourage efforts to enable, empower, and involve the disadvantaged; address the causes of crime; work to enhance the quality of life of all citizens; and help to ensure that the city government will be responsive to the needs of all citizens.

Chapter 7.

Citizen's Service Planning Review Commission

SECTION 3-701.

Creation; composition.

There is hereby created and established the Citizen's Service Planning Review Commission which shall consist of nine members.

SECTION 3-702.

Appointments; terms; vacancies.

(a) Members shall be appointed by the mayor subject to confirmation by a majority vote of the council. Any person so appointed shall be a resident of the city at the time of appointment and during the term of office. Of the initial members appointed to the commission, three of the members shall be appointed for a term expiring on December

31, 1998; three members shall be appointed for a term expiring on December 31, 1999; and three members shall be appointed for a term expiring on December 31, 2000. Thereafter, all members shall be appointed for three-year terms. Members of the commission shall select ~~one of its members~~ as chairperson.

(b) Any vacancy on the commission, however created, shall be filled for the unexpired term in the same manner as the position was originally filled, and the person filling the vacancy shall have and retain all the qualifications prescribed for membership.

SECTION 3-703.

Powers and duties.

Each year the commission shall study such city services as agreed upon by a majority of its members and prepare a report to be presented to the mayor and chief operating officer by September 1 of each year. The report shall contain the findings of the commission and present actions that the city may implement to increase the efficiency and reduce the cost of service provision. For each service area reviewed and investigated by the commission, the report shall include but not be limited to:

- (1) The level of expenditures for each service;
- (2) The quality of the service provided;
- (3) The cost of providing the service;
- (4) Available competitive contracting for such service;
- (5) Consolidation of service delivery with other jurisdictions; and
- (6) Ways to improve the efficiency of service provision.

The commission shall also conduct an evaluation of any previously determined service delivery plans and actions taken by the administration in order to improve delivery of the service.

SECTION 3-704.

Mayor's action.

The mayor shall hold at least one public hearing on the report. After the public hearing and prior to the submission of the budget each year, the mayor shall present an annual plan and actions the city may implement to the president of the council and members of the council.

SECTION 3-705.

Assistance to the commission.

The mayor's office shall provide the necessary staff and assistance to the commission as required for the completion of its tasks.

ARTICLE 4

Courts

SECTION 4-101.

Establishment; designation.

Pursuant to the provisions of Article VI, Section I, of the Constitution of Georgia, and Title 36 of the O.C.G.A., as amended, there shall be in the city a court to be known as the Municipal Court of Atlanta, which shall have a minute book and a seal of appropriate design prescribed by council.

SECTION 4-102.

Jurisdiction, authority, and powers generally.

The municipal court and each judge thereof shall have jurisdiction and power coextensive with the territorial limits of the City of Atlanta, Georgia, to:

- (1) Try and punish violations of this charter, all city ordinances, and such other violations as provided by law, except those relating to and regulating traffic;
- (2) Try, hear, and abate nuisances as provided by the laws of this state;
- (3) Hear, try, and determine as a committing court all warrants for the violation of any state law and, while acting under the authority of the laws of the State of Georgia, to bind over such persons to an appropriate higher court for the eventual trial of said case;

- (4) Establish a schedule of fees to defray the cost of operation and be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to an appropriate higher court for violations of state laws;
- (5) Punish those in its presence for contempt, provided that such punishment shall not exceed \$200.00 or ten days in jail or both;
- (6) Punish for violations within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for six months or both such fine and imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by law;
- (7) Establish bail and recognizance to ensure the presence of those charged with violations before said court;
- (8) Probate, revoke, amend, remit, modify, alter, or suspend sentences imposed, provided that the mayor may grant reprieves and pardons, commute penalties, and remit any part of a sentence following defendant's request therefor to the court;
- (9) Compel the production of books, papers, and other evidence in the possession of any party with the same authority as magistrates of the state;
- (10) Compel the presence of witnesses or all parties necessary to a proper disposal of each case by issuance of summonses, subpoenas, warrants, orders, and all other process in cases within its jurisdiction arising under the laws of the State of Georgia or this charter or ordinances of the city with full power to enforce the same;
- (11) Enforce obedience to its orders, judgments, and sentences with the same authority as magistrates of the state;
- (12) Administer all oaths as are necessary with the same authority as magistrates of the state and take affidavits and attest other papers;
- (13) Issue warrants for the arrest of persons charged with offenses against any ordinance of the city, and each judge of the municipal court shall have the authority as magistrate of the state to issue warrants for offenses against state laws committed within the city; and
- (14) Such other powers and duties as shall be provided by law or ordinance.

SECTION 4-103.

Appellate review.

The orders, verdicts, judgments, and sentences of the court shall be subject to appellate review by writ of certiorari in the appropriate superior court or as otherwise provided by general law.

SECTION 4-104.

Judges; qualifications; term of office;

appointment; oath; vacancies; compensation;

- (a) Number of judges. The municipal court shall be presided over by such number of municipal court judges as shall be authorized by the city council.
- (b) Qualifications. To qualify for appointment as a judge of the municipal court, a person shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. To hold office as a judge after such appointment, a person shall continue to possess said qualifications and shall not hold or qualify for any other public office.
- (c) Appointment. The mayor shall appoint a person to the position of municipal court judge in accordance with the provisions in this article.
- (d) Term of office. A judge of the municipal court shall be appointed for a term of four years and, upon completion of such term, such judge shall continue to serve until not retained by a vote of city electors as provided herein.
- (e) Oath. Before assuming office, each judge shall take and subscribe an oath or affirmation, before some officer authorized to administer oaths, faithfully to discharge the duties of the office. The oath shall be filed with the municipal clerk.
- (f) Vacancies. In the event of any vacancy in the office of a municipal court judge for any cause, whether by death, resignation, lack of retention, or removal, the mayor shall appoint some qualified person to fill such vacancy in accordance with the provisions of this article. Any judge appointed to fill a vacancy shall not be required to run against

his or her record until he or she has held office at least 12 months, and in such event his or her term shall be extended until the end of the calendar year of the second general municipal election following the date of his or her appointment.

(g) Compensation. The annual salary of municipal court judges shall be as authorized by the city council.

SECTION 4-105.

Chief judge.

(a) Selection. The municipal court judges shall by a majority vote select a chief judge to serve at their pleasure.

(b) Duties. The chief judge shall be responsible for the general supervision of the municipal court and shall promulgate all rules necessary for the supervision, conduct, and administration of the court, including but not limited to the number of divisions into which the court is divided and the assignment of judges to duty therein; the hours of operation of the court; the preparation of calendars deemed necessary and proper; and a system for keeping court records and shall require such reports from the judges, solicitor, public defender, clerk/administrator, and other court personnel as deemed necessary and proper. Such rules so promulgated shall be reduced to writing. The chief judge shall be responsible also for the preparation and submittal of budgets of said court to the mayor and city council and appropriate departments, committees, and agencies. He or she shall further perform other duties as the council may provide by ordinance or as required by law.

(c) Vacancy, incapacity, or inability. In the event of a vacancy, incapacity, or inability of the chief judge to perform his or her duties, the remaining judges of the court, by a majority vote, shall select another chief judge in accordance with this section.

SECTION 4-106.

Judicial commission.

(a) Creation. There is hereby created an Atlanta Judicial Commission, established for the purpose of nominating to the mayor persons for appointment to the positions of judges, solicitors and public defenders of city and municipal courts, and any judge pro hac vice of municipal court.

(b) Composition; appointments. The Atlanta Judicial Commission shall be composed of eight voting members, consisting of three members appointed by the Atlanta Bar Association who are actively engaged in the practice of law, three members appointed by the Gate City Bar Association who are actively engaged in the practice of law, and two members appointed by the mayor who are residents and qualified electors of the city but not attorneys. All persons appointed to the judicial commission shall have resided in the city for at least 12 months and continue to reside in the city during their terms of office. Of the members first appointed after the effective date of this charter, one member of the Atlanta Bar Association and Gate City Bar Association shall be appointed for two years, one member of the Atlanta Bar Association and Gate City Bar Association shall be appointed for three years, one member of the Atlanta Bar Association and Gate City Bar Association shall be appointed for four years, and the two members appointed by the mayor shall be appointed for four years. Thereafter, all members shall be appointed to four-year terms. A chairperson and secretary shall be elected by the members; however, the chairperson shall be a member of the State Bar of Georgia.

(c) Functions; duties. Whenever a vacancy occurs in the positions of judges, solicitors and public defenders of city and municipal courts, or a judge pro hac vice of municipal court for any cause, the mayor shall provide written notification to the chairperson within 30 days of the act creating the vacancy or any new position. The judicial commission shall certify to the mayor a list of three nominees who are members of the State Bar of Georgia in good standing. Such list shall be submitted by the judicial commission no later than 90 days after receiving the above written notification from the mayor. The nominations and appointments to fill vacancies shall be based solely upon merit, legal experience, ability, and integrity. Any member shall be disqualified from consideration of an applicant who is related by blood or marriage.

(d)Confidentiality of deliberations. The deliberations of the judicial commission shall be confidential and privileged. The identity of the applicants and nominees certified to the mayor shall be public information.

(e)Failure to submit nominations. If the judicial commission has not presented its nominations as required by subsection (c) herein to the mayor within 120 days after being informed by the mayor of a vacancy or pending vacancy, the mayor may thereafter fill such vacancy on his or her own motion, applying the standards herein. However, any such appointment made by the mayor shall be confirmed by a majority vote of the members of council.

SECTION 4-107.

Retention of judges.

(a)Filing of declaration. A judge of the municipal court who desires to retain judicial office for a succeeding term shall file with the municipal clerk, not more than 90 days nor less than 60 days prior to each regular general municipal election prior to the expiration of the judge's term of office, a declaration of intent to run for another term.

(b)Ballot question. Upon the filing of the above declaration, a question shall be placed upon the appropriate ballot of such municipal election as follows:

"Shall Judge (Name of judge) of the Atlanta Municipal Court be retained in office?

Yes, to retain.

No, against retention."

If a majority of those voting on such question vote to retain a judge, the judge is thereupon retained for a four-year term commencing on the first Monday in January following each municipal election. If a majority of those voting on such question vote not to retain a judge, a vacancy shall exist upon the expiration of the term being served by the judge. Such vacancy shall be filled in accordance with the provisions within this article.

(c)Prohibition against appointment. Any judge failing to be retained by city electors shall be ineligible for appointment to the municipal court for a period of four years.

SECTION 4-108.

Removal of judges.

(a) A judge of the municipal court may be removed from office in accordance the provisions of the Code of Judicial Conduct effective on January 1, 1994, as now or hereafter amended, as adopted by the Supreme Court of Georgia.

(b) Whenever a judge of the municipal court shall be indicted for a crime involving moral turpitude, a felony, or other crime involving malfeasance or misfeasance while in office, he or she shall be automatically suspended from office without pay until final conviction, acquittal, or other disposition of the charges against him or her. Immediately thereafter, unless he or she has been convicted or pleaded guilty, he or she shall be reinstated in office and shall receive all compensation withheld during his or her suspension; otherwise his or her office shall be vacant.

SECTION 4-109.

Judges pro hac vice; city court judges.

(a) The council shall determine the initial number of court officers pro hac vice. The mayor shall appoint judges pro hac vice from panels of three nominees submitted by the Atlanta Judicial Commission. The qualifications for said appointees shall be the same as for judges and a judge pro hac vice shall act in the event of an emergency, conflict of interest, or other necessity.

(b) At such time a judge pro hac vice is needed by the municipal court for more than three-fourths of the working days of this court in any six-month period, an additional position of associate judge shall be established, subject to approval by majority vote of the council.

(c) Any judge of the City Court of Atlanta may preside in the Municipal Court of Atlanta as provided by ordinance and, when so presiding and acting as judge, have full power and authority in all matters pending in such court.

(d) All judges pro hac vice for the municipal court shall serve four-year terms, commencing on the effective date of this charter, or commencing on the effective date of their respective appointments, whichever date is earlier.

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SECTION 4-110.

Solicitor; qualifications; selection; term;
assistants; duties; oath; prohibited
activities; compensation; vacancies.

(a)Qualifications. There shall be a solicitor of the municipal court. The solicitor shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. During his or her term of office, the solicitor shall continue to reside within the city.

(b)Selection; term. Upon the submission of three nominees by the Atlanta Judicial Commission, the mayor shall appoint one of the three nominees as the solicitor of municipal court for a four-year term. The solicitor shall discharge the duties of the office until a successor is qualified and appointed. A solicitor may be appointed to subsequent terms.

(c)Assistants. The solicitor shall appoint such deputy or assistant solicitors as may be authorized by the city council. Any deputy or assistant solicitor shall be and remain a member in good standing with the State Bar of Georgia and shall serve at the pleasure of the solicitor.

(d)Duties. The solicitor shall be the prosecuting officer of the municipal court. The solicitor and assistant solicitors shall perform such duties as prescribed by ordinance and required by law.

(e)Oath. Before entering the duties of their offices, the solicitor and assistants shall take and subscribe an oath or affirmation before some officer authorized to administer oaths, to faithfully discharge the duties of the office.

(f)Prohibited activities. The solicitor and deputy or assistant solicitors, excluding solicitor pro hac vice, shall devote full-time to the discharge of their duties and shall not engage in the private practice of law.

(g)Compensation. The annual salaries of the solicitor and assistants shall be fixed by the council.

(h)Vacancies. In the event of a vacancy in the position of the solicitor or any assistant for any cause, whether by death, resignation, or removal, such vacancy shall be filled in accordance with the provisions in this article.

SECTION 4-111.

Public defender; qualifications; selection; term;
assistants; duties; oath; prohibited activities;
compensation; vacancies.

(a)Qualifications. There shall be a public defender of the municipal court. The public defender shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. During his or her term of office, the public defender shall continue to reside in the city.

(b) The provisions of Section 4-110 relating to the appointment, term, assistants, duties, oath, vacancies, prohibited activities, and compensation shall apply also to the public defender and any assistant public defenders. The public defender and assistants shall perform such duties as shall be prescribed by ordinance and required by law.

SECTION 4-112.

Solicitors and public defenders pro hac vice.

(a) The solicitor shall appoint solicitors pro hac vice as needed by the municipal court to act in the event of emergency or necessity, except as provided herein.

(b) The chief judge of the municipal court shall appoint solicitors pro hac vice when there is a conflict of interest associated with the office of the solicitor. Under these circumstances, the solicitor shall make a written request setting out the nature of the conflict of interest to the chief judge.

(c) Any municipal court judge shall have authority to appoint public defenders pro hac vice to act in the event of emergency, conflict of interest, or necessity related to the office of the public defender.

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SECTION 4-113.

Clerk/Administrator and other court personnel.

(a) Clerk/Administrator. The office of the clerk/administrator is hereby created. The clerk/administrator shall be appointed by a majority vote of the total number of judges thereof to serve at their pleasure and shall not be subject to civil service rules of the city. Any person appointed clerk/administrator shall be a resident of the city during his or her appointment. The clerk/administrator duties shall consist of submitting to the chief judge recommendations for improving the efficiency and operation of the court; being the official custodian of records of the court; assisting the chief judge in the preparation of the budgeting and fiscal reports and documents as may be necessary and proper for the operation and maintenance of the court; collecting and compiling data, including cases filed and disposed of, and information on the expenditures and receipts of the court; keeping and maintaining the docketing of cases in such form and manner as required by law or the chief judge; and other such duties as provided by ordinance.

(b) Other court personnel. The judges in conference shall employ, subject to the city's civil service laws, regulations, and rules, such employees and staff of the court as shall be authorized by the council. Such employees and staff shall be within the civil service system of the city.

(c) Prohibition. Unless provided otherwise in this charter, personnel of the municipal court shall not be employed by, members of, or under the jurisdiction of the police department or be actively engaged in the practice of law before the court except in the actual discharge of their official duties.

SECTION 4-114.

Court procedures; service of processes and orders.

(a) Criminal prosecutions in the court may be instituted by summons, written information, or accusation specifically setting forth the offense charged. Such information, accusation, and summons may be signed by the solicitor or assistant solicitor, any sworn member of the police department, or such officers as may be specifically authorized by ordinance. The judges of such court may issue warrants either on their own knowledge or on information given under oath. Except in capital cases, they shall have the same power to fix bonds as judges of the superior courts.

(b) All copies of documents and records of the court certified by the clerk/administrator, or such deputy clerk/administrator, under the seal of the court shall be admissible in all proceedings in the same manner and to the same extent as documents bearing the certificate of the clerks of the superior courts of the state and the seals of such courts.

(c) The chief of police and sworn members of the police department of the city and employees of the court designated by the judges, and such other officials or persons authorized by law, shall have the authority to serve all processes and orders of the municipal court in the absence of sufficient designated employees of the court, and members of the police department shall have the authority to serve as bailiffs or constables at the discretion of the chief judge.

SECTION 4-115.

Codes of ethics.

(a) The Code of Judicial Conduct, as adopted by the Supreme Court of Georgia, as now or hereafter amended, shall govern the conduct of the judges of the municipal court.

(b) The Code of Professional Responsibility, as adopted by the Supreme Court of Georgia, as now or hereafter amended, shall govern the conduct of the solicitor, public defender, and their assistants of the municipal court.

(c) Said codes are hereby incorporated herein by reference as if set out at length in this section, and copies thereof are on file in the office of the municipal clerk.

ARTICLE 5
Elections, Removal and Conflicts of Interest

www.libtool.com.cn SECTION 5-101.

Applicability of general laws.

Regular and special elections shall be conducted in accordance with provisions of the Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code," as now or hereafter amended.

SECTION 5-102.

Regular elections; time for holding; voting.

(a) The regular general election for electing the mayor, president of the council, and all councilmembers of the City of Atlanta shall be held on the first Tuesday after the first Monday in November, 1997, and quadrennially thereafter.

(b) The entire electorate of the city shall be entitled to vote in elections for mayor, president of council, and at-large councilmembers. The entire electorate of each council district shall be entitled to vote for the election of a councilmember elected solely from that district. The person receiving the majority of the votes cast for each position shall be elected.

(c) The mayor, president of the council, and those members of the council who are serving as such on December 31, 1996, and any person selected to fill a vacancy in any such offices shall continue to serve as such for terms of office which expire December 31, 1997, and shall continue to represent the area or district from which elected.

(d) The first mayor, president of the council, and members of the council under this Act shall be elected at the time of the general municipal election in 1997. The mayor, president of the council, and members of the council elected thereto in 1997 shall take office the first Monday of January immediately following that election and shall serve for initial terms of office which expire December 31, 2001, and upon the election and qualification of their respective successors. Those and all future successors to the mayor, president of the council, and members of the council whose terms of office are to expire shall be elected at the general municipal election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. The mayor, president of the council, and members of the council shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

SECTION 5-103.

Special elections; filling of vacancies.

(a) In the event the office of mayor, president of the council, or councilmember shall become vacant by reason of death, resignation, or any other cause, the council shall, within 15 days after the occurrence of such vacancy, call a special election to fill the balance of the unexpired term of such office by giving notice thereof in one or more newspapers of general circulation within the city, except:

(1) If a regular election for the office of mayor is to be held within one year after the date that a vacancy in the office of mayor occurs, the president of the council shall assume and discharge the powers and duties of the office of mayor for the duration of the mayor's unexpired term, and the president pro tempore shall perform the duties of the president of the council during such period;

(2) If a regular election for the office of the president of the council is to be held within one year after the date that a vacancy occurs in the office president of the council, the president pro tempore shall assume and discharge the powers and duties of the office of the president of the council during such period;

(3) If a regular election for the office of councilmember is to be held within one year after the date that a vacancy occurs in the office of councilmember, the remaining members of the council shall by majority vote appoint a qualified person to fill the vacancy. The members of the council shall appoint such person within 30 days of the date the vacancy occurs.

(b) If any elected officer of the city qualifies for another municipal, county, state, or federal elective office, his or her resignation shall be governed solely by Article II, Section II, Paragraph V. of the Constitution of the State of Georgia.

(c) In all other respects, every special election shall be held and conducted in accordance with applicable provisions of Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code."

SECTION 5-104.

Use of public buildings.

It shall be the duty of the council to make available for voting purposes all public buildings of the city which may be needed or required for such purpose on all election days.

SECTION 5-105.

No partisan primaries; candidates listed without party label.

No political party shall conduct primaries for the purpose of nominating candidates for municipal elections. In all municipal elections conducted by or for the City of Atlanta, the names of all candidates shall be listed upon the ballot without party label.

SECTION 5-106.

Other provisions.

Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe such rules and regulations it deems appropriate to fulfill any options and duties under Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code."

Chapter 2.

Council Districts; Reapportionment

SECTION 5-201.

Council districts.

Beginning with the general municipal election of 1997 the territory of the council shall consist of 12 council districts to be designated as Districts No. 1 through 12, and three residency posts for the three at-large members. The boundaries of the districts are specifically described and set forth in Appendix I herein. Said appendix is incorporated herein as if fully set forth in this section.

SECTION 5-202.

Reapportionment of council districts.

(a) Subject to the limitations of state and federal law, the council shall reapportion the council districts from which members of the council are elected following publication of the 2000 United States decennial census or any future such census. Such reapportionment of districts shall be effective for the election of members to the council at the next regular general municipal election following the publication of the decennial census.

(b) The council shall reapportion the council districts in accordance with the following specifications:

(1) Each reapportioned district shall be formed of contiguous territory, and the boundary lines of said district shall be the center lines of streets or other well-defined boundaries;

(2) Variation in population between such districts shall comply with the one-person-one-vote requirements of the United States Constitution; and

(3) The reapportionment shall be limited to adjusting the boundary lines of the existing districts only to the extent reasonably necessary to comply with the requirements of paragraph (2) above; and the number of members of the council and the manner of electing such members, except for the adjustment of district boundary lines, shall not be changed by the council.

(c) In addition to the reapportionment following publication of the decennial census, the council shall reapportion districts pursuant to this section if the annexation of additional territory to the corporate boundaries of the City of Atlanta has the effect of denying electors residing within the newly annexed territory the right to vote for the election of

members of the council on substantially the same basis that the other electors of the City of Atlanta vote for members of the council. The reapportionment provided for herein shall meet the criteria specified in subsection (b) of this section and shall be further limited to making only those adjustments in district boundary lines as may be reasonably necessary to include the newly annexed territory within such districts. Reapportionment under this subsection shall be effective for the next regular general municipal election following annexation.

Chapter 3.
Removal of Elected Officials

SECTION 5-301.

Recall elections.

Any person holding an elective office of the city shall be subject to removal from office at a recall election in the manner provided by Chapter 4 of Title 21 of the O.C.G.A., the "Recall Act of 1989," as now or hereafter amended.

SECTION 5-302.

Offices to be vacated immediately
upon the occurrence of certain events.

Upon final conviction of or the entering of a plea of guilty for a crime involving moral turpitude, a felony, or other crime involving malfeasance or misfeasance while in office, the office of the mayor, president of the council, or any councilmember shall be vacated immediately without further action. The unexpired term of office shall be filled as provided in this charter.

SECTION 5-303.

Removal of mayor for temporary inability to serve.

During the temporary inability of the mayor to perform the duties of his or her office, the president of the council shall serve as and shall have all the powers and duties of the mayor, provided the council shall, by three-fourths' vote of the entire membership serving thereon, certify such inability by resolution, which resolution shall become immediately effective without action by the mayor. The council shall determine by majority vote of its members when the mayor is again able to perform the duties of his or her office.

SECTION 5-304.

Removal of elected officials.

(a) Grounds for removal. The mayor, the president of the council, or any councilmember shall be subject to removal from office for any of the following causes:

- (1) Malpractice, misfeasance, or malfeasance in office;
- (2) Failure at any time to possess any of the qualifications of office as provided by this charter or by law;
- (3) Violation of the conflicts of interest and standards of conduct provided in this charter or the code of ordinances;
- (4) Violation of the oath of office as provided in this charter;
- (5) Abandonment of office or ceasing to perform the duties thereof; or
- (6) Failure for any cause to perform the duties of office as required by the provisions herein or by law.

(b) Procedures for removal. Removal of the mayor, the president of the council, or any councilmember pursuant to subsection (a) of this section shall be accomplished by the following method. In the event the mayor, the president of the council, or any councilmember is sought to be removed by action of the council, an impartial panel shall conduct a hearing and render a decision on the matter. Such elected official sought to be removed shall be entitled to a written notice specifying the ground(s) for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. The council shall provide by ordinance or resolution for the appointment of an impartial panel and the manner in which such hearings shall be held to render

a decision. Any elected official sought to be removed from office as herein provided shall have the right of appeal from the decision of the council to the Superior Court of Fulton County. Such appeals shall be governed by the same rules as govern appeals to the superior court ~~from the probate court.~~

Chapter 4.
Conflicts of Interest

SECTION 5-401.

Conflicts of interest provisions applicable
to city officials and employees.

(a) Except as otherwise provided by general law, no elected official, appointed officer, or employee of the city or any office, department, or agency thereof, shall knowingly:

(1) Engage in any business or transaction with, or have a financial or personal interest, direct or indirect, in the affairs of, the city, except through a procedure employing sealed bids;

(2) Engage in or accept private employment or render services for private interests when such employment or service is in conflict or incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of official duties;

(3) Disclose confidential information or use information, including information obtained at meetings which are closed pursuant to Title 50, Chapter 14, of the O.C.G.A., as now or hereafter amended, concerning the property, government or affairs of the city or any office, department, or agency thereof, not available to members of the public and gained by reason of his or her official position for his or her personal gain or benefit, to advance his or her financial or other private interest, or to advance the financial or private interest of any other person or business entity;

(4) Represent other private interests in any action or proceeding against the city or any office, department, or agency thereof;

(5) Vote or otherwise participate in the negotiation or the making of any contract with any business entity in which he or she has a financial interest.

(b) No elected official, officer, or employee shall use property of the city for his or her personal benefit or profit except in accordance with policies and procedures of the city.

(c) All elected officials, appointed officers or employees of the city or any office, department, or agency thereof, shall abide by any further standards of conduct adopted or as may be adopted by an ordinance of the council.

(d) As used in this chapter, the word "relative" shall mean an individual who is related to the elected official, appointed officer, or employee as father, mother, son, daughter, brother, sister, husband, wife, grandfather, grandmother, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, any other relative living in the household of the elected official, appointed officer, or employee or who otherwise holds himself or herself out as or is generally known as the person whom the elected official, appointed officer, or employee intends to marry or with whom the elected official, appointed officer, or employee intends to form a household, or any other natural person having the same legal residence as the elected official, appointed officer, or employee.

SECTION 5-402.

Disclosures.

(a) Any elected official, appointed officer, or employee who has any financial interest, directly or indirectly, in any contract or matter pending before or within any office, department, or agency of the city shall disclose such interest in writing to the council by filing a written memorandum with the municipal clerk. Any elected official who has a financial interest in any contract or matter before the council shall disclose such interest as provided in Article 2 within this charter.

(b) Any elected official shall disclose publicly the identity of any relative, as defined in the code of ordinances, employed by the city, prior to January 31 of each year by filing

a written memorandum with the municipal clerk on such form as prescribed by the council.

www.libtool.com.cn SECTION 5-403.

Contracts voidable and rescindable.

Any contract between the city and another party shall be voidable or rescindable at the discretion of the council at any time if any elected official, officer, or employee has any interest in such contract and does not disclose such interest in accordance with the provisions within this chapter.

SECTION 5-404.

Ineligibility of elected officials.

No elected official shall hold any compensated appointive office or employment with the city until one year after the expiration of the term for which that official was elected to office, unless this provision is waived by a three-fourths' vote of the council.

SECTION 5-405.

Hearings and determinations.

Any hearings and determinations regarding any violations of the provisions herein shall be in accordance with the provisions of this charter or any ordinance regulating standards of conduct as adopted by the council.

ARTICLE 6

Revenue and Fund Administration

Chapter 1.

Revenue

SECTION 6-101.

General power of taxation.

(a) For the purpose of raising revenue for the support and maintenance of city government and for other corporate purposes, the governing body shall have full power and authority to provide by ordinance for the assessment, levy, and collection of an ad valorem tax on all real and personal property, which, under the laws of this state, is subject to taxation within the corporate limits of the city. For the purpose of raising revenue for the payment of interest and principal on the bonded indebtedness of the city, the governing body shall have full power and authority to provide by ordinance for the assessment, levy, and collection of an annual ad valorem tax on all real and personal property, which, under the laws of this state, is subject to taxation within the corporate limits of the city, and to provide such an amount in millage as may be necessary to meet and pay all such obligations.

(b) For the purpose of raising revenue for permanent improvements in the parks of the city, and for facility maintenance, repair, replenishment, enhancement, and the purchase of equipment for such parks, the governing body shall have full power and authority to provide by ordinance for the assessment, levy, and collection of an ad valorem tax on all real and personal property, which, under the laws of this state, is subject to taxation within the corporate limits of the city, in the amount of one-half mill on each dollar of assessed valuation thereon; such tax, when collected, shall be used as follows: 90 percent exclusively for permanent improvements to the zoo, golf courses, recreational, and other park facilities of the city, and 10 percent for park facility maintenance, repair, replenishment, enhancement, and the purchase of equipment. In the event that any part of the tax so collected cannot be used in any one year, it may be invested in short-term securities until such time as the use of said funds becomes necessary or possible. The tax provided for herein shall be in addition to all other taxes authorized by this charter.

(c) The tax authorized by subsection (b) shall be used only as provided herein. Any sums not used in any one year for such purposes shall be converted into a trust fund to be held and expended for such purposes in future years. Half of the half-mill tax may, at the discretion of the council, be used for the purpose of constructing a stadium

and related facilities in the city or for the purpose of paying in whole or in part the obligation assumed by the city by contract now or hereafter entered into with any authority now in existence or hereafter created which has agreed to construct a stadium and related facilities in the city.

(d) No enumeration of any right, power, or authority provided in this charter shall be construed as limiting or abolishing any right, power, or privilege herein set forth.

(e) There shall be assessed, levied, and collected an annual ad valorem tax for the support of public schools and for educational purposes, at the millage rate determined by the Atlanta Board of Education, to be billed and collected as other ad valorem taxes are billed and collected in accordance with this charter, the basis for the billing and collection of such tax to be the millage as set forth in an annual written request signed by the president of said board of education together with a certified copy of said board's budget and filed with the governing authority, the format and time of annual filing of such request to be the only action by the governing authority of the city necessary to levy such tax annually. All revenue derived from such school and educational ad valorem tax shall be paid into the treasury of the city and shall be remitted monthly to said board of education free from any charge except the direct cost of collecting such tax.

(f) The governing body shall be authorized to assess, levy, and impose taxes on lots and lot owners for sanitary purposes in such amount, rates, or methods of assessment and taxation; provided, further, the governing body shall be authorized and empowered to collect such taxes by execution against the lot so assessed and the owner thereof and provide for the use of such proceeds. The amount so assessed shall be a lien on the lot from the date of the assessment. The governing body shall be authorized to prescribe what should constitute a lot for sanitary purposes and assessment; provided, however, that assessment shall be made on vacant lots as follows: A front footage fee shall be assessed in accordance with the zoned property category, residential, apartment, or commercial, and no unit fee shall be assessed. Resident lots shall not be subdivided or assessed separately except where they have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment may be levied against the lot for each house situated thereon.

(g) The governing body of the city, in addition to being authorized to assess, levy, and impose taxes for sanitary purposes, as set forth hereinabove in subsection (f), shall be authorized to charge fees for the collection, removal or disposal, or both, of all solid waste except body wastes, ashes, street cleanings, dead animals, abandoned automobiles, and market and industrial wastes, such fees to be charged against the owners or, when not owner-occupied, against the occupants, tenants, or lessees of the premises from which the fee is collected, and from which such waste is removed or disposed of, or both, from which collection and removal services are made available. The amount of such fees may depend upon the amount, weight, or volume of collections and whether collected from residential, commercial, industrial, or other property.

(h) All public property exempt from taxation by the city by law shall likewise be exempt from all assessments, levies, and taxes specified under subsection (f) above. All fees for services charged against any such property as specified in subsection (g) above shall be due and payable when billed in due course by the city.

SECTION 6-102.

Excise taxes.

(a) Except as otherwise provided by general law, the governing body shall be authorized and empowered to classify businesses and arrange the various businesses, trades, and professions carried on in the city into such classes of subjects for taxation as may be just and proper.

(b) Except as otherwise provided by general law, the governing body shall have full power and authority to require any person, firm, corporation, or company engaged in, prosecuting, or carrying on, or that may engage in, prosecute, and carry on any trade, business, calling, or profession, to register their names and business, calling, or profession annually and to require such person, company, or association to pay for such registration or license, or both, to engage in, prosecute, or carry on such business, calling, or profession such fee, charge, or tax as the governing body may deem expedient for the

safety, benefit, convenience, and advantage of the city. Such tax, registration fee, or license shall be imposed at the discretion of the governing body. The governing body shall also have power and authority to prescribe and collect fees for the issuance of business licenses ~~or executions and~~ for the collection of executions.

(c) The governing body shall be authorized to impose and collect license fees and taxes on life insurance companies as authorized by an Act of the General Assembly of Georgia approved February 20, 1964 (Ga. L. 1964, p. 122), as now or hereafter amended, and on fire and casualty insurance companies as authorized by an Act of the General Assembly approved April 12, 1968 (Ga. L. 1968, p. 3706), as now or hereafter amended.

(d) The governing body shall have full and complete power and authority to require every person, firm, or corporation engaged in the business of selling spirituous, vinous, or malt liquors at wholesale to pay excise taxes based on the quantity or value of the commodity sold. Such taxes shall be in addition to any and all other taxes and license fees authorized by law.

(e) If the corporate limits of the city are extended so as to include therein businesses, professions, and trades located therein which were previously licensed through an examination or otherwise by the governing authority of the annexed area, such licenses shall have the same dignity and standing as if they were in the first place issued by the governing authority of the city; provided, however, that any businesses not located therein must secure a new license from the city; provided, further, that city license renewal fees shall be payable thereby following the calendar year of said extension of the corporate limits. No such license shall have such dignity and standing unless the licensee applies to the city for a certificate of proficiency within six months after approval of the annexation affecting such licensee.

SECTION 6-103.

Assessment, return, and collection of city taxes.

(a) Except as otherwise provided by general law, this charter, or ordinance, all taxes on property subject to taxation other than assessments made by the revenue commissioner of Georgia shall be assessed by the Fulton County or DeKalb County board of tax assessors and collected by the Fulton County or DeKalb County tax commissioner in accordance with applicable laws as now or hereafter amended governing the return, assessment, and collection of taxes with the City of Atlanta. The tax commissioners shall receive all tax returns for the city of all taxable property located in the city within Fulton County and DeKalb County except business property situated in such counties, the return of which shall be made to the board of tax assessors of Fulton or DeKalb Counties as provided by Georgia law. For the City of Atlanta in Fulton County and for that portion of the City of Atlanta located in DeKalb County, the tax commissioners shall prepare consolidated tax return forms for state, county, and city taxes and shall cause their use for the return of such property. The tax commissioners shall bill for all taxes due to the city on property in such counties and shall receive all payments of such taxes, including interest and fi. fa. costs thereon. He or she may be authorized by the governing body to collect delinquent taxes due to the city on property in such counties with the same powers and authorities held by the chief financial officer of the city. Sales made by the tax commissioner shall carry the title to the property as if made by the city's chief financial officer.

(b) Any tax commissioner shall give bond payable to the City of Atlanta, in an amount to be determined by ordinance, conditioned upon payment to the city of all sums collected by him or her for and on behalf of the city. The premium on such bond shall be paid by the city.

(c) The time or times for the payment of taxes assessed against real estate and personal property in the city shall be fixed by ordinance of the governing body; provided, however, that said ordinance shall not be changed during any current year but shall apply to the years succeeding the date of the passage of such ordinance. The ordinance may provide for payment of taxes monthly, quarterly, or otherwise; and on failure to pay the taxes or installment on taxes, such taxes shall bear interest at such rate as may be fixed by the governing body, to be charged on any installment not paid at the time ordained. If all the tax assessed for the current year is paid during the first tax period fixed, as

provided by ordinance, a discount for such payment, not exceeding 3 percent, may be provided by ordinance, on the total amount of such annual taxes. If the total taxes are not paid during the first period, but are paid during some of the other periods fixed in the ordinance, a discount may be allowed thereon not exceeding the stated sum of 3 percent; provided, however, that there shall be deducted from the discount a proportionate sum corresponding to the period of the year during which such taxes remain unpaid. The interest shall be computed from the date the taxes are made payable. The times of payment shall be provided by ordinance, with one or more times of payment during the current year. If any ad valorem tax or portion of ad valorem tax is not paid at the time prescribed by ordinance, execution shall be issued for the entire tax or the unpaid balance of the entire tax on December 20 and shall bear interest from August 15; provided, however, if December 20 of any year shall fall on Sunday, then the fi. fa. shall be dated December 21.

(d) The governing body may provide by ordinance for penalty for late payment of business licenses, taxes, and sanitary services in such amounts as deemed necessary.

(e) The chief financial officer shall be ex officio marshal and shall collect all delinquent taxes and shall be authorized to collect or levy fi. fas. for taxes, assessments, and fines; make sales of property to satisfy executions under the laws applicable to sheriff's sales; issue, sign, and record executions; and issue tax executions instanter against the owner of personal property, subject to a lien for unpaid taxes, which is being removed or is about to be removed beyond the limits of the city. He or she shall pay into the city treasury all fees paid into his or her office. He or she shall transfer and assign all fi. fas. issued for assessments, as provided by law for tax fi. fas. A deputy of the chief financial officer, or any other city officer as provided by ordinance, may issue and sign executions and levy fi. fas. A proportionate amount of taxes due under a fi. fa. may be paid, as to a particular lot or tract of land, to withdraw said land from the lien thereof. Deeds made under this section shall be admissible in evidence on the same terms as deeds made for state and county taxes. The proceedings preliminary to the execution of such deeds shall also be admissible. The governing body may sell and transfer executions at a discount or discounts and preserve liens as provided in Ga. L. 1937, p. 795, as amended. Personal property levied on in the city may be sold at any place within the corporate limits thereof as provided by ordinance. The chief financial officer shall deduct from any payment due by the city to pay any person, firm, or corporation the amount of any delinquent bill or amount due the city prior to the payment of any such bill or account.

(f) It shall be the duty of the tax commissioners to furnish with all tax bills a detailed statement which includes (1) purposes for which the taxes have been assessed and levied and (2) the number of mills assessed; for general operations and debt service, schools, parks, and any other purpose for which taxes have been assessed and levied; the dollar amount of taxes levied by purpose; and any other relevant information necessary to advise the taxpayers, either on the statement or on a paper to be enclosed with the statement, concerning the taxes imposed on them.

(g) The chief financial officer shall be ex officio treasurer of the city and shall assume all the duties as may be required of that office.

SECTION 6-104.

Collection of public utility taxes.

The chief financial officer, as ex officio marshal, shall collect all taxes, including sanitary taxes and delinquent taxes, due the city by public utilities. Utility ad valorem taxes shall be paid within the period fixed for payment of ad valorem taxes generally or within 20 days following certification by the state revenue commissioner, whichever is later. He or she is further empowered to collect, levy, issue, transfer, and assign all fi. fas. for taxes and fines, to see property so levied on under rules governing the sheriff and his or her deputies, to issue and assign executions and instanter execution for taxes and assessments, and to perform such other services as the governing body shall prescribe by ordinance; provided, however, property so levied upon may be redeemed by proportionate payment of taxes, as provided for in an Act of the General Assembly approved March 24, 1933 (Ga. L. 1933, p. 279). Provided, however, that nothing contained in this section

shall abrogate the central assessment and return provisions of general law as applied to public utilities.

www.libtool.com.cn SECTION 6-105.
Fulton and DeKalb County territory.

(a) The governing body shall be authorized to contract with Fulton and DeKalb County tax receivers and commissioners for that portion of the city lying within such counties for consolidated tax return forms, tax digests of property returned, billing for taxes, receipt of payment for such taxes, and payment to the city of such sums as provided in this chapter. Compensation for rendering such services shall be an amount equal to the cost of rendering the services but not to exceed 1 percent of all sums collected for the city.

(b) The records of the tax receivers or commissioners of any counties in which portions of the city lie shall be available at all business hours to duly authorized representatives of the city and any members of the public.

(c) The contents and delivery of tax bills, information to be furnished by the city, payment of taxes in installments, apportionment of taxes, partial payments, kinds of taxes collected, tax executions, and bonds of tax collectors or tax commissioners shall be provided for by ordinance in accordance with an Act of the General Assembly approved February 21, 1951 (Ga. L. 1951, p. 3087), and an Act of the General Assembly approved March 2, 1953 (Ga. L. 1953, p. 2809), as amended, and as otherwise required by law.

SECTION 6-106.

Homestead exemptions.

(a) The maximum homestead exemption as authorized by law is applicable to all property qualifying for such exemption which is subject to ad valorem taxes in the city.

(b) The procedures and requirements for determination of eligibility, application for exemption, time for filing, and absence due to duty in armed forces shall be provided for by ordinance.

SECTION 6-107.

No new grant of taxing power.

Any other provisions of this charter to the contrary notwithstanding, nothing contained within this charter shall be deemed nor construed to confer upon the City of Atlanta any power to levy and assess taxes and fees which the city did not possess on January 1, 1973. Provided, however, nothing contained within this section shall preclude said city from exercising additional powers to levy and assess taxes and fees which are conferred by general or local law, other than this charter, which are enacted subsequent to January 1, 1973.

Chapter 2.

Borrowing and Indebtedness

SECTION 6-201.

Bonds to be issued and sold under general state laws.

The city shall issue and sell bonds under the provisions of the general laws of the state; and where an issue of bonds is desired and the purposes thereof are legal and the amount proposed is not in excess of the constitutional limit, the governing body shall call an election when required therefor by ordinance, observing any and all formalities of notice, time, place and manner of election, voting, and declaring the result as provided by the general laws.

SECTION 6-202.

Issuance of general obligation bonds.

(a) The city shall be authorized to issue and sell general obligation bonds under the provisions of the Constitution and of the laws, both general and special, of the state as now or hereafter permitted for any public purpose.

(b) The city shall have the authority to levy and collect ad valorem taxes without limit as to rate or amount on all taxable property within the territorial limits of the city, as

the same may now exist and may be hereafter changed, to pay the principal of, redemption premium, if any, and interest on general obligation bonds issued by the city.

www.libtool.com.cn SECTION 6-203.

Limitations upon general obligation bonds.

(a) The city shall be authorized to incur general bond indebtedness to the extent authorized by the Constitution of Georgia of 1983, as now or hereafter amended, and the general laws of this state.

(b) The proceeds from said general obligation bonds shall be utilized only for the purposes authorized by the bond issue; provided, however, the proceeds of such bonds shall not be utilized for payment of other than capital expenditures or expenses incidental thereto.

SECTION 6-204.

Issuance of general obligation bonds.

The city shall be authorized to issue general obligation bonds as provided by the Constitution and laws of Georgia.

SECTION 6-205.

Revenue bonds.

The city is empowered and authorized to issue revenue bonds in the manner authorized by the Constitution and laws of Georgia.

SECTION 6-206.

Other revenue bonds.

The city shall be authorized to issue revenue bonds for the waterworks system, for sanitary services, and for grandstands and stadiums as provided by the Constitution of Georgia of 1983, as now or hereafter amended.

SECTION 6-207.

Special assessment bonds.

The city shall be authorized to issue special assessment bonds as provided by the Constitution and laws of Georgia.

SECTION 6-208.

Investment of surplus funds.

The chief financial officer shall be authorized by ordinance to invest or reinvest all surplus funds of any type not immediately needed.

SECTION 6-209.

Registration, transfer, and negotiation of bonds.

The city is hereby authorized and empowered to provide for and regulate the registration of bonds of the city and to prescribe the manner in which such bonds have been registered and may be transferred or negotiated.

SECTION 6-210.

Issuance of registered bonds in lieu
of coupon bonds.

The city may provide for the issuance of registered bonds of the city in lieu of any coupon bonds issued by the city.

Chapter 3.

Fiscal Control

SECTION 6-301.

Budget commission.

(a) There is hereby created a budget commission consisting of the mayor, chief financial officer, chairperson of the finance committee or equivalent committee of the governing body, and two governing body members nominated by the mayor and confirmed by the governing body for one-year terms.

(b) The budget commission:

(1) Shall annually prepare and file with the governing body for submission to the mayor the budget revenue anticipations for the city, provided that such anticipations shall not exceed 99 percent of the normal revenue collected during the previous year, with the following exceptions: (A) the normal revenue which the city may be expected to collect from the taxable property in newly annexed territory may be anticipated; (B) collections from tax executions on real estate and on personal property and choses in actions owned by the city may be anticipated, provided that revenues from such anticipations shall not exceed 85 percent of tax executions on real estate and 50 percent of tax executions on personal property not more than three years old and choses in actions certified solvent and collectable by the tax assessor. When such revenue anticipations have been filed, they shall be binding upon the governing body without any action of approval or disapproval;

(2) Shall allocate a sum sufficient to provide for debt service, including sinking fund and interest on bonded indebtedness, and any other appropriations required by law, which such shall not be diverted to any other purpose;

(3) In the event the income of the city should be decreased by law, either by act of the General Assembly or by the governing body, it shall be the duty of the budget commission to immediately adjust the budget revenue anticipations to comply with such decreased revenue. In the event of an increase in the tax rate, or if the schedule of charges for city service, such as water service, sanitary service, or any other similar assessments or charges should be changed by law, the budget commission may revise the budget revenue anticipations and considering assessments, sanitary service charges, or any other similar assessments or charges of the previous year apply new rates thereto and adjust the budget revenue anticipations accordingly;

(4) In the event the city receives any money, income, or revenue from any extraordinary source, either by sale of its property, gift, grant, or otherwise, which has not been considered in the preparation of the budget revenue anticipations or other normal revenue in excess of appropriations, the budget commission shall have the right to allocate immediately such increased revenue for lawful purposes. However, in the preparation of the budget for the next year no such extraordinary revenue shall be considered as a part of the normal revenue of the city;

(5) If at any time during any year, the expenditures exceed the revenues collected and a deficit is created, it shall be the duty of the budget commission before appropriating any other sum for any purpose other than the interest and sinking fund on the bonded indebtedness to appropriate a sufficient sum to immediately discharge any deficit which has accrued during the preceding year.

SECTION 6-302.

Adoption of budget.

(a) The mayor shall prepare and submit the proposed annual budget to the governing body no later than the second regular meeting of the governing body in the first month of the fiscal year.

(b) The governing body shall hold one or more public hearings on the proposed budget as required by the laws of Georgia, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

(c) The governing body may amend the proposed annual budget, except that the budget as finally amended must provide for all expenditures required by law or by this charter, including but not limited to debt service, sinking fund, and interest on bonded indebtedness which sums shall not be diverted to any other purpose, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund.

(d) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than the second regular meeting in the second month of each fiscal year.

SECTION 6-303.

Expenditures of excess in receipts
over appropriations.

The governing body is hereby authorized to expend and use any excess in the receipts of the city of any year over the amount appropriated for such year, provided such expenditure shall in no case exceed the actual receipts for such year.

SECTION 6-304.

Budget amendments.

(a) The finance committee or equivalent committee of the governing body shall approve or disapprove all measures to expend money prior to their consideration by the governing body, provided that upon the committee's failure to report thereon by the second regular meeting of the governing body following a reference to the committee, the governing body may act on such measures without such report.

(b) The finance committee or equivalent committee of the governing body shall approve or disapprove all measures pertaining to the intradepartmental transfer of appropriations from one line item account to another line item account in the operating funds of the city prior to their consideration by the governing body; provided, however, the governing body shall not transfer to any other department funds that have been set aside for debt service, including sinking fund and interest on bonded indebtedness, and any other appropriations required by law or for the deficit of a prior year.

(c) Intradepartmental transfers of appropriations from one line item account to another line item account in the operating funds, the working capital fund, and the grant funds of the city may be made upon unanimous approval of the chairperson of the finance committee or equivalent committee of the governing body, the head or director of the department affected, the chief financial officer, and the chief operating officer. When the decision to transfer intradepartmental funds is not unanimous, such transfers shall be submitted to the governing body by the chairperson of the finance or equivalent committee of the governing body for approval or disapproval. The chairperson of the finance or equivalent committee of the governing body and the chief financial officer are jointly authorized to transfer appropriation surpluses, as the same may occur, from line accounts in the various departments of the operating funds, the working capital fund, and the grant funds of the city. Copies of any transfers shall be filed with the municipal clerk at the next regular meeting of the governing authority after said transfer of appropriations or appropriation surplus is made. The clerk shall enter such transfers in the minutes of such meeting and announce to the members of the governing body that such transfers have been made. The provisions of this subsection shall apply to the transfer of surplus funds from salary accounts.

SECTION 6-305.

Unlawful obligations void.

(a) The city shall incur no obligation, except bonds lawfully issued, in excess of the annual budget and such other special appropriations as may be lawfully made and shall incur no liability except as authorized by such budget or appropriation. Any such liabilities attempted to be incurred shall be void in law and equity.

(b) All contracts entered into by the governing body, contrary to the provisions of this charter, for the purpose of raising money, or otherwise engaging the credit of the city, shall be null and void as to the city, but the mayor, if he or she approves, and all members of the governing body, present and voting, who fail to record their votes against such measure or contract, shall be jointly and severally liable thereon, as upon their own contracts, which liability may be enforced against such mayor and members of the governing body in any court of this state having jurisdiction thereof.

SECTION 6-306.

Appropriations for charitable purposes.

The governing body of the City of Atlanta shall have the authority to annually appropriate and donate money, derived from taxation, contributions, or otherwise, for and to any corporation, company, association, or institution for purely charitable purposes. The governing body shall also have the authority to enter into contracts and agreements with

any school of higher learning located in the city for services to be rendered the city and payment for such services may be made from funds derived from taxation. The governing body is authorized, in its discretion, to select the recipients of such appropriations and donations and as to determine the amounts of same.

SECTION 6-307.

Authority of city to contract with commissions, councils, boards, etc.

With respect to services and properties of any kind or character related to corporate, municipal, governmental, or public purposes, the City of Atlanta shall have the authority to contract with any commission, council, or board, created by the governing body of the city or otherwise, or with any other corporation, company, association, institution, or individual.

SECTION 6-308.

Audit.

(a) The governing body shall provide annually for an independent audit of the accounts and other evidences of financial transactions of the city and departments, boards, and commissions thereof. The audit shall be made by a certified public accountant or a certified public accounting firm, the members of which are independent as defined by professional rules of conduct prescribed by the national association governing the practices of certified public accountants.

(b) The final report of the annual audit shall be completed as soon as practicable after the close of the year and in no event later than six months thereafter. Said report and the opinion and recommendations of those making the same shall be:

- (1) Made available to the public at actual printing cost;
- (2) Made available thereto for inspection at no charge; and
- (3) Sent to the grand juries of Fulton and DeKalb counties then in session, to the Atlanta-Fulton Public Library, and to the state auditor.

SECTION 6-309.

Accounting systems.

The chief financial officer shall be responsible for the administration of the accounting systems of the city, for proper recording of receipts and disbursements of each department, fund, or other breakdown, and shall provide a financial statement not less than monthly to the mayor, governing body, and other agencies as may be required.

SECTION 6-310.

Increase in salaries.

The governing body shall not increase the salaries or other remuneration in any form of any officer or employee of the city during the fiscal year except by ordinance as finally adopted and approved on or before the last day of the third month of any fiscal year; however, normal salary increments as authorized by the city's pay plan and reclassifications may be provided for, salaries for new offices or positions may be fixed, salaries may be reduced because of economic conditions, or positions may be abolished.

SECTION 6-311.

Evidence of justice of claims.

Whenever a warrant or claim shall be presented to the chief financial officer, he or she shall have the power to require evidence that the amount claimed is justly due and for that purpose may summon before him or her any officer, agent, or employee of any department or other person and examine him or her upon oath or affirmation, relative to such warrant or claim, and may require the production of books and papers to be used as evidence before him or her.

Chapter 4.

Procurement and Disposition of Property

SECTION 6-401.

Contracting procedures.

(a) The governing body shall prescribe by ordinance or resolution the procedures to be followed in the making of contracts which shall bind the city. The governing body is

authorized to remedy present discrimination or the present effects of past discrimination by an affirmative action program which is in compliance with the Constitution and laws of the United States of America and the State of Georgia. All contracts shall be approved as to form by the city attorney. The mayor shall sign all contracts; however, the governing body may authorize the mayor by ordinance to designate another appropriate official to sign any type contract. The municipal clerk shall authenticate all contracts. The original of all contracts shall be maintained on file in the office of the chief financial officer.

(b) Notwithstanding the foregoing, all contracts which bind the city and Fulton County jointly in accordance with the terms and conditions of a joint venture agreement for the construction and operation of a water treatment plant and appurtenances may be signed and approved by duly authorized officers of said joint venture, provided that sufficient funds for each such contract have been appropriated by the city and Fulton County.

SECTION 6-402.

Purchasing procedures.

(a) The governing body shall prescribe by ordinance or resolution the procedures for all purchases of real and personal property by the city. The following alternative methods of securing contracts are hereby authorized, as set forth in and defined by ordinances currently effective or hereafter adopted or amended by the city council: competitive sealed bidding; competitive sealed proposals; small purchases not exceeding \$20,000.00; sole-source procurement; emergency procurement; and competitive selection procedures for professional and consultant services. Awards of contracts shall be made to the most responsible and responsive firm which complies with the requirements of any existing minority and female business opportunity development plans as established by city ordinance. The terms "competitive bidding" and "most responsible and responsive firm" shall be defined to include compliance with the requirements of any minority and female business participation plan which has been implemented by city ordinance pursuant to:

(1) A finding by the city that such a plan is necessary to remedy the effects of prior private and public discrimination in the procurement and contracting practices of the city;

(2) A requirement by federal law that the city maintain such a plan for purposes of receiving any federal grants or loans;

(3) A finding by a judicial tribunal that such a plan is necessary to remedy past or present private and public discrimination in the procurement and contracting procedures of the city.

(b) In determining the most responsible and responsive firm, the purchasing and contracting authority shall consider the following factors:

(1) The ability, capacity, and skill of the firm to perform the contract or to provide the services required;

(2) The capability of the firm to perform the contract or provide the service promptly, or within the time specified, without delay or interference;

(3) The character, integrity, reputation, judgment, experience, and efficiency of the firm;

(4) The quality of performance of previous contracts or services;

(5) The previous and existing compliance by the firm with laws and ordinances relating to the contract or services;

(6) The sufficiency of the financial resources and ability of the firm to perform the contract or provide the service;

(7) The compliance of the firm with the requirements of an equal employment opportunity in contracting program as may be prescribed by ordinance;

(8) The compliance of the firm with the requirements of a minority and female business enterprise participation program as may be prescribed by ordinance;

(9) The quality, availability, and adaptability of the supplies or services to the particular use required;

(10) The number and scope of conditions attached to the bid by the firm, if any; and

(11) Price.

(c) Any and all bids or proposals may be rejected when it is in the best interest of the city to do so; in addition to the foregoing, the governing body shall prescribe by ordinance the procedure for amending, modifying, or otherwise changing contracts and for authorizations for the purchase of goods, materials, supplies, equipment, and services. Prior to the making of purchases and contracts, or amendments, modifications, or changes thereto, the availability of adequate funds shall be certified by the chief financial officer as provided by ordinance.

(d) Any and all competitive bids or proposals shall be sealed and shall be opened at the same time in a public place as directed by the council and remain open for public inspection.

(e) Contractual work related to any competitive sealed bid or proposal shall not be broken into components or parts so as to avoid the council's approval of awards of greater than \$200,000.00.

(f) In exercising the power of purchasing and procurement provided for in Section 3-104 of this charter, the mayor shall adhere to the provisions within this charter and any ordinance governing purchasing and procurement; provided, however, when the mayor proposes to let a contract to one other than the lowest bidder or offeror or award a contract which has not been competitively procured, the contract shall be approved by the council prior to an award of contract. Any contracts awarded by the mayor pursuant to the powers provided in Section 3-104 of this charter and the provisions herein shall be reported monthly by the director of the bureau of purchasing and real estate to the president of the council and councilmembers.

(g) The governing body may prescribe different procedures for sales and other disposition of real and personal property acquired by the city pursuant to any approved application or amended application under Title I of the Housing and Community Development Act of 1974, as amended.

(h) The governing body may authorize different procedures for all purchases of real and personal property in connection with its joint venture with Fulton County for the construction and operation of a water treatment plant and appurtenances, provided that funds for each such purchase have been appropriated by the city and Fulton County.

(i) As used in this charter section, the word "firm" shall mean and include any individual, partnership, corporation, association, joint venture, or other legal entity authorized to do business in Georgia which desires to contract with the City of Atlanta.

SECTION 6-403.

Sale and disposition of property.

The governing body shall prescribe by ordinance or resolution the procedures for all sales and other disposition of real and personal property by the city.

ARTICLE 7

Interim and General Provisions

SECTION 7-101.

Officials; officers and employees.

(a) The current terms of office of all elected and appointed officials and officers of the city and its agencies, serving on the effective date of this charter, shall not be diminished and shall continue in full force and effect.

(b) The provisions of this charter establishing a residency requirement for appointed officials and employees shall not apply to those holding such appointed offices and positions prior to the effective date of this charter.

SECTION 7-102.

Existing ordinances and resolutions continued in effect.

Existing ordinances and resolutions of the City of Atlanta and existing rules and regulations of departments and agencies thereof not inconsistent with the provisions of this charter shall be effective as ordinances and resolutions of the council and rules and regulations of the appropriate department or agency thereof until they have been repealed, modified, or amended.

SECTION 7-103.

Contracts and obligations.

All contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Atlanta or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the city.

SECTION 7-104.

Transfer of certain provisions to the code.

- (a) The provisions of Division 2 (Housing Commission), Chapter 4 (Boards and Commissions) of Article 3 being deleted by this charter are hereby transferred to Part 8 of the code of ordinances.
- (b) The provisions of Section 3-503 (Civil service board) being deleted by this charter are hereby transferred to Part 5, Chapter 2 of the code of ordinances.
- (c) The provisions of Article VIII (Administrative Organization Ordinance) being deleted by this charter are hereby transferred to Part 2, Chapter 4 of the code of ordinances.

SECTION 7-105.

Existing rights and interests.

- (a) Any rights or interest, public or private, vested in whole or in part on the effective date of this charter, whose validity might be sustained or preserved by reference to any provisions of law repealed by this charter, shall not be affected by this charter. This section shall not apply to any right or interest in any elective public office not conferred by this charter.
- (b) Any rights or interests, public or private, derived from or which might be sustained or preserved in reliance upon action taken (including the adoption of ordinances or resolutions) pursuant to or within the scope of any provisions of law repealed by this charter, shall not be affected by this charter.
- (c) Neither the mayor, the council, nor other officers of the city shall have authority or power to sell, exchange, farm out, lease out, or in any way alien the property, easements, income, or other equipment, privileges, or assets belonging and appertaining to its system of waterworks; and all contracts, negotiations, grants, leases, or other forms of transfer in violation of this section are declared void and of no effect, as against the city, and any official voting therefor shall be deemed guilty of violating his or her duty and subject to impeachment and removal from office therefor; provided, however, that the provisions of this subsection shall not apply to the sale, exchange, or alienation of such articles or equipment of said waterworks system as are worn out or useless or which for the betterment of the service can be advantageously substituted by new or improved machinery or equipment; and provided, further, that the mayor and council or other officers above named are authorized to make exchanges of portions of said property whenever it is to the advantage of the city in order to secure better roads and approaches to from or around said property.
- (d) The provisions of Ga. L. 1951, pp. 529 et seq., 531 et seq., 537 et seq., 549 et seq., 3014 et seq., 3018 et seq., 3048 et seq. and 3057 et seq., protecting the pension rights in connection with the plan of improvement recommended by the local government commission (Ga. L. 1949, p. 921), shall continue to apply to employees of counties, boards of education, and any other agencies designated in said Acts in the event of any future annexations of territory to the city.
- (e) There shall be on the DeKalb County Board of Health to represent the city two members, who shall be residents of that part of the city situated in DeKalb County, which members shall be appointed by the council. The term of office of such members shall be four years and until their successors have taken office. The municipal clerk shall certify the names of the members thus appointed to the chairperson of the DeKalb County Board of Health. Vacancies for any cause shall be filled by appointment for the unexpired term by the council.
- (f) No other municipality or town shall have any authority, although the land may be located within its limits, to charge or exact any license fees or occupation taxes for the

operation by the City of Atlanta of a landing field therein or for the operation or conduct of any business or occupation thereon. Nor shall such other municipality or town have any authority to assess or collect any ad valorem tax against said land as against the City of Atlanta or otherwise where said city might be required to pay same, if held under lease; nor shall such other municipality or town have any authority to lay any improvements in, through, or along said property such as street paving, sidewalks, curbing, sewers, or otherwise and assess and collect the cost thereof against said land if owned by the City of Atlanta or under lease contract by the City of Atlanta or otherwise where said city might be called upon to pay or discharge the same.

(g) The mayor, president of the council, and members of council shall receive as their annual salaries such amounts being received as of the effective date of this charter until such amounts are changed by the council in accordance with the provisions of this charter.

SECTION 7-106.

Section captions.

The captions to the several sections of this charter are informative only and are not to be construed as a part thereof.

SECTION 7-107.

Effect of repeals.

No law heretofore repealed, expressly or by implication, shall be revived by the repeal herein of the repealing act or by any provisions of this charter that disclaim an intention to repeal or affect enumerated laws.

SECTION 7-108.

Severability of sections.

If any section, subsection, paragraph, sentence, clause, phrase, word, or provision of this charter, or the application thereof to any person or circumstance, should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions or other applications of this charter, which shall remain in full force and effect; and to this end the provisions of this charter and the applications thereof are hereby declared to be severable. In the event any provision of this charter is declared invalid for any reason, then the provision pertaining to the same subject matter that existed in the prior charter of the City of Atlanta shall be in force and effect and applicable until repealed.

SECTION 7-109.

Effective date.

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

SECTION 7-110.

Specific repeal of prior laws.

All laws and parts of laws in conflict with this charter are hereby repealed. The charter of 1973 (Ga. L. 1973, p. 2188) and all Acts amendatory thereof are hereby specifically repealed in their entirety except for those provisions of said charter and amendatory Acts thereof defining the boundaries of the City of Atlanta on the first Monday in January of 1974; and except for any other provisions of such charter specifically incorporated herein by reference and which are not in conflict herewith.

SECTION 7-111.

Repealer.

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

CHARTER APPENDIX I COUNCIL DISTRICTS

City Council District Boundaries of the City of Atlanta, Georgia:

COUNCIL DISTRICT 1

BEGINNING at the intersection of Moreland Avenue and Glenwood Avenue; thence west along Glenwood Avenue to the CSX Railroad right-of-way; thence north along

said Railroad right-of-way to Interstate 20; thence west along Interstate 20 to Boulevard Drive; thence north along Boulevard Drive to Memorial Drive; thence west along Memorial Drive to Kelly Street; thence south along Kelly Street to Glenwood Avenue; thence west one block along Glenwood Avenue to Connally Street; thence south along Connally Street to Georgia Avenue; thence east along Georgia Avenue to Primrose Street; thence south along Primrose Street to Ormond Street; thence east along Ormond Street to Hill Street; thence south along Hill Street to its intersection with the CSX Railroad right-of-way; thence southwesterly along said Railroad right-of-way to Pryor Street; thence south along Pryor Street to Claire Drive; thence southeasterly along Claire Drive to Shadydale Avenue; thence south along Shadydale Avenue to Lakewood Avenue; thence southwesterly along Lakewood Avenue to Macon Drive; thence southerly along Macon Drive to the South River; thence southeast along the South River to the City limits line; thence north along the City limits line and Moreland Avenue to the intersection of Glenwood Avenue, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 2

BEGINNING at the intersection of North Avenue and Moreland Avenue; thence west along North Avenue to Piedmont Avenue; thence north along Piedmont Avenue to 10th Street; thence west along 10th Street to Peachtree Street; thence north on Peachtree Street to 14th Street; thence west along 14th Street to State Street; thence south along State Street to Ferst Street; thence west, then south, then east along Ferst Drive to State Street, if extended; thence south along State Street, if extended, to North Avenue; thence southwest, then west along North Avenue to its intersection with Northside Drive; thence south, then southeast along Northside Drive to Simpson Street; thence east along Simpson Street to its intersection with the CSX/Southern Railroad right-of-way; thence south along said Railroad right-of-way to its intersection with Martin Luther King, Jr., Drive; thence west along Martin Luther King, Jr., Drive to Elliot Street, as extended, thence south along Elliot Street, as extended, to Nelson Street; thence southwest along Nelson Street to Walker Street; thence southwest along Walker Street to its intersection with Fair Street; thence southeasterly, then east along Fair Street to Windsor Street; then south on Windsor Street to its intersection with the Southern Railroad right-of-way; thence southeasterly along said Railroad right-of-way to its intersection with the CSX Railroad right-of-way; thence northeasterly along the CSX Railroad right-of-way to Hill Street; thence north along Hill Street to Ormond Street; thence west along Ormond Street to Primrose Street; thence north along Primrose Street to Georgia Avenue; thence west along Georgia Avenue to Connally Street; thence north along Connally Street to Sidney Street; thence west along Sidney Street to Martin Street; thence north along Martin Street to Fulton Street; thence west along Fulton Street to Capitol Avenue; thence north along Capitol Avenue to Martin Luther King, Jr. Drive; thence northwest along Martin Luther King, Jr. Drive to Washington Street; thence northeast along Washington Street to the CSX/Georgia Railroad right-of-way; thence southeast, then northeast along said railroad right-of-way to its intersection with Moreland Avenue; thence north along Moreland Avenue to North Avenue, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 3

BEGINNING at the intersection of North Avenue and the CSX/Southern Railroad right-of-way; thence northwesterly along said Railroad right-of-way to the intersection of the Southern/CSX Railroad right-of-way; thence south along said Railroad right-of-way to Proctor Creek; thence westerly along said Creek to the intersection of Proctor Creek and Hortense Place; thence west along Hortense Place to the intersection of Elizabeth Place; thence south along Elizabeth Place to Baker Road; thence southwest along Baker Road to the intersection of Arlington Circle; thence north, then west, then south along Arlington Circle to the intersection at Baker Road; thence west along Baker Road to Hightower Road; thence south along Hightower Road to the CSX Railroad right-of-way; thence east along said Railroad right-of-way to its intersection with Anderson Avenue; thence south along Anderson Avenue to Martin Luther King, Jr.

Drive; thence northeast along Martin Luther King, Jr. Drive to the intersect of Ashby Street; thence south along Ashby Street to the intersection of Fair Street; thence east along Fair Street to the intersection of Lawshe Street; thence north along Lawshe Street to Parsons Street; thence east on Parsons Street to Elm Street; thence south on Elm Street to Fair Street; thence east on Fair Street to Walker Street; thence northeast along Walker Street to Nelson Street; thence northeast on Nelson Street to Elliot Street; thence north along Elliot Street, as extended, to Martin Luther King, Jr. Drive; thence east along Martin Luther King, Jr. Drive to the CSX/Southern Railroad right-of-way; thence north along said Railroad right-of-way to its intersection with Simpson Street; thence west along Simpson Street to Northside Drive; thence northwest, then north along Northside Drive to North Avenue; thence east along North Avenue to the intersection of the CSX/Southern railroad right-of-way, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 4

BEGINNING at the intersection of Ralph David Abernathy Boulevard and Martin Luther King, Jr. Drive; thence southeast on Ralph David Abernathy Boulevard to the intersection of Cascade Avenue; thence southwesterly along Cascade Avenue to the intersection of Beecher Street; thence west along Beecher Street to the intersection of Rosemary Avenue; thence south along Rosemary Avenue to the intersection of Clearview Terrace; thence west, then south, then southeast on Clearview Terrace to Cascade Avenue; thence southwesterly along Cascade Avenue to Cascade Circle; thence southwest, then south along Cascade Circle to the intersection of Cascade Avenue; thence southwest along Cascade Avenue to Centre Villa Drive; thence south along Centre Villa Drive to Venetian Drive; thence east along Venetian Drive to Campbellton Road; thence east along a line, as extended, to Ingram Street; thence east along Ingram Street, as extended, to the intersection of Lee Street; thence northeast along Lee Street to the intersection of the CSX Railroad right-of-way; thence southeast, then northeast along said Railroad right-of-way to the intersection of the Southern Railroad right-of-way; thence northwest along said Railroad right-of-way to the intersection of Windsor Street, as extended; thence north along Windsor Street, as extended, to Fair Street; thence west, then northwest along Fair Street to Walker Street; thence south along Walker Street to Fair Street; thence west along Fair Street to Elm Street; thence north along Elm Street to Parsons Street; thence west on Parsons Street to Lawshe Street; thence south on Lawshe Street to Fair Street; thence west on Fair Street to Ashby Street; thence north on Ashby Street to Martin Luther King, Jr. Drive; thence west on Martin Luther King, Jr. Drive to Ralph David Abernathy Boulevard, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 5

BEGINNING at the intersection of Capitol Avenue and Fulton Street; thence east on Fulton Street to Martin Street; thence south one block on Martin Street to Sydney Street; thence east on Sydney Street to Connally Street; thence north along Connally Street to Glenwood Avenue; thence east along Glenwood Avenue one block to Kelly Street; thence north along Kelly Street, as extended, to Memorial Drive; thence east along Memorial Drive to Boulevard Drive; thence south on Boulevard Drive to Interstate-20; thence east along Interstate-20 to the intersection of the CSX Railroad right-of-way; thence south along said Railroad right-of-way to the intersection of Glenwood Avenue; thence east along Glenwood Avenue to Moreland Avenue; thence south along Moreland Avenue to Vickers Street; thence following the City limit line in a northeasterly direction until its intersection with the CSX/Georgia Railroad right-of-way near the MARTA East Lake Station; thence west along the CSX/Georgia Railroad right-of-way to Washington Street; thence southwest along Washington Street to Martin Luther King, Jr. Drive; thence southeast along Martin Luther King, Jr. Drive to Capitol Avenue; thence south on Capitol Avenue to Fulton Street, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 6

BEGINNING at the intersection of I-85 North and the City limits line (immediately south of Buford Highway); thence southwest along said City limits line to Peachtree

Creek; thence southwesterly along Peachtree Creek to its intersection with the CSX Railroad right-of-way; thence southwesterly, then southeasterly along said Railroad right-of-way to the intersection of Piedmont Avenue; thence southwesterly along Piedmont Avenue to the intersection of 14th Street; thence west along 14th Street to Peachtree Street; thence south along Peachtree Street to 10th Street; thence east along 10th Street to Piedmont Avenue, thence south along Piedmont Avenue to North Avenue; thence east along North Avenue to Moreland Avenue; thence south along Moreland Avenue to its intersection with the Georgia/CSX Railroad right-of-way; thence east along said Railroad right-of-way to the City limits line; thence northerly following the City limits line until its intersection with I-85 North, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 7

BEGINNING at the intersection of Roswell Road and the City limits line; thence southerly along Roswell Road to Peachtree Road; thence southerly along Peachtree Road to its intersection with 28th Street; thence west along 28th Street to Ardmore Circle; thence south, then southwest, then west along Ardmore Circle to Tanyard Creek; thence south along said Creek to Interstate-75; thence southeast along Interstate-75 to its intersection with the Southern Railroad right-of-way; thence southwest along said Railroad right-of-way to its intersection with Mecaslin Street; thence south along Mecaslin Street to its intersection with 16th Street; thence east one block along 16th Street to State Street; thence south along State Street to its intersection with 14th Street; thence east along 14th Street to its intersection with Piedmont Road; thence northeast along Piedmont Road to its intersection with the Southern Railroad right-of-way; thence northwest, then northeast along said Railroad right-of-way to Peachtree Creek; thence northeast along said Creek to its intersection with Interstate-85 North; thence northeast along Interstate-85 North to the eastern City limits line; thence northerly following the eastern (north/south) City limits line to the northern (east/west) City limits line; thence westerly following the northern (east/west) City limits line to Roswell, Road, Which is the POINT OF BEGINNING.

COUNCIL DISTRICT 8

BEGINNING at the intersection of the northern City limits line and Roswell Road; thence south along Roswell Road to the intersection of Peachtree Road; thence south along Peachtree Road to the intersection of 28th Street; thence west along 28th Street to the intersection of Ardmore Circle; thence south, then west along Ardmore Circle, as extended, to Tanyard Creek; thence southeasterly along Tanyard Creek to its intersection with I-75; thence southeasterly along I-75 to its intersection with the Southern Railroad right-of-way; thence southwesterly along said Railroad right-of-way to Mescaline Street; thence south along Mescaline Street to its intersection with 16th Street; thence east one block along 16th Street to the intersection of State Street; thence south along State Street to the intersection of Ferst Drive; thence west, then south, then east along Ferst Drive to State Street, if extended; thence south along State Street, if extended, to North Avenue; thence southwest along North Avenue to its intersection with the Southern Railroad right-of-way; thence northwesterly, then northeast along said Railroad right-of-way to its intersection with Howell Mill Road; thence north along Howell Mill Road to the intersection of I-75; thence northwesterly along Interstate-75 to its intersection with Peachtree Creek; thence westerly along said Creek to its intersection with the northwest City limits at the Chattahoochee River; thence northerly along said northwest City limits line to its intersection with the northern (east/west) City limits line; thence easterly along the northern (east/west) City limits line to its intersection with Roswell Road, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 9

BEGINNING at the intersection of Peachtree Creek and the western City limits line at the Chattahoochee River; thence southwesterly along said City limits line to a point, which is the common Land Lot line between Land Lots 18 and 20 of the 14

FF District; thence south along said Land Lot line to Sandy Creek Road; thence east along Sandy Creek Road to Fulton Industrial Boulevard; thence southwesterly along Fulton Industrial Boulevard to Sandy Creek; thence southeasterly along Sandy Creek to its intersection with Interstate-285; thence easterly along Sandy Creek to Baker Ridge Drive; thence easterly along Baker Ridge Drive to its intersection with Hightower Road; thence southeast along Hightower Road to its intersection with Baker Road; thence east along Baker Road to Arlington Circle; thence north, then east, then south along Arlington Circle; thence northeast along Baker Road to Elizabeth Place; thence northeast along Elizabeth Place to its intersection with Hortense Place; thence east along Hortense Place to its intersection with Proctor Creek; thence northeasterly along said Creek to its intersection with the CSX Railroad right-of-way; thence northwest along said railroad right-of-way to the intersection of the CSX/Southern Railroad right-of-ways; thence southeasterly along said railroad right-of-ways to the "Y" track of the CSX/Southern railroad and Southern railroad; thence northeast along the Southern railroad right-of-way to its intersection with Howell Mill Road; thence northerly along Howell Mill Road to its intersection with Interstate-75; thence northwesterly along Interstate-75 to its intersection with Peachtree Creek; thence westerly along Peachtree Creek to the northwest City limits line, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 10

BEGINNING at the intersection of Cascade Road and Lynhurst Drive; thence north, then northwesterly along Lynhurst Drive to Spreading Oak Drive; thence west along Spreading Oak Drive to Laurelmont Drive; thence north along Laurelmont Drive to Benjamin Mays Drive; thence southeast along Benjamin Mays Drive to Willis Mill Road; thence northerly along Willis mill Road to Utoy Creek; thence southeast along said Creek to the common Land Lot line between Land Lots 203 and 182 of the 14th District; thence north along said Land Lot line to a point, which is the intersection of Land Lots 182, 203, 181, and 204 of the 14th District; thence east along the common Land Lot line between Land Lots 181 and 182 of the 14th District to its intersection with Handley Avenue; thence north along Handley Avenue to a point, which is one-half block north of Westwood Avenue if Handley Avenue were extended; thence east from said point along the rear property lines of those properties fronting on the north side of Westwood Avenue to a point, which is one-half block west of the eastern Land Lot line of Land Lot 172 of 14th District; thence south from said point to a point on Westwood Avenue, which is one-half block west of the intersection of Westwood Avenue and South Gordon Street; thence east along Westwood Avenue to its intersection with South Gordon Street; thence southwest along South Gordon Street to Beecher Street; thence east along Beecher Street to Cascade Road; thence northeasterly along Cascade Road to Ralph Abernathy Boulevard; thence northwesterly along Ralph David Abernathy Boulevard to Martin Luther King, Jr. Drive; thence west on Martin Luther King, Jr. Drive to Anderson Avenue; thence north along Anderson Avenue to the CSX Railroad right-of-way; thence westerly along said Railroad right-of-way to Hightower Road; thence northwest along Hightower Road to Baker Ridge Drive; thence westerly along Baker Ridge Drive to Sandy Creek; thence northwesterly along Sandy Creek to its intersection with Fulton Industrial Boulevard, the western City limits line; thence southwest, then westerly along the City limits line to the intersection of Mendel Drive and the City limits line; thence southeasterly following the City limits line to its intersection with Cascade Road; thence east along Cascade Road to its intersection with Lynhurst Drive, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 11

BEGINNING at the intersection of Cascade Road and the City limits line, west of Kingsdale Road; thence following said City limits line in a westerly, then southerly, and then northeasterly direction until its intersection with Stanton Road; thence north along Stanton Road to Leslie Road; thence west on Leslie Road to Hadlock Street; thence north on Hadlock Street to Campbellton Road; thence west on Campbellton

Road to Willowbrook Drive; thence north on Willowbrook Drive to Venetian Drive; thence west on Venetian Drive to Centre Villa Drive; thence north on Centre Villa Drive to Cascade Road; thence northeast along Cascade Road to Cascade Circle; thence northeast along Cascade Circle to Cascade Road; thence northeast along Cascade Road to Cascade Terrace; thence northwest along Cascade Terrace to Clearview Terrace; thence northeast along Clearview Terrace to Rosemary Avenue; thence north along Rosemary Avenue to Beecher Street; thence west on Beecher Street to South Gordon Street; thence north on South Gordon Street to the intersection of Westwood Avenue; thence west along Westwood Avenue to a point, which is one-half block west of the intersection of Westwood Avenue and South Gordon Street; thence north to a point one-half block west of the eastern Land Lot line of Land Lot 172 of the 14th District; thence west from said point to a point, which is the one-half block north of Westwood Avenue, where Handley Avenue would intersect, if extended, thence south from said point along Handley Avenue to a point, which is the common Land Lot line between Land Lots 181 and 182 of the 14th District; thence west along said Land Lot line to a point, which is the intersecting point of Land lots 182, 203, 181 and 204 of the 14th District; thence south along the common Land Lot line between Land Lots 182 and 203 of the 14th District to Utoy Creek; thence northwesterly along said Creek to Willis Mill Road; thence south along Willis Mill Road to Benjamin Mays Drive to Laurelmont Drive; thence south along Laurelmont Drive to Spreading Oak Drive; thence east along Spreading Oak Drive to Lynhurst Drive; thence south along Lynhurst Drive to Cascade Road; thence west along Cascade Road to the western City limits line, which is the POINT OF BEGINNING; except that portion of unincorporated Fulton County which is located in Land Lots 29 and 30 of the 14 FF District.

COUNCIL DISTRICT 12

BEGINNING at the intersection of the City limits line and Interstate-75 South at Mt. Zion Road; thence south along Interstate-75 to Central Avenue; thence northwesterly along Central Avenue to Convoy Drive; thence south along Convoy Drive, as extended, to the southern City limits line; thence east, then north along said City limits line to the South River; thence northwesterly along the South River to Macon Drive; thence northeast, then northwest along Macon Drive to Lakewood Avenue; thence northeast along Lakewood Avenue to Shadydale Avenue; thence north along Shadydale Avenue to Claire Drive; thence west, then northwest along Claire Drive to Pryor Street; thence north along Pryor Street to the CSX Railroad right-of-way; thence west, then northwest along said Railroad right-of-way to Lee Street; thence southwest along Lee Street to a point on Lee Street where Ingram Street would intersect, if extended; thence west from said point along Ingram Street, as extended, to Campbellton Road; thence west along Venetian Drive to Willowbrook Drive; thence south along Willowbrook Drive to Campbellton Road; thence northeast one block along Campbellton Road to Hadlock Street; thence south along Hadlock Street to Leslie Avenue; thence east along Leslie Avenue to Stanton Road; thence south along Stanton Road to the City limits line; thence in a southeasterly direction following said City limits line to Interstate-75, which is the POINT OF BEGINNING; also included is that non-contiguous portion of the City which lies in Land Lots 128 and 127 of the 14th District.

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

HB 1503. By Representative Ashe of the 46th:

A bill to reorganize the Board of Education of the City of Atlanta and continue the Atlanta Independent School System; to provide for the composition, terms, qualifications, election, suspension, and removal of members of the Board; to provide for election districts and reapportionment.

The following Committee substitute was read and adopted:

A BILL

To reorganize the Board of Education of the City of Atlanta and continue the Atlanta Independent School System; to provide for the composition, terms, qualifications, election, suspension, and removal of members of the Board; to provide for election districts and reapportionment; to provide for compensation and expenses of Board members; to provide for powers, duties, and responsibilities of the Board; to provide for meetings, officers, organization, oath, rules, and quorum of the Board; to provide for vacancies; to provide for the school superintendent; to provide for a general counsel; to provide for assistants and a student member; to provide for publication requirements; to provide for the administration and certain employees of said school system; to provide for a code of ethics and prohibited practices of Board members, appointed officers, and employees; to provide for conflicts of interest; to provide for disclosures; to provide for use of public property; to provide for contracts; to provide for hearings, determinations, and penalties; to provide for revenue, taxation, and loans; to provide for yearly and other audits; to provide for budgeting and related procedures; to provide a civil service system for certain school system employees; to provide for a civil service commission; to provide for continuance of officers, employees, rules, and regulations; to provide for certain pending matters; to provide for existing rights and interests; to provide for the specific repeal of certain local Acts relating to the Board of Education of the City of Atlanta and the Atlanta Independent School System; to provide for codification; to provide for construction; to provide for definitions; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
INDEPENDENT SCHOOL SYSTEM

SECTION 1-101.

Independent School System

In accordance with the laws of the State of Georgia, the Atlanta Independent School System (hereafter at times referred to as "Atlanta school system") shall be continued as an independent school system, created by the General Assembly and the provisions of this Act and preceding Acts, which shall be under the management and control of the Atlanta Board of Education. Except as provided herein, the school system and the Board shall be subject to the general laws of the state.

ARTICLE II
BOARD OF EDUCATION

SECTION 2-101.

Composition; term of office; limitation of terms.

- (a) The Atlanta Board of Education (hereinafter referred to as the "Board") shall be composed of nine members elected in nonpartisan elections. Three members shall be elected city wide and six members shall be elected from districts as provided within this Act.
- (b) Members of the Board shall hold their respective offices for a term of four years and until their respective successors are elected and qualified.

SECTION 2-102.

Qualifications.

- (a) To qualify for election as a Board member, a person must:
- (1) Be at least 18 years of age;
 - (2) Be a resident of the city and, if seeking to represent a Board district, be a resident of the Board district from which he or she seeks to qualify and represent for at least one year immediately preceding the date of filing a notice of candidacy to seek office;
 - (3) Be a qualified elector of the city; and
 - (4) Not be an employee of the State Department of Education or a member of the State Board of Education.
- (b) To hold office as a Board member, a person must:
- (1) Continue to possess the qualifications prescribed in subsection (a) herein;

- (2) Continue to reside in the Board district from which elected;
- (3) Not hold any other elective public office; and
- (4) Not be an employee of the Atlanta Board of Education or any other local board of education.

SECTION 2-103.

Elections; election districts;
reapportionment.

(a) Elections. Except as otherwise provided by this Act, regular and special elections to fill the offices of members of the Board shall be conducted in accordance with the requirements and procedures of Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code," as now or hereafter amended. Regular elections for the offices of members of the Board shall be held at the same time as the regular city elections under the Atlanta city charter.

(b) Election districts. Members of the Board shall be elected from the school Board districts created and established by Appendix 1 which is made a part hereof by reference. The entire electorate of the city shall be entitled to vote in elections for the three at-large Board members who shall reside respectively in Board District Nos. 1 or 2, 3 or 4, 5 or 6. No at-large Board member may be elected from a Board district wherein another at-large incumbent member resides. The entire electorate of each Board district shall be entitled to vote for the election of a district Board member elected solely from its district. The six Board districts shall be composed respectively of contiguous paired council districts of the city as provided in Appendix 1 hereof. A numbered seat shall be designated for each at-large position and each district position on the Board. The person receiving the majority of the votes cast for each position shall be elected.

(c) Those members of the Board who are serving as such on December 31, 1996, and any person selected to fill a vacancy in any such offices shall continue to serve as such members for terms of office which expire December 31, 1997, and shall continue to represent the area or district from which elected.

(d) The first members of the Board constituted under this Act shall be elected at the time of the general municipal election in 1997. The members of the Board elected thereto in 1997 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2001, and upon the election and qualification of their respective successors. Those and all future successors to members of the Board whose terms of office are to expire shall be elected at the general municipal election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. Members of the Board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

SECTION 2-104.

Organization; oath; officers; quorum; rules;
voting requirements; meetings.

(a) Organizational meeting; oath. At the first regular meeting of the Board in January following each regular election, the Board shall organize and take and subscribe before a judge of Superior Court the following oath of office:

"I do solemnly swear (or affirm) that I will faithfully and impartially discharge the duties of a member of the Atlanta Board of Education during my term in office. I will not knowingly permit my vote in the election and appointment of any person to a position in the Atlanta Independent School System, or on any matter related to said school system, to be influenced by fear, favor, or affection or reward, or hope thereof. In all things pertaining to my said office, I will be governed by the public good and the interests of said school system. I will observe the provisions of the Charter and the rules and regulations of the Atlanta Board of Education. I further swear (or affirm) that I will support and defend the Constitutions and laws of the State of Georgia and of the United States of America."

(b) Officers. At its first regular meeting in January of each year, the Board shall elect a president and vice president by a majority vote of its members. The president and vice president shall serve until their successors have been elected by the Board.

(c) Quorum. A majority of the Board shall constitute a quorum for the transaction of business, although a smaller number may adjourn from time to time and compel the attendance of its members.

(d) Rules. ~~The Board shall adopt~~ The Board shall adopt rules of procedure governing the transaction of its business consistent with the provisions herein and any other applicable laws. The rules of the Board shall provide for regular meetings which shall be held at least twice monthly and in accordance with the provisions of O.C.G.A. 20-2-58, as now or hereafter amended, and shall provide for any special meetings of the Board.

(e) Voting requirement.

(1) The affirmative vote of a majority of the members of the Board shall be required for the transaction of business or the passage of any resolution; provided, however, a majority of a quorum of the Board may take official action in regards to disciplinary matters related to appointed officers or employees of the Atlanta school system.

(2) No member of the Board shall abstain from voting except in matters involving consideration of his or her own conduct, matters which would inure to his or her financial or personal interests, or matters which would be a conflict of interest as provided in Article 3 herein. Such Board member shall, prior to the vote being taken, publicly state during the meeting the nature of his or her interest in the matter from which he or she is abstaining from voting and shall within ten days of such abstention disclose the nature of his or her interest as a public record in a memorandum filed with the Board secretary who shall incorporate the memorandum into the minutes of the meeting.

(3) If any member of the Board abstains for reasons other than those provided herein, the Board member shall publicly state during the meeting the reasons for his or her abstaining from voting and shall within ten days of such abstention disclose the reasons as a public record in a memorandum filed with the Board secretary who shall incorporate the memorandum into the minutes of the meeting.

(f) Meetings. All meetings of the Board and any of its committees shall be public in the same manner and to the same extent as required by Chapter 14 of Title 50 of the O.C.G.A., relating to open and public meetings, as now or hereafter amended, and any citizen shall have access to the minutes and records thereof at reasonable times. Said minutes shall include a synopsis of the discussion on every question coming before the Board and any of its committees, and the names of those Board members voting for and against each question, those abstaining, and those absent.

(g) Public comment. The meetings of the Board and its committees shall provide a reasonable opportunity for the public to be heard during such meetings of the Board or its committees. The Board shall prescribe rules and regulations for the receipt of such comments from the public.

SECTION 2-105.

Powers, duties, and responsibilities.

The Board shall:

- (1) Have and exercise control and management of the Atlanta school system in accordance with the provisions herein and the Constitution and general laws of the state, and the Board is hereby vested with all the powers and charged with all the duties provided to local boards of education by the general laws of the state;
- (2) Provide all students with textbooks and furnish educational or instructional materials, resources, and equipment adequately to such students;
- (3) Adopt by resolution rules and regulations related to the manner and method of employing, disciplining, and terminating any employees of the school system;
- (4) Adopt by resolution rules and procedures related to the procurement of supplies, equipment, goods, and services for the school system;
- (5) Adopt by resolution rules and regulations for the governance of students, including the discipline, suspension, or expulsion of students, in accordance with due process;
- (6) Hear appeals from actions of the superintendent of schools and other personnel;
- (7) Approve an annual budget for the Atlanta public school system and provide for the levy of a tax for educational purposes as provided in this Act;
- (8) Assign students to schools and school districts;

- (9) Have the authority to sue and be sued as a school district in the name of the Atlanta Independent School System;
- (10) Have the power to purchase, sell, rent, or lease property, both real and personal, in the name of the Atlanta Independent School System with the title to any property purchased being vested solely in the school system to the extent that such property was acquired directly by the Board through funds of the school system;
- (11) Have the authority to establish and maintain retirement or pension funds on behalf of employees of the school system and their beneficiaries, to be managed by a board of trustees, subject to applicable state laws; and further, in the event social security provisions become available to employees or any group of employees, to provide for the integration of such provisions with any existing or proposed retirement or pension system;
- (12) Have the authority to enter into contracts with any person, firm, corporation, or governmental unit or agency for the performance of educational services or the use of educational facilities;
- (13) Adopt rules for the manner and extent the public is permitted to use buildings under its control, which rules shall make available all such buildings which may be needed or required for voting purposes on election days, including DeKalb County elections held in the City of Atlanta portion of DeKalb County.

SECTION 2-106.

Salary and expenses of Board members.

- (a) The Board is authorized to fix its salary or compensation by resolution, provided any action to change the salary or compensation shall be subject to the following conditions and requirements:
- (1) Such action shall take into consideration any recommendation made by the City of Atlanta elected officials compensation commission as provided by Article 2, Chapter 7 of the city charter, which is hereby made a part of this Act by reference thereto;
 - (2) Such action is taken at least six months prior to the end of the current term of office;
 - (3) Any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held following the date on which the action to increase the compensation was taken;
 - (4) Such action shall not be taken during the period of time between the date that candidates for election to membership on the Board may first qualify as such candidates and the date members of the Board take office following their election; and
 - (5) Such action shall not be taken until notice of intent to take action has been published in a newspaper of general circulation in the county and in the city at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.
- (b) As used in this section, the words "salary or compensation" shall include any expense allowance or any form of payment or reimbursement of expenses, except reimbursement of expenses actually and necessarily incurred by members of the Board in carrying out their official duties. The Board is authorized to provide by resolution procedures for the reimbursement of such actual and necessary expenses.

SECTION 2-107.

Vacation of office; removal or suspension of Board members.

- (a) Immediate vacation of office. Upon the final conviction of, or the entering of a plea of guilty for, a crime involving moral turpitude, a felony, or crime involving malfeasance or misfeasance while in office, the office of such Board member shall be vacated immediately without further action. The unexpired term of office shall be filled as provided in this Act.
- (b) Grounds for removal. Pursuant to the provisions herein, a member of the Board shall be subject to suspension or removal from any office for any of the following causes:
- (1) Incompetence, misfeasance, or malfeasance in office;
 - (2) Failure at any time to possess any of the qualifications of office as provided within this chapter or by law;

- (3) Violation of the Code of Ethics and Prohibited Practices provided herein;
- (4) Violation of the oath of office as provided herein;
- (5) Abandonment of office or neglect to perform the duties thereof; or
- (6) ~~Failure for any other cause~~ to perform the duties of office as required by the provisions herein or by law.

(c) Procedures for removal. Removal or suspension of a Board member pursuant to subsection (b) of this section shall be accomplished by the following method: In the event a member of the Board is sought to be removed or suspended by action of the Board, an impartial panel shall conduct a hearing and render a decision on the matter. Such member sought to be suspended or removed shall be entitled to a written notice specifying the ground or grounds for removal or suspension and to a public hearing which shall be held not less than ten days after the service of such written notice. The Board shall provide by resolution for the appointment of the impartial panel and the manner in which such hearings shall be held. Any Board member sought to be removed from office as herein provided shall have the right of appeal from the decision of the Board to the Superior Court of Fulton County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court.

SECTION 2-108.

Recall of a Board member; recall election.

Any member of the Board may be recalled and removed from office as provided by Chapter 4 of Title 21 of the O.C.G.A., the "Recall Act of 1989," as now or hereafter amended.

SECTION 2-109.

Vacancies; filling of vacancies.

(a) The office of a Board member shall become vacant upon the occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may be hereafter enacted.

(b) In the event of a vacancy occurring in the membership of the Board for any reason other than the expiration of term, that vacancy shall be filled as follows:

(1) If the vacancy occurs more than one year prior to the date of a general election at which a successor will be elected to a new full term of office, then such vacancy shall be filled for the unexpired term of office by city electors at a special election; and

(2) If the vacancy occurs one year or less prior to the date of the general election at which a successor will be elected to a new full term of office, the remaining members of the Board shall, by majority vote, select a qualified person to serve for the remainder of the unexpired term.

(c) Any person elected or appointed to fill a vacancy pursuant to subsection (b) herein shall possess the same qualifications required for election to a full term of office as provided herein for any person seeking to be elected to the Board. If the office wherein the vacancy occurred is filled by election of voters from the entire city, then the special election shall be held within the entire city; but if the office wherein the vacancy occurred is filled by election of voters from a specific district, then the special election shall be held within the district.

(d) When a vacancy as provided herein requires a special election, the Board shall within 15 days after the occurrence of such vacancy call a special election to fill the balance of the unexpired term of such office.

(e) When a vacancy as provided herein requires an appointment by the remaining members of the Board, the Board shall appoint such person within 30 days of the date the vacancy occurs. However, if a vacancy occurs due to a resignation, the Board may appoint a successor up to 30 days prior to the effective date of the resignation subject to the appointment becoming effective on the occurrence of the vacancy.

SECTION 2-110.

Superintendent of schools.

(a) The Board shall appoint as its executive officer a school superintendent who shall have such qualifications as provided by law. The Board shall provide the superintendent with

a contract for employment for a fixed term as provided for under Code Section 20-2-101 of the O.C.G.A., as amended.

(b) The superintendent shall have the power and duties assigned by the laws of the state and such ~~other powers and duties~~ as are assigned by this article or by the Board.

(c) The superintendent need not be a resident of the city at the time of his or her appointment but during his or her term in office shall reside within the city.

SECTION 2-111.

General counsel for Board and school system.

(a) The Board shall appoint, and remove at its pleasure, the general counsel to serve as the chief legal advisor to the Board and school system. Such appointment of the general counsel may be by contracts authorized by a majority of the Board. The general counsel shall be an active member of the State Bar of Georgia and shall have had at least ten years' experience in the active practice of law. The number of years' experience required herein may be waived by the Board upon a three-fourths' vote of its membership.

(b) During his or her term of employment, the general counsel shall be a resident of the City of Atlanta.

SECTION 2-112.

Assistant to the Board.

(a) The Board may appoint, and remove at its pleasure, an assistant to aid in the discharge of its official duties. It shall be the duty of the assistant to be present at all meetings of the Board, except those meetings concerned with his or her salary, benefits, or tenure, to keep the minutes and make a permanent record thereof, and to do any other administrative and clerical work as directed by the Board. The assistant shall record and countersign all official proceedings of the Board which shall be a public record open to the inspection of any person interested therein.

(b) During the time of his or her employment, the assistant shall be a resident of the City of Atlanta.

SECTION 2-113.

Publication of performance levels and expenditures.

(a) Whenever comprehensive reading examinations or other performance tests are administered to students, parents and guardians may obtain reports of their child's or ward's performance.

(b) All such test scores and performance summaries thereof, except the names of students, shall be public records.

(c) The performance level of each school, according to a recognized method or methods of testing or evaluation, shall be measured on at least an annual basis and shall be a public record.

(d) The Board shall have published annually in a newspaper of general circulation in the City of Atlanta the total expenditures per student in each school and the performance of each school as provided in this section.

ARTICLE III ETHICS AND PROHIBITED PRACTICES

SECTION 3-101.

Conflict of interest.

(a) Except as otherwise provided by general law, no elected official, appointed officer or employee of the Atlanta school system or of any office, department, or agency thereof shall knowingly:

(1) Engage in any business or transaction with or have a financial or other personal interest, direct or indirect, in the affairs of the Atlanta school system which would result in a financial benefit, except for a financial benefit of a nominal or incidental amount, to the official, appointed officer, employee, or relative of such person or which would tend to impair the independence of judgment or action in the performance of official duties;

- (2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of that person's official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties;
 - (3) Disclose information or use information, including information obtained at meetings which are closed pursuant to Title 50, Chapter 14, of the O.C.G.A. concerning the property, government, or affairs of the Atlanta school system or any office, department, or agency thereof, not available to members of the general public and gained by reason of his or her official position for his or her personal gain or benefit, to advance his or her financial or other private interest, or advance the financial or private interest of any other person or business entity;
 - (4) Represent private interests in any action or proceeding against the school system or any office, department, or agency thereof;
 - (5) Vote or otherwise participate in the negotiation or the making of any contract with any business or entity in which he or she, or his or her relative, has a financial interest;
 - (6) Solicit, accept, or agree to accept gifts, loans, gratuities, discounts, payment, or service from any employee, person, firm, or corporation which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the school system or any office, department, or agency thereof; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any campaign;
 - (7) Vote or otherwise participate in an appointment, employment, or promotion decision related to a relative or another person whom the public official knows or should know would create a direct or indirect monetary benefit or economic opportunity.
- (b) As used in this chapter, the word "relative" shall mean an individual who is related to the elected official, appointed officer, or employee as father, mother, son, daughter, brother, sister, husband, wife, grandfather, grandmother, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, any other relative living in the household of the elected official, appointed officer, or employee, a person who is engaged to be married to the elected official, appointed officer, or employee or who otherwise holds himself or herself out as or is generally known as the person whom the elected official, appointed officer, or employee intends to marry or with whom the elected official, appointed officer, or employee intends to form a household, or any other natural person having the same legal residence as the elected official, appointed officer, or employee.

SECTION 3-102.

Disclosures.

- (a) Any elected official, appointed officer, or employee of the school system who has any financial interest, directly or indirectly, in any contract or matter pending before or within any office, department, or agency of the school system shall disclose such interest in writing to the Board. Any Board member who has a financial interest in any contract or matter pending before the Board shall disclose such interest, in writing, and such disclosure shall be entered on the records of the Board. The Board member also shall disqualify himself or herself from participating in any decision or vote relating thereto.
- (b) An elected official shall disclose publicly the identity of any relative, as defined herein, employed by the Atlanta school system, prior to January 31 each year to the assistant to the Board on such form as prescribed by the Board.

SECTION 3-103.

Use of public property.

No elected official, appointed officer, or employee of the school system shall use property of the school system for personal benefit or profit except in accordance with policies and procedures promulgated by the Board.

SECTION 3-104.

Contracts voidable and rescindable.

Any contract between the Atlanta school system and another party shall be voidable or rescindable at the discretion of the Board at any time if any elected official, appointed

officer, or employee has any interest in such contract and does not disclose such interest in accordance with the provisions within this article.

SECTION 3-105.

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Hearings and determinations; penalties for violations.

Elected officials, appointed officers, and employees of the school system may be punished for violation of the provisions within this article as follows:

- (1) The members of the Board shall be subject to removal from office as provided in this Act;
- (2)(A) Appointed officers and employees not subject to civil service or covered by the provisions of O.C.G.A. Section 20-2-940, et seq., shall have the right to request a hearing before the Board upon written charges being provided to such officer. At such hearing, the officer shall have the right to be heard, to be represented by counsel, and to require the attendance of witnesses and the production of relevant books and papers. If, after the hearing, the accused is found guilty as charged, he or she may be suspended or dismissed from the service of the school system by a majority vote of the members of the Board.
- (B) Employees covered by the provisions of O.C.G.A. Section 20-2-940, et. seq., shall be subject to suspension, dismissal, or nonrenewal in accordance with the provisions of that general law;
- (3) Employees subject to civil service rules, upon a violation as provided herein, shall be subject to suspension or dismissal in accordance with the provisions in Article V herein and the personnel rules and regulations adopted by the Board.

ARTICLE IV REVENUE AND FINANCE Chapter 1 General Provisions

SECTION 4-101.

Comptroller.

- (a) The Board shall appoint and remove at its pleasure a comptroller, who shall serve as the chief financial officer of the school system. Such appointment of the comptroller may be by a contract authorized by a majority of the Board. Any person appointed comptroller shall give bond in an amount fixed and paid by the Board. The bond shall be made payable to the school system and shall be conditioned upon faithful and true accounting for all public and other funds and all property coming into such comptroller's custody, control, care, or possession.
- (b) The comptroller shall have at least ten years' of progressive experience in the management of fiscal operations or public finances, with demonstrated administrative or managerial experience in a public agency or the private sector. The number of years' experience required herein may be waived by the Board upon a three-fourths' vote of its membership.
- (c) During his or her term of office, the comptroller shall be a resident of the city.
- (d) The comptroller shall audit and approve all demands or claims presented to him or her for payment. Prior to the approval of any demand or claim, the comptroller shall be entitled to require evidence that the amount of the demand or claim is justly due. For such purposes, the comptroller may summon before him or her any officer or employee of the school system or other person or make an inspection of any service, labor, material, supplies, or equipment related to a demand or claim. If, in his or her opinion, any demand or claim is not a legal demand or claim, he or she shall withhold approval of the same and file such demand, together with his or her action thereon and the reasons therefor, with the Board for instructions thereon.

SECTION 4-102.

Taxation for educational purposes.

- (a) Each year the Board shall certify in writing to the Atlanta City Council a school tax, in the amount of a millage rate as determined by the Board, for the support and maintenance of the school system. In addition, the Board shall provide the council with a certified copy of its approved budget related to the requested school tax and minutes of any

Board meeting approving or establishing the millage rate signed by the president and secretary. Upon the filing of the request and budget, the council shall assess, levy, and cause to be collected a school tax at the millage rate as determined by the Board upon the assessed value of all taxable property with the city.

(b) A summary of the millage rate determined by the Board in the current and each of the four preceding years, including any clarifications that may be needed for full disclosure, shall be published in one or more newspapers of general circulation within the city and sent to the grand juries of Fulton County and DeKalb County then in session, the Atlanta-Fulton Public Library, and the state auditor.

SECTION 4-103.

Transmittal of taxes and other funds to the Board.

(a) Tax commissioner. In accordance with state law, the applicable tax commissioner shall transmit to the Board any and all ad valorem taxes assessed and collected on behalf of the city for the support and maintenance of public education, less any costs related to the tax assessment and collection and the amount of any interest and sinking fund charges on outstanding general obligation bonds.

(b) City of Atlanta. The City of Atlanta shall remit to the Board any funds received for the school system; such funds shall be used to maintain and expand the public school system.

SECTION 4-104.

Loans for operating expenses.

(a) The Board may obtain loans for operating expenses in accordance with the laws of the state.

(b) The Board may request the Atlanta City Council to negotiate loans to supply deficiencies in yearly operating expenses of the school system, during any year, in such amounts as may be determined by the Board. However, any such loan requested by the Board and negotiated by the city shall not exceed 75 percent of the anticipated tax revenue for the year levied for educational purposes. In lieu of borrowing money on behalf of the Board, the city may advance to the Board such amounts as may be required for such purposes.

(c) The Board shall provide for a sum sufficient to repay the loans or advances of moneys made by the city, together with the interest thereon, to be deducted from ad valorem taxes levied and collected for educational purposes during the year in which the loan was negotiated or an advance of moneys was made by the city.

(d) In order for the Board to obtain a loan or an advance as provided herein, the Board shall pass a resolution authorizing the money to be borrowed or advanced by the city, in which resolution shall be stated the amount of money to be borrowed or advanced, the length of time it is to be used, for what purpose borrowed, and from whom it is to be borrowed, which resolution shall be recorded on the minutes of the meetings of the Board.

SECTION 4-105.

Independent audit.

(a) The Board shall cause an annual independent audit to be conducted of the books, accounts, records, fiscal procedures, and other evidences of financial transactions of the City of Atlanta school system, including its offices, departments, and other agencies. The audit shall be made by a certified public accountant or certified public accounting firm whose members have no pecuniary, financial, or personal interest, directly or indirectly, in the fiscal affairs of the school system or any other governmental agency of the city.

(b) The audit may be conducted on a quarterly or continuing basis and shall be completed no later than six months after the close of the fiscal year.

(c) The audit, and the opinions and recommendations of those conducting such audit, shall be available to the public at actual printing cost, provided a copy shall be kept available in the offices of the Board and the superintendent for inspection by any citizen upon request.

(d) A special audit or examination of any office, department, or other agency of the school system may be ordered by the Board at any time.

(e) A summary of the financial statement from the audit or audits shall be published in one or more newspapers of general circulation within the city and sent to the grand juries

of Fulton County and DeKalb County then in session, the Atlanta-Fulton Public Library, and the state auditor.

www.libtool.com.cn **SECTION 4-106.**
Additional sources of revenue.

In the event any additional sources of revenue shall be authorized by law for educational purposes, the Board shall have the power, as the case may be, to recommend or provide for the lawful collection and appropriation of such revenues for use by the school system.

Chapter 2
Budget

SECTION 4-201.

Budget commission; duties; fiscal
year; preparation of budget.

(a) Budget commission. There shall be a budget commission of the Board consisting of the president of the Board, chairperson of the Finance Committee of the Board, and two members of the Board. Every year, the two members of the Board shall be nominated by the president and confirmed by the members of the Board. The comptroller and superintendent shall serve as ex officio members of the budget commission.

(b) Duties of budget commission. The budget commission shall:

(1) Annually prepare and file with the Board for submission to the superintendent the anticipated revenues for the school system, provided that such anticipated revenue shall not include more than 99 percent of the normal revenues collected during the previous fiscal or calendar year, with appropriate adjustments for changes in the property digest, the millage rate, and any contractual agreement with the city. The anticipated revenues shall include also the amount of funds reasonably expected from the state, taking into consideration any projected changes in student enrollment, as well as any other definable and expected sources of general revenue. However, the budget shall reflect all anticipated revenues from each source, shall designate all of such anticipated revenues among the several funds or accounts of the system, and shall not leave any anticipated revenues undesignated. "Normal revenues" shall include recurring income but not proceeds from the sale of real estate or from insurance thereon or from other nonrecurring sources of revenue. When such anticipated revenues have been filed, they shall be binding upon the Board without any further action;

(2) Allocate a sum sufficient to provide for debt service, including a sinking fund and interest on bond indebtedness, and any other appropriations required by law, which sum shall not be diverted to any other purpose;

(3) In the event the income of the school system should be decreased by law, either by an act of the General Assembly or the Board, it shall be the duty of the budget commission to immediately adjust the anticipated revenues to account for such decreased revenues. In the event of a change in the millage rate or other changes in state or local law, the budget commission may revise the budgeted anticipated revenues accordingly;

(4) In the event the Board receives more money, income, or revenue from any extraordinary source, either by the sale of real property, gift, grant, or otherwise, which has not been considered in the preparation of the anticipated revenues or other normal revenue in excess of appropriations, the Board shall have the right to allocate immediately such increased revenue for lawful purposes. However, during the preparation of the budget for the next year, no such extraordinary revenue shall be considered as part of the normal revenue of the Board;

(5) If at any time during any year, the expenditures exceed the revenues collected and a deficit results, it shall be the duty of the Board before appropriating any other sum for any purpose other than the interest and sinking fund on bonded indebtedness to lower its estimate of anticipated revenues to immediately discharge any deficit which has accrued during the preceding year.

(c) Fiscal year. The fiscal year shall begin and end as provided by law.

(d) Preparation of budget. The superintendent shall prepare a proposed budget for review by the Board and the public. In doing so, the superintendent shall obtain or cause to be

obtained from the comptroller and the various subordinate officers of the school system estimates of expenditures for matters within their jurisdiction in sufficient detail to prepare a program budget based on performance standards and other supporting data as may be necessary and proper. The proposed budget shall provide a complete financial plan for all operations of the school system and shall be based on performance standards.

SECTION 4-202.

Distribution, filing, and publication of budget.

The proposed budget and all supporting data shall be filed in the offices of the superintendent and the comptroller, and shall be open to inspection by the public. Copies of the proposed budget and supporting data shall be made available to the public at the actual cost of duplication.

SECTION 4-203.

Budget hearings; adoption; publication; certification.

The Board shall hold at least one public hearing to receive public input on the proposed budget. Following such hearing, the Board may review and revise the proposed budget and shall tentatively adopt a budget for the fiscal year. After its tentative adoption, a budget summary shall be advertised for two consecutive weeks prior to its final adoption in a newspaper of general circulation in the city, and a copy of the tentatively adopted budget as certified by the budget commission shall be filed in the offices of the superintendent and comptroller. At its next regular meeting or special meeting, the Board shall review the tentatively adopted budget, make any necessary changes, and adopt a final budget. A copy of the budget as finally adopted shall be submitted to the grand juries of Fulton and DeKalb counties then in session, the council of the City of Atlanta, the Atlanta-Fulton Public Library, and the state auditor.

SECTION 4-204.

Budgetary changes.

After the final adoption of a budget for a fiscal year by the Board, the budget shall not be changed except in the manner provided herein. Any action to revise the budget shall be taken at a regular meeting. The Board shall not transfer or reallocate outstanding obligations for any other purpose(s) until such obligations are paid, but it may transfer and reallocate all other funds lawfully anticipated. Should anticipated revenue be changed by law or by a change in the millage rate or in the assessed value of property subject to taxation or by increased or decreased receipts from the state or other revenue sources, the budget commission shall, within a period of 15 days after receipt of such information, certify to the Board the revised amount of the anticipated revenues for the balance of the fiscal year. At its next regular meeting after receiving the revised amount, the Board shall adjust the anticipated revenues accordingly and revise the budget in accordance with the recommended changes.

SECTION 4-205.

Unlawful obligations void.

The Board shall incur no obligation in excess of the annual budget and such other special appropriations as may be lawfully made and shall incur no liability except as authorized by such budget or appropriation. Any such liabilities attempted to be incurred shall be void in law and equity.

ARTICLE V PERSONNEL

SECTION 5-101.

Civil Service.

(a) The Board may establish a system of civil service. The system shall cover all full-time, noncertificated employees of the school system except administrators at or above the pay level of coordinators, confidential employees within the law department, and other personnel as determined by the Board.

(b) The Board shall adopt by resolution civil service rules and regulations to govern the classification of positions; the duration of eligibility lists; the manner and method of publicizing vacancies and employing, appointing, and dismissing personnel; the terms, conditions, and benefits of employment; retirement policies; disciplinary actions and grievance procedures; layoffs; and any other measures that promote the hiring and retaining of capable, diligent, honest career employees, provided that said rules and regulations shall be uniform throughout the system.

SECTION 5-102.

Discrimination prohibited.

It shall be the policy of the school system that all personnel matters shall be determined solely on the basis of merit and qualification, without respect to race, color, creed, religion, sex, sexual orientation, national origin, age, disability, or political affiliation.

SECTION 5-103.

Civil service commission.

- (a) Established; appointment; removal. There shall be a civil service commission consisting of five members appointed by the Board. Each member of the commission shall be a resident of the city at the time, and during the term, of appointment. The term of office of members shall be for four years and shall be staggered by the Board. Vacancies on the commission for whatever cause shall be filled by the Board for the unexpired term. Any member may be removed from office for cause by a majority vote of Board members. The Board may provide by resolution for the reimbursement of actual and necessary expenses incurred by members.
- (b) Powers and duties. The civil service commission shall:
- (1) Make such rules and regulations as necessary for the proper conduct of its business;
 - (2) Hear and determine appeals initiated by employees charged with violations of the civil service rules and regulations adopted by the Board, provided that the Board may review and overrule a decision of the commission in accordance with procedures adopted by the Board;
 - (3) Hear and determine the grievance of any person covered by the civil service rules and regulations of the school system concerning any action taken in the administration of such rules and regulations which pertains to his or her employment or employment rights, provided the Board may review and overrule a decision of the commission in accordance with procedures adopted by the Board;
 - (4) Review and recommend amendments to the civil service rules and regulations of the school system;
 - (5) Conduct investigations requested by the Board, superintendent, or on its own motion and report any findings to the Board and superintendent;
 - (6) Keep minutes of its meetings and such other records as necessary;
 - (7) Hear any matter referred by the Board;
 - (8) Perform such other duties and responsibilities as shall be authorized by the Board or by law; and
 - (9) Subpoena and require the attendance of witnesses and the production of books, papers, or other evidence pertinent to the appeal, hearing, or investigation and administer oaths to such witnesses.
- (c) Meetings. The commission shall hold meetings as needed to perform its duties but shall not meet less than once quarterly. Any meetings of the commission shall be held in the central offices of the school system.
- (d) Adjunct members. The Board may appoint up to five persons to serve as adjunct members of the commission and perform such duties of the commission in the absence of a member or the lack of a quorum of the regularly appointed members.
- (e) Board's review of commission action. The Board may establish further procedures whereby a decision of the commission may be reviewed by the Board before the same shall be deemed final and binding.

SECTION 5-104.

Credit preference for employment purposes.

The Board may adopt by resolution a credit preference for residents of the city on their examination scores for employment as noncertificated employees with the school system.

**ARTICLE VI
GENERAL PROVISIONS****SECTION 6-101.**

Continuance of officers
and employees.

The current terms of office of all elected and appointed officials and officers of the Atlanta school system and its agencies, serving on the effective date of this Act, shall not be diminished and shall continue in full force and effect.

SECTION 6-102.

Existing rules and
regulations continued in effect.

Existing rules and regulations of the Atlanta Board of Education and the Atlanta Independent School System, and departments and agencies thereof, not inconsistent with the provisions of this Act, shall be effective until they have been repealed, modified, or amended.

SECTION 6-103.

Pending matters.

All contracts, orders, leases, bonds, and other obligations or instruments entered into by the Atlanta Board of Education for the benefit of the Atlanta Independent School System prior to the effective date of this Act shall continue in effect according to the terms thereof.

SECTION 6-104.

Existing rights and
interests.

(a) Any rights or interests, public or private, vested in whole or in part on the effective date of this Act, whose validity might be sustained or preserved by reference to any provisions of law repealed by this Act, shall not be affected by this Act. This subsection shall not apply to any right or interest in any elective public office not conferred by this Act.

(b) Any rights or interests, public or private, derived from, or which might be sustained or preserved in reliance upon, action taken pursuant to or within the scope of any provision of law repealed by this Act, shall not be affected by this Act.

(c) Members of the Atlanta Board of Education shall receive as their annual salaries such amounts being received as of the effective date of this Act, until such amounts are changed in accordance with the provisions of this Act.

SECTION 6-105.

Construction.

(a) The captions to the several sections of this Act are informative only and are not to be construed as a part thereof.

(b) The word "shall" is mandatory and the word "may" is permissive.

(c) The singular shall include the plural, the masculine shall include the feminine, and vice versa.

SECTION 6-106.

Specific Repealer.

An Act to reorganize the Board of Education of the City of Atlanta approved March 16, 1973 (Ga. Laws 1973, p. 2167) and any amendatory Acts thereto are hereby repealed in their entirety.

SECTION 6-107

Severability.

If any article, section, subsection, paragraph, sentence, or part thereof of this Act, or the application thereof to any person or circumstance, should be declared invalid for any reason whatsoever, such decision shall not affect or impair the remaining portions of this Act,

unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held invalid, and to this end, the provisions of this Act and the applications thereof are hereby declared to be severable.

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SECTION 6-108.

Codification of this Act.

The provisions within this Act shall be codified in the portion of the charter of the City of Atlanta, Georgia, codifying related state laws.

SECTION 6-109.

Effective date.

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

SECTION 6-110.

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

APPENDIX I

The board of education districts of the City of Atlanta shall each consist of the following described territory of the Atlanta Independent School System:

Education District No. 1

1) BEGINNING at the intersection of Moreland Avenue and Glenwood Avenue; thence west along Glenwood Avenue to the CSX Railroad right-of-way; thence north along said Railroad right-of-way to Interstate 20; thence west along Interstate 20 to Boulevard Drive; thence north along Boulevard Drive to Memorial Drive; thence west along Memorial Drive to Kelly Street; thence south along Kelly Street to Glenwood Avenue; thence west one block along Glenwood Avenue to Connally Street; thence south along Connally Street to Georgia Avenue; thence east along Georgia Avenue to Primrose Street; thence south along Primrose Street to Ormond Street; thence east along Ormond Street to Hill Street; thence south along Hill Street to its intersection with the CSX Railroad right-of-way; thence southwesterly along said Railroad right-of-way to Pryor Street; thence south along Pryor Street to Claire Drive; thence southeasterly along Claire Drive to Shadydale Avenue; thence south along Shadydale Avenue to Lakewood Avenue; thence southwesterly along Lakewood Avenue to Macon Drive; thence southerly along Macon Drive to the South River; thence southeast along the South River to the City limits line; thence north along the City limits line and Moreland Avenue to the intersection of Glenwood Avenue, which is the POINT OF BEGINNING; and

2) BEGINNING at the intersection of North Avenue and Moreland Avenue; thence west along North Avenue to Piedmont Avenue; thence north along Piedmont Avenue to 10th Street; thence west along 10th Street to Peachtree Street; thence north on Peachtree Street to 14th Street; thence west along 14th Street to State Street; thence south along State Street to Ferst Street; thence west, then south, then east along Ferst Drive to State Street, if extended; thence south along State Street, if extended, to North Avenue; thence southwest, then west along North Avenue to its intersection with Northside Drive; thence south, then southeast along Northside Drive to Simpson Street; thence east along Simpson Street to its intersection with the CSX/Southern Railroad right-of-way; thence south along said Railroad right-of-way to its intersection with Martin Luther King, Jr., Drive; thence west along Martin Luther King, Jr., Drive to Elliot Street, as extended, thence south along Elliot Street, as extended, to Nelson Street; thence southwest along Nelson Street to Walker Street; thence southwest along Walker Street to its intersection with Fair Street; then southwest along Fair Street to Windsor Street; then south on Windsor Street to its intersection with the Southern Railroad right-of-way; thence southeasterly along said Railroad right-of-way to its intersection with the CSX Railroad right-of-way; thence northeasterly along the CSX Railroad right-of-way to Hill Street; thence north along Hill Street to Ormond Street; thence west along Ormond Street to Primrose Street; thence north along Primrose Street to Georgia Avenue; thence west along Georgia Avenue to

Connally Street; thence north along Connally Street to Fulton Street; thence west along Fulton Street to Martin Street; thence north along Martin Street to Fulton Street; thence west along Fulton Street to Capitol Avenue; thence north along Capitol Avenue to Martin Luther King, Jr. Drive; thence northwest along Martin Luther King, Jr. Drive to Washington Street; thence northeast along Washington Street to the CSX/Georgia Railroad right-of-way; thence southeast, then northeast along said railroad right-of-way to its intersection with Moreland Avenue; thence north along Moreland Avenue to North Avenue, which is the POINT OF BEGINNING.

Education District No. 2

1) BEGINNING at the intersection of North Avenue and the CSX/Southern Railroad right-of-way; thence northwesterly along said Railroad right-of-way to the intersection of the Southern/CSX Railroad right-of-way; thence south along said Railroad right-of-way to Proctor Creek; thence westerly along said Creek to the intersection of Proctor Creek and Francis Place; thence north along Francis Place to the intersection with Grove Park Place, thence west along Grove Park Place to the intersection with Hortense Way; thence southwest along Hortense Way to its intersection with Hortense Place; thence west along Hortense Place to the intersection of Elizabeth Place; thence south along Elizabeth Place to Baker Road; thence southwest along Baker Road to the intersection of Arlington Circle; thence north, then west, then south along Arlington Circle to the intersection at Baker Road; thence west along Baker Road to Hightower Road; thence south along Hightower Road to the CSX Railroad right-of-way; thence east along said Railroad right-of-way to its intersection with Anderson Avenue; thence south along Anderson Avenue to Martin Luther King, Jr. Drive; thence northeast along Martin Luther King, Jr. Drive to the intersect of Ashby Street; thence south along Ashby Street to the intersection of Fair Street; thence east along Fair Street to the intersection of Lawshe Street; thence north along Lawshe Street to Parsons Street; thence east on Parsons Street to Elm Street; thence south on Elm Street to Fair Street; thence east on Fair Street to Walker Street; thence northeast along Walker Street to Nelson Street; thence northeast on Nelson Street to Elliot Street; thence north along Elliot Street, as extended, to Martin Luther King, Jr. Drive; thence east along Martin Luther King, Jr. Drive to the CSX/Southern Railroad right-of-way; thence north along said Railroad right-of-way to its intersection with Simpson Street; thence west along Simpson Street to Northside Drive; thence northwest, then north along Northside Drive to North Avenue; thence east along North Avenue to the intersection of the CSX/Southern railroad right-of-way, which is the POINT OF BEGINNING; and

2) BEGINNING at the intersection of Ralph David Abernathy Boulevard and Martin Luther King, Jr. Drive; thence southeast on Ralph David Abernathy Boulevard to the intersection of Cascade Avenue; thence southwesterly along Cascade Avenue to the intersection of Beecher Street; thence west along Beecher Street to the intersection of Rosemary Avenue; thence south along Rosemary Avenue to the intersection of Clearvue Terrace; thence west, then south, then southeast on Clearvue Terrace to Cascade Avenue; thence southwesterly along Cascade Avenue to Cascade Circle; thence southwest, then south along Cascade Circle to the intersection of Cascade Avenue; thence southwest along Cascade Avenue to Centre Villa Drive; thence south along Centre Villa Drive to Venetian Drive; thence east along Venetian Drive to Campbellton Road; thence east along a line, as extended, to Ingram Street; thence east along Ingram Street, as extended, to the intersection of Lee Street; thence northeast along Lee Street to the intersection of the CSX Railroad right-of-way; thence southeast, then northeast along said Railroad right-of-way to the intersection of the Southern Railroad right-of-way; thence northwest along said Railroad right-of-way to the intersection of Windsor Street, as extended; thence north along Windsor Street, as extended, to Fair Street; thence west, then northwest along Fair Street to Walker Street; thence south along Walker Street to Fair Street; thence west along Fair Street to Elm Street; thence north along Elm Street to Parsons Street; thence west on Parsons Street to Lawshe Street; thence south on Lawshe Street to Fair Street; thence west on Fair Street to Ashby Street; thence north on Ashby Street to Martin Luther

King, Jr. Drive; thence west on Martin Luther King, Jr. Drive to Ralph David Abernathy Boulevard, which is the POINT OF BEGINNING.

Education District No. 3

- 1) BEGINNING at the intersection of Capitol Avenue and Fulton Street; thence east on Fulton Street to Martin Street; thence south one block on Martin Street to Fulton Street; thence east on Fulton Street to Connally Street; thence north along Connally Street to Glenwood Avenue; thence east along Glenwood Avenue one block to Kelly Street; thence north along Kelly Street, as extended, to Memorial Drive; thence east along Memorial Drive to Boulevard Drive; thence south on Boulevard Drive to Interstate-20; thence east along Interstate-20 to the intersection of the CSX Railroad right-of-way; thence south along said Railroad right-of-way to the intersection of Glenwood Avenue; thence east along Glenwood Avenue to Moreland Avenue; thence south along Moreland Avenue to Vickers Street; thence following the City limit line in a northeasterly direction until its intersection with the CSX/Georgia Railroad right-of-way near the MARTA East Lake Station; thence west along the CSX/Georgia Railroad right-of-way to Washington Street; thence southwest along Washington Street to Martin Luther King, Jr. Drive; thence southeast along Martin Luther King, Jr. Drive to Capitol Avenue; thence south on Capitol Avenue to Fulton Street, which is the POINT OF BEGINNING; and
- 2) BEGINNING at the intersection of I-85 North and the City limits line (immediately south of Buford Highway); thence southwest along I-85 to Peachtree Creek; thence southwesterly along Peachtree Creek to its intersection with the CSX Railroad right-of-way; thence southwesterly, then southeasterly along said Railroad right-of-way to the intersection of Piedmont Avenue; thence southwesterly along Piedmont Avenue to the intersection of 14th Street; thence west along 14th Street to Peachtree Street; thence south along Peachtree Street to 10th Street; thence east along 10th Street to Piedmont Avenue, thence south along Piedmont Avenue to North Avenue; thence east along North Avenue to Moreland Avenue; thence south along Moreland Avenue to its intersection with the Georgia/CSX Railroad right-of-way; thence east along said Railroad right-of-way to the City limits line; thence northerly following the City limits line until its intersection with I-85 North, which is the POINT OF BEGINNING.

Education District No. 4

- 1) BEGINNING at the intersection of Roswell Road and the City limits line; thence southerly along Roswell Road to Peachtree Road; thence southerly along Peachtree Road to its intersection with 28th Street; thence west along 28th Street to Ardmore Circle; thence south, then southwest, then west along Ardmore Circle to Tanyard Creek; thence south along said Creek to Interstate-75; thence southeast along Interstate-75 to its intersection with the Southern Railroad right-of-way; thence southwest along said Railroad right-of-way to its intersection with Mecaslin Street; thence south along Mecaslin Street to its intersection with 16th Street; thence east one block along 16th Street to State Street; thence south along State Street to its intersection with 14th Street; thence east along 14th Street to its intersection with Piedmont Road; thence northeast along Piedmont Road to its intersection with the Southern Railroad right-of-way; thence northwest, then northeast along said Railroad right-of-way to Peachtree Creek; thence northeast along said Creek to its intersection with Interstate-85 North; thence northeast along Interstate-85 North to the eastern City limits line; thence northerly following the eastern (north/south) City limits line to the northern (east/west) City limits line; thence westerly following the northern (east/west) City limits line to Roswell Road, which is the POINT OF BEGINNING; and
- 2) BEGINNING at the intersection of the northern City limits line and Roswell Road; thence south along Roswell Road to the intersection of Peachtree Road; thence south along Peachtree Road to the intersection of 28th Street; thence west along 28th Street to the intersection of Ardmore Circle; thence south, then west along Ardmore Circle, as extended, to Tanyard Creek; thence southeasterly along Tanyard Creek to its intersection with I-75; thence southeasterly along I-75 to its intersection with the Southern

Railroad right-of-way; thence southwesterly along said Railroad right-of-way to Mescaline Street; thence south along Mescaline Street to its intersection with 16th Street; thence east one block along 16th Street to the intersection of State Street; thence south along State Street to the intersection of First Drive; thence west, then south, then east along First Drive to State Street, if extended; thence south along State Street, if extended, to North Avenue; thence southwest along North Avenue to its intersection with the Southern Railroad right-of-way; thence northwesterly, then northeast along said Railroad right-of-way to its intersection with Howell Mill Road; thence north along Howell Mill Road to the intersection of I-75; thence northwesterly along Interstate-75 to its intersection with Peachtree Creek; thence westerly along said Creek to its intersection with Bohler Road; thence north along Bohler Road to its intersection with Battleview Drive; thence westerly along said Battleview Drive as extended to Peachtree Creek; thence westerly along said Creek to its intersection with the western City limits at the Chattahoochee River; thence northerly along said western City limits line to its intersection with the northern (east/west) City limits line; thence easterly along the northern (east/west) City limits line to its intersection with Roswell Road, which is the POINT OF BEGINNING.

Education District No. 5

1) BEGINNING at the intersection of Peachtree Creek and the western City limits line at the Chattahoochee River; thence southwesterly along said City limits line to a point, which is the common Land Lot line between Land Lots 18 and 20 of the 14th District; thence south along said Land Lot line to Sandy Creek; thence east along Sandy Creek to its intersection with Waterford Road, thence southerly along said Road to its intersection with Baker Ridge Drive; thence easterly along Baker Ridge Drive to its intersection with Hightower Road; thence southeast along Hightower Road to its intersection with Baker Road; thence east along Baker Road to Arlington Circle; thence north, then east, then south along Arlington Circle; thence northeast along Baker Road to Elizabeth Place; thence northeast along Elizabeth Place to its intersection with Hortense Place; thence east along Hortense Place to its intersection with Hortense Way, thence southeasterly, then northeasterly along Hortense Way to its intersection with Grove Park Place, then easterly along Grove Park Place to its intersection with Francis Place, then southerly along Francis Place to its intersection with Proctor Creek; thence northeasterly along said Creek to its intersection with the CSX Railroad right-of-way; thence northwest along said railroad right-of-way to the intersection of the CSX/Southern Railroad right-of-ways; thence southeasterly along said railroad right-of-ways to the "Y" track of the CSX/Southern railroad and Southern railroad; thence northeast along the Southern railroad right-of-way to its intersection with Howell Mill Road; thence northerly along Howell Mill Road to its intersection with Interstate-75; thence northwesterly along Interstate-75 to its intersection with Peachtree Creek; thence westerly along Peachtree Creek to its intersection with Bohler Road; then along said Road to its intersection with Battleview Drive; then along said Drive as extended to its intersection with Peachtree Creek; thence westerly along said Creek to the western City limits line, which is the POINT OF BEGINNING; and

2) BEGINNING at the intersection of Cascade Road and Lynhurst Drive; thence north, then northwesterly along Lynhurst Drive to Spreading Oak Drive; thence west along Spreading Oak Drive to Laurelmont Drive; thence north along Laurelmont Drive to Benjamin Mays Drive; thence southeast along Benjamin Mays Drive to Willis Mill Road; thence northerly along Willis mill Road to Utoy Creek; thence southeast along said Creek to the common Land Lot line between Land Lots 203 and 182 of the 14th District; thence north along said Land Lot line to a point, which is the intersection of Land Lots 182, 203, 181, and 204 of the 14th District; thence east along the common Land Lot line between Land Lots 181 and 182 of the 14th District to its intersection with Handley Avenue; thence north along Handley Avenue to a point, which is one-half block north of Westwood Avenue if Handley Avenue were extended; thence east from said point along the rear property lines of those properties fronting on the north side of Westwood Avenue to a point, which is one-half block west of the eastern Land Lot line of Land Lot 172 of 14th District; thence south from said point to a

point on Westwood Avenue, which is one-half block west of the intersection of Westwood Avenue and South Gordon Street; thence east along Westwood Avenue to its intersection with South Gordon Street; thence southwest along South Gordon Street to Beecher Street; thence east along Beecher Street to Cascade Road; thence northeasterly along Cascade Road to Ralph Abernathy Boulevard; thence northwesterly along Ralph David Abernathy Boulevard to Martin Luther King, Jr. Drive; thence west on Martin Luther King, Jr. Drive to Anderson Avenue; thence north along Anderson Avenue to the CSX Railroad right-of-way; thence westerly along said Railroad right-of-way to Hightower Road; thence northwest along Hightower Road to Baker Ridge Drive; thence westerly along Baker Ridge Drive to its intersection with Waterford Road; thence northerly along said Road to its intersection with Sandy Creek; thence northwesterly along Sandy Creek to its intersection with Fulton Industrial Boulevard, the western City limits line; thence southwest, then westerly along the City limits line to the intersection of Mendel Drive and the City limits line; thence southeasterly following the City limits line to its intersection with Cascade Road; thence east along Cascade Road to its intersection with Lynhurst Drive, which is the POINT OF BEGINNING.

Education District No. 6

1) BEGINNING at the intersection of Cascade Road and the City limits line, west of Kingsdale Road; thence following said City limits line in a westerly, then southerly, and then northeasterly direction until its intersection with Stanton Road; thence north along Stanton Road to Leslie Road; thence west on Leslie Road to Hadlock Street; thence north on Hadlock Street to Campbellton Road; thence west on Campbellton Road to Willowbrook Drive; thence north on Willowbrook Drive to Venetian Drive; thence west on Venetian Drive to Centre Villa Drive; thence north on Centre Villa Drive to Cascade Road; thence northeast along Cascade Road to Cascade Circle; thence northeast along Cascade Circle to Cascade Road; thence northeast along Cascade Road to Cascade Terrace; thence northwest along Cascade Terrace to Clearvue Terrace; thence northeast along Clearvue Terrace to Rosemary Avenue; thence north along Rosemary Avenue to Beecher Street; thence west on Beecher Street to South Gordon Street; thence north on South Gordon Street to the intersection of Westwood Avenue; thence west along Westwood Avenue to a point, which is one-half block west of the intersection of Westwood Avenue and South Gordon Street; thence north to a point one-half block west of the eastern Land Lot line of Land Lot 172 of the 14th District; thence west from said point to a point, which is the one-half block north of Westwood Avenue, where Handley Avenue would intersect, if extended, thence south from said point along Handley Avenue to a point, which is the common Land Lot line between Land Lots 181 and 182 of the 14th District; thence west along said Land Lot line to a point, which is the intersecting point of Land lots 182, 203, 181 and 204 of the 14th District; thence south along the common Land Lot line between Land Lots 182 and 203 of the 14th District to Utoy Creek; thence northwesterly along said Creek to Willis Mill Road; thence south along Willis Mill Road to Benjamin Mays Drive to Laurelmont Drive; thence south along Laurelmont Drive to Spreading Oak Drive; thence east along Spreading Oak Drive to Lynhurst Drive; thence south along Lynhurst Drive to Cascade Road; thence west along Cascade Road to the western City limits line, which is the POINT OF BEGINNING; except that portion of unincorporated Fulton County which is located in Land Lots 29 and 30 of the 14 FF District; and

2) BEGINNING at the intersection of the City limits line and Interstate-75 South at Mt. Zion Road; thence south along Interstate-75 to Central Avenue; thence northwesterly along Central Avenue to Convoy Drive; thence south along Convoy Drive, as extended, to the southern City limits line; thence east, then north along said City limits line to the South River; thence northwesterly along the South River to Macon Drive; thence northeast, then northwest along Macon Drive to Lakewood Avenue; thence northeast along Lakewood Avenue to Shadydale Avenue; thence north along Shadydale Avenue to Claire Drive; thence west, then northwest along Claire Drive to Pryor Street; thence north along Pryor Street to the CSX Railroad right-of-way;

thence west, then northwest along said Railroad right-of-way to Lee Street; thence southwest along Lee Street to a point on Lee Street where Ingram Street would intersect, if extended; thence west from said point along Ingram Street, as extended, to Campbellton Road; thence west along Venetian Drive to Willowbrook Drive; thence south along Willowbrook Drive to Campbellton Road; thence northeast one block along Campbellton Road to Hadlock Street; thence south along Hadlock Street to Leslie Avenue; thence east along Leslie Avenue to Stanton Road; thence south along Stanton Road to the City limits line; thence in a southeasterly direction following said City limits line to Interstate-75, which is the POINT OF BEGINNING; also included is that non-contiguous portion of the City which lies in Land Lots 128 and 127 of the 14th District.

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

HB 1869. By Representative Greene of the 158th:

A bill to amend an Act relating to the Board of Commissioners of Calhoun County, so as to change the compensation of the chairman and members of the board of commissioners.

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

HB 1870. By Representatives Greene of the 158th and Ponder of the 160th:

A bill to amend an Act creating the Board of Commissioners of Early County, so as to provide for staggered terms of office for members of the board of commissioners.

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

HB 1871. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to provide that the tax commissioner of Carroll County shall retain a specified percentage of educational funds collected by said officer and remit the same to the governing authority of Carroll County to reimburse the county for the cost of collecting school taxes.

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

HB 1873. By Representative Twiggs of the 8th:

A bill to amend an Act entitled "An Act to provide a new charter for the City of Hiwassee," so as to change the provisions relating to the corporate limits of said city.

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

HB 1874. By Representative Byrd of the 170th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Appling County, so as to provide that such nonpartisan nomination and election of the judge of the Probate Court of Appling County shall begin with the election held in 1996.

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

HB 1877. By Representatives Shipp of the 38th, Wiles of the 34th, Klein of the 39th, Grindley of the 35th, Sauder of the 29th and others:

A bill to amend an Act creating a new charter for the City of Kennesaw, so as to change the provisions relating to the corporate limits of said city.

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

HB 1878. By Representatives Powell of the 23rd and Jamieson of the 22nd:

A bill to amend an Act creating a new board of commissioners of Franklin County, so as to correct technical defects in the boundaries between two commission districts.

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

HB 1879. By Representative Powell of the 23rd:

A bill to create the City of Hartwell Recreation Authority.

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

SB 758. By Senators Starr of the 44th, Thomas of the 10th and Glanton of the 34th:

A bill to amend an Act creating the State Court of Clayton County, as amended, so as to provide that the office of chief judge of said court shall be rotated annually among the judges of said court.

The following Committee substitute was read and adopted:

A BILL

To amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved April 11, 1979 (Ga. L. 1979, p. 3838) and an Act approved March 15, 1988 (Ga. L. 1988, p. 3933), so as to add a judge to said court; to provide for the election and term of office of said additional judge and for the election of his or her successors; to provide for related matters; to provide that the office of chief judge of said court shall be rotated annually among the judges of said court; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved April 11, 1979 (Ga. L. 1979, p. 3838) and an Act approved March 15, 1988 (Ga. L. 1988, p. 3933), is amended by striking in its entirety Section 3A and inserting in lieu thereof the following:

“SECTION 3A.

Effective January 1, 1997, there shall be four judges of the State Court of Clayton County. The three judges serving in office or taking office as a result of election or

reelection on January 1, 1997, shall continue to serve in the office to which they were elected. The fourth judge shall be elected at the general election held in November, 1996, and shall take office on January 1, 1997, for a term of four years and until his or her successor is elected and qualified. The judges of said court shall serve terms of four years and until their successors are elected and qualified.”

SECTION 2.

Said Act is further amended by striking subsection (a) of Section 3B and inserting in lieu thereof the following:

“(a) The office of chief judge of the State Court of Clayton County shall rotate annually among the judges of such court. The judge serving as chief judge on the effective date of this Act shall continue to serve as chief judge until December 31, 1996. On January 1, 1997, and on the first day of January of each year thereafter, the office of chief judge shall pass to the judge next lowest in seniority.”

SECTION 3.

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.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Johnson, J	Polak	Y Stancil, F
E Barfoot	Y DeLoach, B	Y Johnson	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Jones	Y Porter	Stanley, L
Y Barnard	Dix	Joyce	Y Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Bates	Y Dixon, S	Y Kinnamon	Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Purcell, B	E Taylor
Y Birdsong	Y Ehrhart	Ladd	Randall	Teague
Y Bordeaux	Epps	Y Lakly	Y Randolph	Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Y Falls	Lawrence	Reaves	Tillman
Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	E Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	Y White
Y Channell	Y Hembree	Mobley, B	Y Skipper	Y Wiles
Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bills, the ayes were 120, nays 1.

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

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

Mr. Speaker: www.libtool.com.cn

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

HB 1409. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Dixon of the 150th and Thomas of the 148th:

A bill to amend an Act providing for the Magistrate Court of Chatham County, so as to provide for the nonpartisan nomination and election of the chief magistrate and full-time magistrate of the Magistrate Court of Chatham County.

HB 1684. By Representative Jamieson of the 22nd:

A bill to amend an Act providing for a new charter for the Town of Martin, so as to provide for term limitations for the mayor and the members of the city council.

HB 1772. By Representatives Coleman of the 80th and Goodwin of the 79th:

A bill to amend an Act creating a new charter for the City of Norcross, so as to change the corporate limits of the City of Norcross.

HB 1775. By Representatives Titus of the 180th, Reaves of the 178th and Bates of the 179th:

A bill to amend an Act entitled "An Act creating the board of commissioners of Thomas County," so as to provide for the filling of vacancies on such board of commissioner districts.

HB 522. By Representatives Birdsong of the 123rd, Smith of the 175th, Roberts of the 162nd and others:

A bill to amend Code Section 40-2-85 of the Official Code of Georgia Annotated, relating to license plates for veterans who survived the attack on Pearl Harbor, so as to repeal certain provisions relating to additional annual registration fees required for the issuance of such special license plates.

HB 586. By Representatives Cummings of the 27th and Baker of the 70th:

A bill to amend Code Section 47-3-85 of the Official Code of Georgia Annotated, relating to credit for service under the Teachers Retirement System of Georgia by a former member of the Employees' Retirement System of Georgia who withdrew contributions from such system, so as to provide that such members who withdrew contributions more than three times may establish service under certain conditions.

HB 966. By Representative Lee of the 94th:

A bill to amend Article 1 of Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions for district attorneys, so as to provide for changes in the payment and procedures for reimbursement of travel expenses for district attorneys and certain state paid personnel.

- HB 1088. By Representative Barnes of the 33rd:
A bill to amend Code Section 47-13-70 of the Official Code of Georgia Annotated, relating to eligibility for retirement benefits under the District Attorneys' Retirement System, so as to repeal certain restrictions on members retired under such system.
- HB 1118. By Representatives Mosley of the 171st, DeLoach of the 172nd, Shaw of the 176th and others:
A bill to amend Code Section 12-8-25.3 of the Official Code of Georgia Annotated, relating to certain restrictions on landfill sites, so as to provide restrictions on landfills adjacent to certain bombing range facilities.
- HB 1151. By Representative Watson of the 139th:
A bill to amend Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to gambling, so as to change the provisions relating to the earning of replays on coin operated games or devices and to provide for the discharge of the accumulated replays; to change the provisions relating to the manner and type of reward a winning player receives when operating certain other coin operated games or devices.
- HB 1198. By Representatives Barnard of the 154th, Streat of the 167th, Dixon of the 150th and others:
A bill to amend Article 5 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to rights and duties of pedestrians, so as to authorize municipal ordinances for the issuance of permits to certain charitable organizations for the solicitation of contributions on the streets and highways within the corporate limits.
- HB 1203. By Representative Irvin of the 45th:
A bill to amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, known as "The Zoning Procedures Act," so as to provide for a minimum time period for presentation at hearings on proposed zoning decisions.
- HB 1208. By Representatives Carter of the 166th, Bostick of the 165th, Walker of the 141st and Chambless of the 163rd:
A bill to amend Article 4 of Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to postjudgment garnishment proceedings, so as to change a procedure for signing and approving an affidavit for issuance of a summons of garnishment.
- HB 1224. By Representatives Porter of the 143rd and Hanner of the 159th:
A bill to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to change certain references to regulations promulgated by the Board of Natural Resources and regulations promulgated by the administrator of the federal Environmental Protection Agency.
- HB 1239. By Representatives Martin of the 47th, Walker of the 141st, Chambless of the 163rd and others:
A bill to amend Article 2 of Chapter 12 of Title 17 of the Official Code of Georgia Annotated, known as "The Georgia Indigent Defense Act," so as to create the mental health advocacy division of the Georgia Indigent Defense Council.

- HB 1284. By Representatives Snelling of the 99th, Kinnamon of the 4th, Chambless of the 163rd and others:

A bill to amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to enact comprehensive provisions regarding prison litigation reform.

- HB 1326. By Representatives Reichert of the 126th, Chambless of the 163rd, Skipper of the 137th and others:

A bill to amend Code Section 14-7-2 of the Official Code of Georgia Annotated, relating to definitions relative to professional corporations, so as to add pharmacists to the definition of profession; to allow pharmacists to form professional corporations.

- HB 1327. By Representative Connell of the 115th:

A bill to amend Part 2 of Article 4 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Golf Hall of Fame, so as to authorize the Georgia Golf Hall of Fame Board to apply for federal tax exempt status under Section 501 (C) (3) of the Internal Revenue Code of 1986; to provide for the applicability of nonprofit corporation status to the board.

- HB 1419. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:

A bill to amend Article 5 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, known as the "State Housing Trust Fund for the Homeless Act," so as to revise definitions; to change the membership of the State Housing Trust Fund for the Homeless Commission; to authorize the commission to contract with the Department of Community Affairs; to change provisions concerning meetings.

- HB 1431. By Representative Birdsong of the 123rd:

A bill to amend Part 1 of Article 1 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to general provisions applicable to the state militia, so as to authorize the Governor to request that members of the National Guard report for duty into the active service of the state during the period of the 1996 Olympic Games for the performance of an official duty in connection with National Guard Olympic support activities.

- HB 1443. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:

A bill to amend Chapter 16 of Title 48 of the Official Code of Georgia Annotated, relating to the tax amnesty program, so as to provide for the retention of the cost of collection fees by the Department of Revenue to be used to defray the cost of collection of delinquent taxes.

- HB 1454. By Representatives Holmes of the 53rd, Canty of the 52nd, Kinnamon of the 4th and others:

A bill to amend Article 3 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to voluntary deductions from wages or salaries of state employees for benefit of charitable organizations, so as to revise and change certain definitions regarding such deductions.

HB 1613. By Representatives Chambless of the 163rd, Bostick of the 165th and Barnes of the 33rd:

A bill to amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, so as to provide for implementation of a state-wide uniform automated information system for real and personal property records.

The Senate has adopted by the requisite constitutional majority the following resolutions of the House:

HR 792. By Representatives Titus of the 180th and Bates of the 179th:

A resolution designating the Thomasville Regional Youth Detention Center as the Judge Thomas Jefferson Loftiss II Regional Youth Detention Center.

HR 878. By Representatives Lane of the 146th and Godbee of the 145th:

A resolution ratifying the change of regional development center boundaries established by the Board of Community Affairs.

HR 946. By Representative Twiggs of the 8th:

A resolution authorizing the leasing of certain real property owned by the State of Georgia in Rabun County.

HR 987. By Representatives Walker of the 141st, Felton of the 43rd, Royal of the 164th and others:

A resolution amending a resolution creating the Georgia Future Communities Commission, so as to change the date on which the commission shall be abolished.

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

HB 667. By Representatives Buck of the 135th, Royal of the 164th and Culbreth of the 132nd:

A bill to amend Code Section 48-5-48 of the Official Code of Georgia Annotated, relating to homestead exemptions for qualified disabled veterans, so as to authorize the unremarried surviving spouse or minor children of a qualified veteran who was killed in any war or armed conflict to receive such exemption.

HB 1475. By Representatives Parrish of the 144th, Byrd of the 170th, McBee of the 88th and Murphy of the 18th:

A bill to amend Article 1 of Chapter 9 of Title 10 of the Official Code of Georgia Annotated, relating to general provisions regarding the Geo. L. Smith II Georgia World Congress Center Authority, so as to provide that the authority shall have the power to determine the purposes, times, and manner in which access to and use of the facilities of the authority shall be permitted.

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

HB 173. By Representatives McBee of the 88th, Scoggins of the 24th, Heard of the 89th and others:

A bill to amend Code Section 47-21-4 of the Official Code of Georgia Annotated, relating to employee and other contributions under the regents retirement plan, so as to change the employer's contribution.

HB 1149. By Representative Mueller of the 152nd:

A bill to amend Chapter 9 of Title 37 of the Official Code of Georgia Annotated, "The Patient Cost of Care Act," so as to provide for certain billing requirements.

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

SB 675. By Senators Taylor of the 12th, Brown of the 26th and Middleton of the 50th:

A bill to amend Chapter 2 of Title 42 of the Official Code of Georgia Annotated, relating to the Board and the Department of Corrections, so as to provide for the authority of the commissioner of corrections to make and execute contracts for the design, construction, operation, maintenance, use, lease, or management of a state correctional institution or for services pertaining to the custody, care, and control of inmates.

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

SB 778. By Senator Blicht of the 7th:

A bill to amend an Act providing for a new charter for the City of St. Marys, Georgia, as amended, so as to provide that the mayor and councilmembers shall continue to serve for the terms for which elected; to provide for election of the mayor and councilmembers by a plurality of voters of the entire City of St. Marys.

SB 779. By Senator Madden of the 47th:

A bill to amend the charter for the City of Arcade so as to change the corporate limits of that city.

SB 780. By Senators Stokes of the 43rd, Thomas of the 10th, Oliver of the 42nd and Henson of the 55th:

A bill to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, as amended, so as to require the Board of Commissioners of DeKalb County to hold at least two public hearings prior to the merger of any local chamber of commerce.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the committees:

SB 778. By Senator Blicht of the 7th:

A bill to amend an Act providing for a new charter for the City of St. Marys, Georgia, as amended, so as to provide that the mayor and councilmembers shall continue to serve for the terms for which elected; to provide for election of the mayor and councilmembers by a plurality of voters of the entire City of St. Marys.

Referred to the Committee on State Planning & Community Affairs Local.

SB 779. By Senator Madden of the 47th:

A bill to amend the charter for the City of Arcade so as to change the corporate limits of that city.

Referred to the Committee on State Planning & Community Affairs Local.

SB 780. By Senators Stokes of the 43rd, Thomas of the 10th, Oliver of the 42nd and others:

A bill to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, as amended, so as to require the Board of Commissioners of DeKalb County to hold at least two public hearings prior to the merger of any local chamber of commerce.

Referred to the Committee on State Planning & Community Affairs Local.

The following Resolution of the House, was read and referred to the Committee on Rules:

HR 1223. By Representative Jenkins of the 110th:

A resolution commending the Culloden Highland Games and Scottish Festival and inviting officials of the City of Culloden and members of the Culloden Highland Games and Scottish Festival Committee to the House of Representatives.

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

SB 435. By Senator Abernathy of the 38th:

A bill to amend Part 9 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to provisions relative to the Employees' Retirement System of Georgia applicable to judges, court employees, and certain county employees, so as to define certain terms; to provide that certain employees of counties who become employees of the Department of Children and Youth Services as a result of the county juvenile detention services' being transferred to the department may elect to become members of the Employees' Retirement System of Georgia or remain in a local retirement system.

The following Committee substitute was read and adopted:

A BILL

To amend Part 9 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to provisions relative to the Employees' Retirement System of Georgia applicable to judges, court employees, and certain county employees, so as to provide that certain employees of counties who become employees of the Department of Children and Youth Services as a result of the county juvenile detention services' being transferred to the department shall be members of the Employees' Retirement System of Georgia unless they elect to remain in the local retirement system; to define certain terms; to provide for employer and employee contributions; to provide for a transfer of service; to provide that the provisions of general law shall control in the event of a conflict with the provisions of a local retirement system; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 9 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to provisions relative to the Employees' Retirement System of Georgia applicable to judges, court employees, and certain county employees, is amended by inserting immediately following Code Section 47-2-295.1 a new Code Section 47-2-295.2 to read as follows:

"47-2-295.2.

(a) As used in this Code section, the term:

(1) 'Department' means the Department of Children and Youth Services.

(2) 'Local retirement system' means a retirement or pension system maintained by a county which includes as members thereof county juvenile detention employees who become employees of the department as a result of the county juvenile detention services' being transferred to the department, and the term includes any such retirement or pension system created by law or created by ordinance or resolution of the county under the home rule provisions of the Constitution of Georgia.

(b) Except as provided in subsection (c) of this Code section, any person who becomes an employee of the department as a result of a transfer of county juvenile detention services to the department shall become a member of this retirement system. Within 30 days of the day any such employee becomes a member of this retirement system, the board of trustees or other managing body of the applicable local retirement system shall pay to the board of trustees of this retirement system the total employee and employer contributions plus interest made by or on behalf of the employee to the local retirement system, together with accumulated interest thereon, and in addition the governing authority of the county may pay to the board of trustees of this retirement system on behalf of the employee such amount as such county governing authority deems appropriate, and the employee shall receive such creditable service in this retirement system as the total amount will allow without creating any accrued liability against this retirement system; provided, however, that no such person shall receive creditable service in excess of the accredited service previously rendered as an employee of the applicable local retirement system.

(c)(1) An employee subject to this Code section may elect to continue active membership in the local retirement system, and the salary received by such employee as an employee of the department shall be the salary of such employee for all purposes under the local retirement system. Except as otherwise provided in this subsection, such employee shall continue to pay the employee contributions required under the local retirement system, and the department may enter into an agreement with the board of trustees or other managing body of the local retirement system whereby the department may deduct such employee contributions from the compensation of the employee and pay the amount deducted to the local retirement system. Employer contributions for continued membership in the local retirement system shall be computed at the same percentage rate applicable to all other state employees on the basis of the state salary paid to such employees electing to continue membership in the local retirement system and shall be paid by the department when applicable to the local retirement system; provided, however, that:

(A) If the employer contributions paid by the department exceed the employer contributions applicable to all other employees of the local retirement system, the difference between the percentage rate of employer contributions paid by the department and the percentage rate of employer contributions applicable to all other employees of the local retirement system shall be applied to offset the percentage rate of employee contributions required of such state employees remaining in the local retirement system; and

(B) If the employer contributions to be paid by the department under this subsection would exceed the total employee and employer contributions required under the local retirement system, the department shall only be required to pay the total amount of such employee and employer contributions required under the local retirement system.

(2) An employee continuing membership under a local retirement system under this subsection shall retain all rights, benefits, and privileges under the local retirement system in the same manner and to the same extent as if the employee remained an employee of the county; provided, however, that such employee shall not be entitled to health and life insurance benefits available to county employees. An employee electing to continue membership in a local retirement system shall not be and may not become a member of the Employees' Retirement System of Georgia.

(d) To the extent this Code section conflicts with or is inconsistent with the provisions of a local retirement or pension system affected by this Code section, whether such local retirement or pension system was created by law or by local ordinance, the provisions of this Code section shall control."

SECTION 2.

This Act shall become effective on July 1, 1996, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 1996, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

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 Allen	Y Crews	Y Irvin	Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Johnson, J	Y Polak	Y Stancil, F
E Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	E Taylor
Y Birdsong	Ehrhart	Y Ladd	Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Lawrence	Reaves	Y Tillman
Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	E Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Orham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 141, nays 0.

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

SB 493 ~~www.lis.state.ga.us~~ By Senators ~~Oliver~~ of the 42nd, Starr of the 44th, Farrow of the 54th and others:

A bill to amend Code Section 19-15-4, relating to the Statewide Child Abuse Prevention Panel, so as to change the panel's attachment for administrative purposes; to change the agency providing staff support for the panel.

The following Committee substitute was read and adopted:

A BILL

To amend Code Section 19-15-4, relating to the State-wide Child Abuse Prevention Panel, so as to change the panel's attachment for administrative purposes; to change the agency providing staff support for the panel; to repeal an obsolete provision relating to a review and report to be provided by December 31, 1993; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-15-4, relating to the State-wide Child Abuse Prevention Panel, is amended by striking in their entirety subsections (d), (g), (h), (i), and (j) and inserting in lieu thereof the following:

~~“(d) The panel shall be attached for administrative purposes only to the Criminal Justice Coordinating Council Department of Human Resources. The Criminal Justice Coordinating Council Notwithstanding any provision in Code Section 50-4-3 to the contrary, the State Children’s Trust Fund Commission shall provide such staff support as may be necessary to enable the panel to discharge its duties under the law.”~~

~~“(g) The panel shall also comprehensively review the policies, procedures, and operations of the Division of Family and Children Services of the Department of Human Resources by December 1, 1993, in an effort to ensure coordination of social services, law enforcement, and criminal and juvenile justice relating to the prevention of child fatalities. The panel shall report its findings to the Governor, the Lieutenant Governor, and the Speaker of the House no later than December 1, 1993.~~

~~(h) The panel shall also establish procedures for the conduct of investigations by subcommittees into deaths of children and may obtain the assistance of child protection professionals in establishing such procedures.~~

~~(i) The panel shall also review on an ongoing basis the policies, procedures, and operations of the Division of Family and Children Services of the Department of Human Resources and whether modifications are necessary to help prevent child abuse and child fatalities.~~

~~(j) The panel shall also monitor implementation of the state child abuse prevention plan and make an annual report on the progress of the implementation of such plan to the Governor, Lieutenant Governor, and Speaker of the House of Representatives.”~~

SECTION 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 Allen	Y Bailey	E Barfoot	Y Barnes	Y Birdsong
Anderson	Y Baker	Y Bargeron	Bates	Y Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Purcell, A	Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Stanley, P
Y Buckner	Y Godbee	Lawrence	Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Goodwin	Y Lewis	Y Ray	E Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Lucas	Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	E Rogers	Y Tillman
Y Chambless	Harris	Y Mann	Y Royal	Y Titus
Y Cbannell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Scoggins	Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Twigg
Coleman, T	Y Henson	McKinney	Shaw	Walker, L
Connell	Y Holland	Y Mills	Y Sherrill	Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Whitaker
Y Davis, M	Y James	Y Orrock	Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Johnson, J	Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	Smyre	Y Yates
Dobbs	Joyce	Y Polak	Y Snelling	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 141, nays 0.

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

SB 316. By Senators Tysinger of the 41st, Oliver of the 42nd and Broun of the 46th:

A bill to amend Article 27 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, known as the "Georgia Trade Secrets Act of 1990," so as to change the definition of "trade secret"; to provide that information regarding actual or potential customers or suppliers is a trade secret without regard to the form of such information in certain circumstances.

The following Committee substitute was read and adopted:

A BILL

To amend Article 27 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, known as the "Georgia Trade Secrets Act of 1990," so as to change the definition of "trade secret"; to provide that certain information is a trade secret without regard to the form of such information in certain circumstances; 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 offense of theft of trade secrets; to provide for definitions; to provide for a penalty; to provide for preserving the secrecy of trade secrets in prosecutions; to provide for exceptions; 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 27 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, known as the "Georgia Trade Secrets Act of 1990," is amended by striking in its entirety paragraph (4) of Code Section 10-1-761, relating to definitions, and inserting in lieu thereof a new paragraph to read as follows:

“(4) ‘Trade secret’ means information, without regard to form, including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, ~~or a list of actual or potential customers or suppliers which is not commonly known by or available to the public and which information:~~

(A) Derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(B) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.”

SECTION 2.

Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, is amended by striking Code Section 16-8-13, relating to stealing and embezzling trade secrets, which reads as follows:

“16-8-13.

(a) As used in this Code section, the term:

(1) ‘Article’ means any object, material, device, substance, or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype, model, photograph, microorganism, blueprint, or map.

(2) ‘Copy’ means any facsimile, replica, photograph, or other reproduction of an article and any note, drawing, or sketch made of or from an article.

(3) ‘Representing’ means describing, depicting, containing, constituting, reflecting, or recording.

(4) ‘Trade secret’ means the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, or improvement which is secret and of value; and a trade secret shall be presumed to be secret when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by the owner to have access thereto for limited purposes.

(b) Any person who steals or embezzles an article representing a trade secret or without authority makes or causes to be made a copy of an article representing a trade secret with intent to deprive or withhold from the owner thereof the control of a trade secret or with intent to appropriate a trade secret to his own use or to the use of another, commits the offense of theft of a trade secret and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years, provided that, if the value of the article stolen, embezzled, or copied, including the value of the trade secret represented thereby, is not more than \$100.00, he shall be punished as for a misdemeanor.

(c) In a prosecution for any violation of this Code section it shall be no defense that the person charged returned or intended to return the article stolen, embezzled, or copied.”,

and inserting in lieu thereof the following:

“16-8-13.

(a) As used in this Code section, the term:

(1) ‘Article’ means any object, material, device, substance, or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype, model, photograph, microorganism, blueprint, or map.

(2) ‘Copy’ means any facsimile, replica, photograph, or other reproduction of an article and any note, drawing, or sketch made of or from an article.

(3) ‘Representing’ means describing, depicting, containing, constituting, reflecting, or recording.

(4) ‘Trade secret’ shall have the same meaning as that term is defined and used in Article 27 of Chapter 1 of Title 10, the ‘Georgia Trade Secrets Act of 1990,’ as amended.

(b) Any person who, with the intent to deprive or withhold from the owner thereof the exclusive use of a trade secret, or with an intent to appropriate a trade secret to his or her own use or to the use of another, does any of the following:

- (1) Takes, uses, or discloses such trade secret to an unauthorized person;
- (2) Acquires knowledge of such trade secret by deceitful means or artful practice; or
- (3) Without authority, makes or causes to be made a copy of an article representing such trade secret.

commits the offense of theft of a trade secret and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years and by a fine of not more than \$50,000.00, provided that, if the value of such trade secret, and any article representing such trade secret that is taken, is not more than \$100.00 such person shall be punished as for a misdemeanor.

(c) In a prosecution for any violation of this Code section, a court shall preserve the secrecy of an alleged trade secret by reasonable means, which may include granting protective orders in connection with discovery proceedings, holding in camera hearings, sealing the records of the action, and ordering any person involved in the litigation not to disclose an alleged trade secret without prior court approval.

(d) For the purposes of this Code section, a continuing theft by any person constitutes a single claim against that person, but this Code section shall be applied separately to the claim against each person who receives a trade secret from another person who committed the theft.

(e) This Code section shall not affect:

- (1) Contractual duties or remedies, whether or not based on theft of a trade secret; or
- (2) The provisions of Code Sections 10-1-761 through 10-1-767, pertaining to civil offenses and remedies involving the misappropriation of a trade secret, or other civil or criminal laws that presently apply or in the future may apply to any transaction or course of conduct that violates this Code section."

SECTION 3.

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 Allen	Y Coker	Y Heard	Y Maddox	Y Reichert
Y Anderson	Y Coleman, B	Y Heckstall	Y Mann	Y Roberts
Y Ashe	Y Coleman, T	Y Hegstrom	Y Martin	E Rogers
Y Bailey	Y Connell	Y Hembree	Y McBee	Y Royal
Y Baker	Y Crawford	Y Henson	Y McCall	Y Sanders
Y Bannister	Y Crews	Y Holland	Y McClinton	Y Sauder
E Barfoot	Y Culbreth	Y Holmes	Y McKinney	Y Scoggins
Y Bargeron	Y Cummings	Y Howard	Y Mills	Y Shanahan
Y Barnard	Y Davis, G	Y Hudson	Y Mobley, B	Y Shaw
Y Barnes	Y Davis, M	Y Hugley	Y Mobley, J	Y Sherrill
Y Bates	Y Day	Y Irvin	Y Mosley	Y Shipp
Y Benefield	Y DeLoach, B	Y James	Y Mueller	Y Simpson
Y Birdsong	Y DeLoach, G	Y Jamieson	Y O'Neal	Y Sinkfield
Y Bordeaux	Y Dix	Y Jenkins	Y Orrock	Y Skipper
Y Bostick	Y Dixon, H	Y Johnson, G	Y Parham	Y Smith, C
Y Breedlove	Y Dixon, S	Y Johnson, J	Y Parrish	Y Smith, C.W
Y Brooks, D	Y Dobbs	Y Johnston	Y Parsons	Y Smith, L
Y Brooks, T	Y Ehrhart	Y Jones	Y Pelote	Y Smith, P
Y Brown, J	Y Epps	Y Joyce	Y Perry	Y Smith, T
Y Brush	Y Evans	Y Kaye	Y Pinholster	Y Smith, V
Y Buck	Y Falls	Y Kinnamon	Y Polak	Y Smith, W
Y Buckner	Y Felton	Y Klein	Y Ponder	Y Smyre
Y Bunn	Y Floyd	Y Ladd	Y Porter	Y Snelling
Y Burkhalter	Y Godbee	Y Lakly	Y Poston	Y Snow
Y Byrd	Y Golden	Y Lane	Y Powell	Y Stallings
Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	Y Stancil, F
Y Canty	Y Greene	Y Lee	Y Purcell, B	Y Stancil, S
Y Carter	Y Grindley	Y Lewis	Y Randall	Y Stanley, L
Y Chambliss	Y Hanner	Y Lifsey	Y Randolph	Y Stanley, P
Y Channell	Y Harbin	Y Lord	Y Ray	Y Stephenson
Y Childers	Y Harris	Y Lucas	Y Reaves	Y Streat

E Taylor	Y Titus	Walker, L	Y Westmoreland	Y Williams, J
Teague	Y Towery	Walker, R.L	Whitaker	Y Williams, R
Y Teper	Y Trense	Y Wall	Y White	Y Woods
Y Thomas	Turnquest	Watson	Y Wiles	Y Yates
Y Tillman	Y Twiggs	Y Watts	Y Williams, B	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 144, nays 0.

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

Representative Purcell of the 147th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

SB 482. By Senators Thomas of the 10th, Madden of the 47th, Balfour of the 9th and others:

A bill to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide for a short title; to provide for legislative findings; to require health insurers to provide coverage for a minimum of 48 hours of in-patient care following vaginal delivery or a minimum of 96 hours of in-patient care following delivery by cesarean section to a mother and her newly born child; to provide definitions; to provide for post-delivery care for a mother and her newly born child in the home.

The following Committee substitute was read and adopted:

A BILL

To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide for a short title; to provide for legislative findings; to provide definitions; to require health insurers to provide coverage for a minimum of 48 hours of inpatient care following a normal vaginal delivery or a minimum of 96 hours of inpatient care following delivery by cesarean section to a newly born child and its mother; to provide for coverage by insurers of postdelivery care for a newly born child and its mother in the home; to provide for regulations to be issued by the Commissioner of Insurance; to provide for notice to policyholders; to provide for applicability; to provide for adjustment of current contracts; 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.

Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, is amended by adding at the end thereof three new Code sections to read as follows:

"33-24-58.

This Act shall be known and may be cited as the 'Newborn Baby and Mother Protection Act.'

33-24-59.

The General Assembly finds and declares that:

(1) Whereas, until recently health care insurers covered costs of hospital stays of a mother and a newborn until they were discharged by a physician after a consultation with the mother. Now many insurers are refusing payment for a hospital stay that extends beyond 24 hours after an uncomplicated vaginal delivery and 48 hours after a cesarean delivery;

- (2) There is sufficient scientific data to question the safety and appropriateness of such early releases from the hospital following delivery, particularly as it relates to the detection of many problems which if undiagnosed may pose life-threatening and costly complications and may require a longer period of observation by skilled personnel;
- (3) Guidelines developed by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists recommend as a minimum that mothers and infants meet certain medical criteria and conditions prior to discharge, and it is unlikely that these criteria and conditions can be met in less than 48 hours following a normal vaginal delivery and 96 hours following a cesarean delivery;
- (4) The length of postdelivery inpatient stay should be a clinical decision made by a physician based on the unique characteristics of each mother and her infant, taking into consideration the health of the mother, the health and stability of the baby, the ability and confidence of the mother to care for her baby, the adequacy of support systems at home, and access to appropriate follow-up care; and
- (5) Requiring insurers to cover minimum postdelivery inpatient stays will allow identification of early problems with the newborn, prevent disability through appropriate use of metabolic screening, and help ensure that the family is able and prepared to care for the baby at home.

33-24-60.

(a) As used in this Code section, the term:

(1) 'Attending provider' means:

(A) Pediatricians and other physicians attending the newborn; and

(B) Obstetricians, other physicians, and certified nurse midwives attending the mother.

(2) 'Health benefit policy' means any individual or group plan, policy, or contract for health care services issued, delivered, issued for delivery, or renewed in this state, including those contracts executed by the State of Georgia on behalf of indigents and on behalf of state employees under Article 1 of Chapter 18 of Title 45, by a health care corporation, health maintenance organization, preferred provider organization, accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, or other insurer or similar entity.

(3) 'Insurer' means an accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care corporation, health maintenance organization, or any similar entity authorized to issue contracts under this title and also means any state program funded under Title XIX of the federal Social Security Act, 42 U.S.C.A. Section 1396 et seq., and any other publicly funded state health care program.

(b) Every health benefit policy that provides maternity benefits that is delivered, issued, executed, or renewed in this state or approved for issuance or renewal in this state by the Commissioner on or after the effective date of this Act shall provide coverage for a minimum of 48 hours of inpatient care following a normal vaginal delivery and a minimum of 96 hours of inpatient care following a cesarean section for a mother and her newly born child in a licensed health care facility.

(c) Any decision to shorten the length of stay to less than that provided under subsection (b) of this Code section shall be made by the attending physician, the obstetrician, pediatrician, or certified nurse midwife after conferring with the mother.

(d) If a mother and newborn are discharged pursuant to subsection (c) of this Code section prior to the postpartum inpatient length of stay provided under subsection (b) of this Code section, coverage shall be provided for up to two follow-up visits, provided that the first such visit shall occur within 48 hours of discharge. Such visits shall be conducted by a physician, a physician's assistant, or a registered professional nurse with experience and training in maternal and child health nursing. After conferring with the mother, the health care provider shall determine whether the initial visit will be conducted at home or at the office. Thereafter, he or she shall confer with the mother and determine whether a second visit is appropriate and where it shall be conducted. Services provided shall include, but not be limited to, physical assessment of the newborn, parent education, assistance and training in breast or bottle feeding, assessment of the

home support system, and the performance of any medically necessary and appropriate clinical tests. Such services shall be consistent with protocols and guidelines developed by national pediatric, obstetric, and nursing professional organizations for these services. (e) ~~The Commissioner shall~~ adopt rules and regulations necessary to implement the provisions of this Code section.

(f) Every insurer shall provide notice to policyholders regarding the coverage required by this Code section and any rules and regulations promulgated by the Commissioner relating to this Code section. The notice shall be in writing and prominently positioned in any of the following literature:

- (1) The next mailing to the policyholder;
- (2) The yearly informational packets sent to the policyholder; or
- (3) Other literature mailed before January 1, 1997.

(g) No insurer covered under this Code section shall deselect, terminate the services of, require additional utilization review, reduce capitation payment, or otherwise penalize an attending physician or other health care provider who orders care consistent with the provisions of this Code section. For purposes of this subsection, health care provider shall be defined to include the attending physician, certified nurse midwife, and hospital.”

SECTION 2.

All contracts relating to the provision of health care services in effect on the effective date of this Act shall be appropriately adjusted to reflect any change in services provided as required by this Act.

SECTION 3.

The provisions of this Act shall not be construed to apply to or in any way affect the provisions of the federal Employee's Retirement Income Security Act.

SECTION 4.

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 Allen	Y Channell	Y Grindley	Y Lawrence	Y Poston
Y Anderson	Y Childers	Y Hanner	Y Lee	Y Powell
Y Ashe	Y Coker	Y Harbin	Y Lewis	Y Purcell, A
Y Bailey	Y Coleman, B	Y Harris	Y Lifsey	Y Purcell, B
Y Baker	Y Coleman, T	Y Heard	Y Lord	Y Randall
Y Bannister	Y Connell	Y Heckstall	Lucas	Y Randolph
E Barfoot	Y Crawford	Y Hegstrom	Y Maddox	Y Ray
Y Bergeron	Y Crews	Y Hembree	Y Mann	Y Reaves
Y Barnard	Y Culbreth	Y Henson	Y Martin	Y Reichert
Y Barnes	Y Cummings	Y Holland	Y McBee	Y Roberts
Y Bates	Y Davis, G	Y Holmes	Y McCall	E Rogers
Y Benefield	Davis, M	Y Howard	Y McClinton	Y Royal
Y Birdsong	Y Day	Y Hudson	McKinney	Y Sanders
Y Bordeaux	Y DeLoach, B	Y Hugley	Y Mills	Sauder
Y Bostick	Y DeLoach, G	Y Irvin	Y Mobley, B	Y Scoggins
Y Breedlove	Y Dix	Y James	Y Mobley, J	Y Shanahan
Y Brooks, D	Y Dixon, H	Y Jamieson	Y Mosley	Y Shaw
Y Brooks, T	Y Dixon, S	Y Jenkins	Y Mueller	Y Sherrill
Y Brown, J	Y Dobbs	Y Johnson, G	Y O'Neal	Y Shipp
Y Brush	Y Ehrhart	Y Johnson, J	Y Orrock	Y Simpson
Y Buck	Y Epps	Y Johnston	Y Parham	Y Sinkfield
Y Buckner	Evans	Y Jones	Y Parrish	Y Skipper
Y Bunn	Y Falls	Y Joyce	Parsons	Y Smith, C
Y Burkhalter	Y Felton	Y Kaye	Y Pelote	Y Smith, C.W
Y Byrd	Y Floyd	Y Kinnamon	Y Perry	Y Smith, L
Y Campbell	Y Godbee	Y Klein	Y Pinholster	Y Smith, P
Y Canty	Y Golden	Y Ladd	Y Polak	Y Smith, T
Y Carter	Y Goodwin	Y Lakly	Y Ponder	Y Smith, V
Y Chambless	Y Greene	Y Lane	Y Porter	Y Smith, W

Y Smyre	Y Stanley, P	Y Tillman	Walker, R.L	Y Wiles
Y Snelling	Y Stephenson	Y Titus	Y Wall	Y Williams, B
Y Snow	Y Streat	Towery	Y Watson	Y Williams, J
Y Stallings	E Taylor	Y Trense	Y Watts	Y Williams, R
Y Stancil, F	Teague	Y Turnquest	Y Westmoreland	Y Woods
Y Stancil, S	Y Teper	Y Twiggs	Whitaker	Y Yates
Y Stanley, L	Y Thomas	Walker, L	Y White	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 165, nays 0.

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

Representatives Parsons of the 40th and Sauder of the 29th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

Representative Davis of the 60th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

SB 613. By Senators Marable of the 52nd, Middleton of the 50th, Dean of the 31st and others:

A bill to amend Code Section 20-2-101 of the Official Code of Georgia Annotated, relating to appointment of school superintendents, so as to provide for appointments of school superintendents prior to the expiration of their contracts or terms and provide for vacancies; to provide when certain notices and announcements regarding the employment of such superintendents are not required.

The following amendment was read:

Representatives Kaye of the 37th, Bunn of the 74th and Barnes of the 33rd move to amend SB 613 by striking lines 1 through 3 of page 1 and inserting in lieu thereof the following:

"To amend Article 5 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local school superintendents, so as to change certain requirements relating to the certification and classification of local school superintendents by the Professional Standards Commission; to provide for applicability; to provide for appointments of school"

By striking lines 11 through 14 of page 1 and inserting in lieu thereof the following:

"Article 5 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local school superintendents, is amended by striking subsections (b) and (e) of Code Section 20-2-101, relating to appointment of school superintendents, and inserting in lieu thereof the following:"

By inserting between lines 14 and 15 of page 1 the following:

“(b) No person shall be eligible to be appointed or employed as superintendent of schools of any county or independent school system unless such person is of good moral character and ; has never been convicted of any crime involving moral turpitude ; ~~and possesses acceptable business or management experience as specified by the Professional Standards Commission or the minimum valid certificate or a letter of eligibility for said certificate required by the Professional Standards Commission.~~”

By redesignating Section 2 as Section 3 and inserting a new Section 2 to read as follows:

"SECTION 2.

Said article is further amended by striking in its entirety Code Section 20-2-108, relating to certification and classification of local school superintendents, and inserting in lieu thereof a new Code Section 20-2-108 to read as follows:

'20-2-108.

Each local school superintendent shall be certified and classified by the Professional Standards Commission as teachers are now classified and certified under Code Section 20-2-282 ; provided, however, that local school superintendents who are employed by local school systems with a total student population that exceeds 10,000 shall not be subject to certification and classification by the Professional Standards Commission. The superintendents shall receive salaries according to a schedule of minimum salaries fixed by the state board based on classification and certification , if classification and certification are applicable to such superintendents, in the same manner teachers are paid under Code Section 20-2-212; provided, however, that in no event shall the salary of a superintendent be less than \$27,000.00 per year, such salary to be paid in equal monthly installments out of state funds; and in addition thereto, the local board of education shall allow additional compensation for the services to be rendered as may be in its judgment proper and just."

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

N Allen	Y Crews	Y Irvin	N Parrish	N Smith, W
N Anderson	Y Culbreth	Y James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	Davis, G	Y Jenkins	N Perry	Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	N Johnson, J	N Polak	N Stancil, F
E Barfoot	N DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	Y DeLoach, G	Y Jones	N Porter	N Stanley, L
N Barnard	Y Dix	Y Joyce	Y Poston	N Stanley, P
Y Barnes	N Dixon, H	Y Kaye	N Powell	N Stephenson
Y Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	Y Dobbs	Y Klein	N Purcell, B	E Taylor
Y Birdsong	N Ehrhart	N Ladd	Randall	N Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	Evans	Y Lane	N Ray	Y Thomas
Y Breedlove	Falls	N Lawrence	N Reaves	Y Tillman
N Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
Brooks, T	N Floyd	Y Lewis	N Roberts	Towery
Y Brown, J	N Godbee	Y Lifsey	E Rogers	N Trense
Y Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	N Twiggs
N Buckner	N Greene	Y Maddox	Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	Y Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	Y Harris	N McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	N Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	N Simpson	Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	White
Y Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	Y Smith, C.W	Williams, J
N Coleman, B	N Holmes	Y Mueller	N Smith, L	N Williams, R
Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
N Connell	N Hudson	N Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 59, nays 103.

The amendment was lost.

The following amendments were read and adopted:

Representative Godbee of the 145th moves to amend SB 613 by adding after Line 3 Page 2 the following:

“SECTION 3.

This Act shall become effective upon the signature of the Governor or upon becoming law without his signature.”

Representative Smith of the 175th moves to amend SB 613 by adding immediately following “to” on line 3 of page 1 the following:

“clarify the provisions relating to the duration of school superintendent employment contracts so as to prohibit certain extensions; to”

By striking lines 13 and 14 of page 1 and inserting in their place the following:

“superintendents, is amended by striking subsections (a) and (e) thereof and inserting in their respective places the following:

“(a) Superintendents of each school system shall be employed by the local board of education under written contracts for a term of not less than one year and not more than three years. Any provision of any such contract which provides for an extension of the duration of employment thereunder, whether automatic or contingent upon the occurrence of one or more events, shall be void if that extension would result in employment under the contract, as so extended, for a period which exceeds three years. Those provisions of any local Act which authorize employment contracts with a school superintendent which are of a duration which exceeds that authorized by this subsection, which local Act became effective before, at the time of, or after April 15, 1993, are repealed. Any contract entered into pursuant to the provisions of a local Act repealed by the terms of the preceding sentence of this subsection shall not be affected by such repeal for the duration of that contract as specified immediately before April 15, 1993, as long as that contract was valid at such time.”

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:

Y Allen	Y Chambliss	Y Goodwin	Y Ladd	Y Pinholster
Y Anderson	Y Channell	Y Greene	Y Lakly	Y Polak
Y Ashe	Y Childers	Y Grindley	Y Lane	Y Ponder
Y Bailey	Y Coker	Y Hanner	Y Lawrence	Y Porter
Y Baker	Y Coleman, B	Y Harbin	Y Lee	Y Poston
Y Bannister	Y Coleman, T	Y Harris	Y Lewis	Y Powell
E Barfoot	Y Connell	Y Heard	Y Lifsey	Y Purcell, A
Y Bargeron	Y Crawford	Y Heckstall	Y Lord	Y Purcell, B
Y Barnard	Y Crews	Y Hegstrom	Y Lucas	Y Randall
Y Barnes	Y Culbreth	Y Hembree	Y Maddox	Y Randolph
Y Bates	Y Cummings	Y Henson	Y Mann	Y Ray
Y Benefield	Y Davis, G	Y Holland	Y Martin	Y Reaves
Y Birdsong	Y Davis, M	Y Holmes	Y McBee	Y Reichert
Y Bordeaux	Y Day	Y Howard	Y McCall	Y Roberts
Y Bostick	Y DeLoach, B	Y Hudson	Y McClinton	E Rogers
Y Breedlove	Y DeLoach, C	Y Hugley	McKinney	Y Royal
Y Brooks, D	Y Dix	Y Irvin	Y Mills	Y Sanders
Y Brooks, T	Y Dixon, H	Y James	Y Mobley, B	Y Sauder
Y Brown, J	Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins
Y Brush	Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan
Y Buck	Y Ehrhart	Y Johnson, G	Y Mueller	Y Shaw
Y Buckner	Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill
Y Bunn	Y Evans	Y Johnston	Y Orrock	Y Shipp
Y Burkhalter	Y Falls	Y Jones	Y Parham	Y Simpson
Y Byrd	Y Felton	N Joyce	Y Parrish	Y Sinkfield
Y Campbell	Y Floyd	Y Kaye	Y Parsons	Y Skipper
Y Canty	Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C
Y Carter	Y Golden	Y Klein	Y Perry	Y Smith, C.W

Y Smith, L	Y Stallings	Y Teague	Y Twiggs	Y White
Y Smith, P	Y Stancil, F	Y Teper	Y Walker, L	Y Wiles
Y Smith, T	Y Stancil, S	Y Thomas	Y Walker, R.L	Y Williams, B
Y Smith, V	Y Stanley, L	Y Tillman	Y Wall	Y Williams, J
Y Smith, W	Y Stanley, P	Y Titus	Y Watson	Y Williams, R
Y Smyre	Y Stephenson	Y Towery	Y Watts	Y Woods
Y Snelling	Y Streat	Y Trense	N Westmoreland	Y Yates
Y Snow	E Taylor	Y Turnquest	Whitaker	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 171, nays 2.

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

The Speaker Pro Tem assumed the Chair.

SB 496. By Senators Oliver of the 42nd, Thompson of the 33rd and Clay of the 37th:
A bill to amend Chapter 5 of Title 15 of the Official Code of Georgia Annotated, relating to administration of courts of record, so as to provide a procedure for submission to the Judicial Council of proposals for pilot programs involving nonuniform courts; to provide which officials may submit proposals; to provide for policies, reports, and recommendations; to provide for duties and responsibilities of the Judicial Council.

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

On the passage of the Bill, the ayes were 113, nays 2.

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

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

SR 645. By Senators Ray of the 19th, Perdue of the 18th and Hooks of the 14th:

A resolution relative to adjournment at 5:00 P.M. on Friday, March 8, 1996, and reconvene on Wednesday, March 13, 1996; adjourn again at 5:00 P.M. on Friday, March 15, 1996, and reconvene on Monday, March 18, 1996; adjourn again at 12:00 Midnight on Monday, March 18, 1996, and reconvene on Wednesday, March 20, 1996.

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

SB 459. By Senators Dean of the 31st and Marable of the 52nd:

A bill to amend an Act providing for the Board of Education of Bartow County so as to change the composition of the education districts from which the members of the board are elected; to provide for definitions and inclusions; to provide for terms; to provide for a statement of intent; to provide for submission of this Act to the U. S. Attorney General; to provide when such Act shall be void and repealed.

The Speaker assumed the Chair.

The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto.

HB 148. By Representative Dobbs of the 92nd:

A bill to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to provide that certain landfills proposed for reuse shall be subject to provisions relating to major modifications of landfills but shall not be considered vertical expansions; to create the Intergovernmental Solid Waste Coordinating Council and to provide for its membership and duties.

The following Senate substitute was read:

A BILL

To amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to change a certain statement of policy; to delete a certain definition; to amend certain powers and duties of the Board of Natural Resources; to delete certain provisions relating to the permitting of biomedical waste thermal treatment technology facilities; to change certain provisions relating to the permitting of municipal solid waste disposal facilities; to delete certain restrictions on the siting of landfills; to require local governments and authorities to hold a public hearing before entering into certain agreements with private entities relating to landfills; to prohibit permits for municipal solid waste landfills within a specified distance of certain bombing ranges, churches, or schools notwithstanding any other provision of law or any administrative action; to provide that no permit shall be issued for certain solid waste disposal facilities and solid waste handling facilities located within the corporate limits of a municipality having a population of 1,500 or less and located without the permission of the governing authority of each county encompassing any part of the corporate limits of such city; to provide for the entry of judgments in accordance with certain administrative rulings; to provide that certain restrictions on the permitting of municipal solid waste disposal facilities cover both publicly and privately owned facilities; to change certain provisions relating to conflict resolution relative to the siting of landfills; to provide that the Department of Community Affairs shall mediate such conflicts; to repeal provisions relating to the Recycling Market Development Council; to create the Intergovernmental Solid Waste Coordinating Council; to provide for the transfer of certain funds; to provide an exemption from certain cost-recovery actions relating to the disposal of scrap tires; to define certain terms; to change certain provisions relating to pollution prevention plans; to amend Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Community Affairs, so as to change certain powers and duties of the department; to provide for matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, is amended by striking in its entirety subsection (c) of Code Section 12-8-21, relating to a declaration of policy and legislative intent, and inserting in lieu thereof the following:

“(c) (1) It is the intent of the General Assembly that every effort be undertaken to reduce on a state-wide per capita basis the amount of municipal solid waste being received at disposal facilities during fiscal year ~~1992~~ 1994 by 25 percent by July 1, ~~1996~~ 1998; provided, however, that counties and municipalities that establish an annual measurement of municipal solid waste being received at disposal facilities prior to the end

of fiscal year ~~1992~~ 1994 shall be given credit for reductions achieved based on that measurement period prior to fiscal year ~~1992~~ 1994; provided, further, that municipal solid waste received at any waste to energy facility which was in operation on January 1, 1991, is exempted ~~from this subsection.~~

(2)(A) In addition, it is the intent of the General Assembly that not later than October 1, 1996, the Department of Natural Resources, jointly with the Department of Community Affairs and in cooperation with the Georgia Environmental Facilities Authority, local government officials, private businesses, and the general public shall develop and complete a comprehensive review and revision of the state solid waste management plan authorized pursuant to Code Section 12-8-31.

(B) The revised plan provided for in subparagraph (A) of this paragraph shall provide for the manner in which the state will achieve the July 1, 1998, 25 percent state-wide per capita waste reduction goal provided for in Code Section 12-8-21 and shall include but not be limited to the following issues:

- (i) An evaluation of the effectiveness of current waste reduction programs, including waste management reporting, solid waste reduction plan guidelines, full cost-accounting reports, and state agency procurement;
- (ii) An assessment of successful programs in other states;
- (iii) The amount and duration of funding required to achieve a 25 percent reduction and options for securing needed funds;
- (iv) An assessment of reporting needs for achieving 25 percent waste reduction;
- (v) A strategy for conducting a state-wide audit of municipal solid waste;
- (vi) A strategy for providing assistance to implement the yard trimmings ban;
- (vii) Assessment of technical assistance needs of local governments;
- (viii) Identification of priority materials for focused reduction efforts;
- (ix) State-wide market development needs for priority materials;
- (x) An evaluation of the local economic and community development potential of recycling and reuse; and
- (xi) Recommendations for coordinating interagency waste reduction efforts on commercial and industrial waste reduction.”

SECTION 2.

Said chapter is further amended by striking in its entirety paragraph (37) of Code Section 12-8-22, relating to definitions relative to the “Georgia Comprehensive Solid Waste Management Act,” which reads as follows:

“(37) ‘Special solid waste’ means any solid waste not otherwise regulated under Part 1 of Article 3 of this chapter, known as the ‘Georgia Hazardous Waste Management Act,’ and regulations promulgated under such part originating or produced from or by a source or generator not subject to regulation under Code Section 12-8-24.”,

and by redesignating paragraphs (38) through (42) as (37) through (41), respectively.

SECTION 3.

Said chapter is further amended by striking in its entirety paragraph (1) of Code Section 12-8-23, relating to powers and duties of the Board of Natural Resources relative to solid waste management, and inserting in lieu thereof the following:

“(1) Adopt, promulgate, modify, amend, and repeal rules and regulations to implement and enforce the provisions of this part as the board may deem necessary to provide for the control and management of solid waste to protect the environment and the health of humans. Such rules and regulations may be applicable to the state as a whole or may vary from area to area or may vary by waste characteristics, as may be appropriate to facilitate the accomplishment of the provisions, purposes, and policies of this part. The rules and regulations may include, but shall not be limited to, the following:

(A) Rules and regulations governing and controlling solid waste handling, including measures to ensure that solid waste management practices are regulated, governed, and controlled in the public interest;

(B) Rules and regulations prescribing the procedure to be followed in applying for permits and requiring the submission of such plans, specifications, verifications, and

other pertinent information deemed relevant in connection with the issuance of such permits;

(C) Rules and regulations concerning the establishment of permits by rule;

~~(D) Rules and regulations establishing the use of a manifest during the generation and handling of special solid waste;~~

~~(E)~~(D) Rules and regulations governing and controlling the handling of ~~special solid waste~~ and biomedical waste;

~~(F)~~(E) Rules and regulations establishing criteria and a system of priorities for the distribution of any state funds as may be made available through a grant-in-aid program to assist financially local governmental agencies or authorities in the planning, implementing, maintaining, or operating of solid waste handling systems which are consistent with local and regional solid waste management plans;

~~(G)~~(F) Rules and regulations establishing procedures and requirements for the postclosure care of all solid waste disposal facilities, including but not limited to corrective action of releases, ground-water monitoring, and maintenance of final cover;

~~(H)~~(G) Rules and regulations establishing the criteria for approval, time periods for coverage, and other terms and conditions for the demonstration of financial responsibility required by this part and for the implementation of financial responsibility instruments;

~~(I)~~(H) Rules and regulations establishing qualifications for municipal solid waste disposal facility operators and certification of such operators through colleges or universities of the University System of Georgia or other organizations as may be determined acceptable by the board;

~~(J)~~(I) Rules and regulations regulating the generation, collection, processing, and disposal of scrap tires and governing the investigation and cleanup of sites where scrap tires have been disposed regardless of the date when such disposal occurred; and

~~(K)~~(J) Rules and regulations further defining what shall or shall not constitute 'recovered materials'; and"

SECTION 4.

Said chapter is further amended by striking in its entirety Code Section 12-8-24, relating to permits for solid waste or special solid waste handling or disposal and for thermal technology facilities, and inserting in lieu thereof the following:

"12-8-24.

(a) No person shall engage in solid waste or ~~special solid waste~~ handling in Georgia or construct or operate a solid waste handling facility in Georgia, except those individuals exempted from this part under Code Section 12-8-30.10 or persons exempted by rules promulgated by the board, without first obtaining a permit from the director authorizing such activity; provided, however, that the board may not exempt persons disposing of solid waste other than inert solid waste.

~~(b)(1) No permit for a biomedical waste thermal treatment technology facility shall be issued by the director unless the applicant for such facility demonstrates to the director that a need exists for the facility for waste generated in Georgia by showing that there is not presently in existence within the state sufficient disposal facilities for biomedical waste being generated or expected to be generated within the state. For purposes of this part, 'biomedical waste thermal treatment technology facility' means any facility that exists for the purpose of reducing the amount of biomedical waste disposed of through a process of combustion, with or without the process of converting such waste to energy.~~

~~(2) Paragraph (1) of this subsection shall not apply to any biomedical waste thermal treatment technology facility which is operated exclusively by a private biomedical waste generator on property owned by the private biomedical waste generator for the purpose of accepting biomedical waste exclusively from the private biomedical waste generator so long as the operation of the biomedical waste thermal treatment technology facility does not adversely affect the public health or the environment. After commencement of operation by a private biomedical waste generator of a biomedical waste~~

thermal treatment technology facility which is permitted by but not included in a local or regional solid waste management plan, amendment of the local or regional solid waste management plan shall be required for any biomedical waste which is no longer to be disposed of by the private biomedical waste generator in its own biomedical waste thermal treatment technology facility prior to any substantial reduction in the amount of biomedical waste produced by the private biomedical waste generator and accepted by its own biomedical waste thermal treatment technology facility or the closure of such facility.

(e) On or after March 30, 1990, any permit for the transportation of municipal solid waste from a jurisdiction generating solid waste to a municipal solid waste disposal facility located in another county shall be conditioned upon the jurisdiction generating solid waste developing and being actively involved in, by July 1, 1992, a strategy for meeting the state-wide goal of waste reduction by July 1, 1996.

(d)(b) If the director determines that such the activity referred to in subsection (a) of this Code section will result in any violation of this part or any rule or regulation promulgated pursuant to this part, he or she shall deny the permit; otherwise, he or she shall issue the permit, specifying on the permit the conditions under which such activity shall be conducted; provided, however, that a public hearing shall be held by the governing authority of the county or municipality in which the municipal solid waste or special solid waste handling shall occur not less than two weeks prior to the issuance of any permit under this Code section and notice of such hearing shall be posted at the proposed site and advertised in a newspaper of general circulation serving the county or counties in which the proposed activity will be conducted at least 30 days prior to such hearing.

(e)(c)(1) The director may suspend, modify, or revoke any permit issued pursuant to this Code section if the holder of the permit is found to be in violation of any of the permit conditions or any order of the director or fails to perform solid waste handling in accordance with this part or rules promulgated under this part. The director may modify any permit issued pursuant to this Code section in accordance with rules promulgated by the board. All modifications of existing permits shall be classified by the board as either major or minor modifications. All modifications of existing permits to allow vertical or horizontal expansion of existing disposal facilities, except a facility operated by a utility regulated by the Public Service Commission, shall be classified as major permit modifications and shall not be granted by the director sooner than three years from the date any such facility commenced operation; provided, however, that a permit may be modified by the director to allow a vertical or horizontal expansion one time within three years from the date the facility commenced operation so long as the capacity of the facility is not increased more than 10 percent.

(2) Prior to the granting of any major modification of an existing solid waste handling permit by the director, a public hearing shall be held by the governing authority of the county or municipality in which the municipal solid waste facility or special solid waste handling facility requesting the modification is located not less than two weeks prior to the issuance of any permit under this Code section and notice of such hearing shall be posted at the site of such facility and advertised in a newspaper of general circulation serving the county or counties in which such facility is located at least 30 days prior to such hearing.

(3) Except as otherwise provided in this part, major modifications shall meet the siting and design standards applicable to new permit applications in effect on the date the modification is approved by the director; provided, however, that a facility may be granted a variance by the director from those standards when vertically expanded unless such variance is inconsistent with federal laws and regulations; provided, further, that the director shall not grant a variance from the provisions of subparagraph (B), (C), (D), or (E) of paragraph (4) of this subsection.

(4) No vertical expansions shall be approved under this subsection unless:

(A) The owner or operator demonstrates compliance with all standards not varied by the director;

(B) The owner or operator has installed a surface and ground-water monitoring system approved by the division under currently promulgated rules and has submitted the initial sampling results to the division;

(C) ~~The owner or operator~~ has implemented or installed a methane gas monitoring program or system approved by the division under currently promulgated rules and has submitted the initial sampling results to the division;

(D) The owner or operator has a closure and postclosure care plan approved by the division under currently promulgated rules; and

(E) Where noncompliance with the standards for surface water, ground water, or methane gas has been determined, the owner or operator has a schedule and corrective action plan approved by the division for returning the site to compliance within six months of the director's approval of the corrective action plan. If the owner or operator cannot demonstrate that the site can be returned to compliance within said six-month period, the director shall not issue a permit to expand the site vertically but shall order the facility to prepare a final closure plan, including the cessation of waste receipt within six months of the final effective date of the order. If sufficient permitted capacity is not available to allow orderly closure, the director may allow operation of the facility under authority of the closure order for a period not to exceed six months.

(5) Modifications for vertical expansions issued under this Code section may be restricted in duration, but in no case shall be effective beyond July 1, 1998, for landfills not having liners and leachate collection systems.

(6) The owner or operator of any site not having a liner and leachate collection system which is vertically expanded and which subsequently fails to demonstrate compliance with all applicable surface water, ground-water, or methane gas standards shall demonstrate to the satisfaction of the director, through a corrective action plan, that the site has been or can be returned to compliance within six months of the director's approval of the corrective action plan. If the owner or operator fails to demonstrate to the satisfaction of the director that compliance has been attained or can be attained, the director shall notify the owner or operator, ordering cessation of the acceptance of waste for disposal, remediation of noncompliance, and implementation of the final closure plan, to include a final date for closure.

~~(d)~~ In the event of the modification, suspension, amendment, or revocation of a permit, the director shall serve written notice of such action on the permit holder and shall set forth in such notice the reason for such action.

~~(g)~~(e) Prior to the issuance of any permit for a solid waste handling facility or the granting of any major modification of an existing solid waste handling permit, the director shall require written verification to be furnished by the applicant that the proposed facility complies with local zoning or land use ordinances, if any; and after July 1, 1992, that the proposed facility is consistent with the local, multijurisdictional, or regional solid waste management plan developed in accordance with standards promulgated pursuant to this part subject to the provisions of Code Section 12-8-31.1. Further, prior to the issuance of any permit or major permit modification for a municipal solid waste disposal facility, the applicant shall provide the director with written verification and that the host jurisdiction and all jurisdictions generating solid waste destined for the applicants' facility can demonstrate that they, at the time of application and during the operating life of the facility, are part of an approved solid waste plan developed in accordance with standards promulgated pursuant to this part and are actively involved in and have a strategy for meeting the July 1, 1998, state-wide reduction goal provided by subsection (c) of Code Section 12-8-21 of waste reduction by July 1, 1996. Prior to the issuance of any permit for a solid waste handling facility or the granting of any major modification of an existing solid waste handling permit that will handle solid waste from jurisdictions outside Georgia, the out-of-state solid waste generating jurisdictions shall provide documentation that they have a strategy for and are actively involved in meeting planning requirements and a waste reduction goal that are substantially equivalent to the planning requirements and waste reduction goal contained in this part. As a condition of the issuance of a permit and for the continued active life of such a

facility, and before the facility receives any municipal solid waste, the director shall require the permit holder to submit written verification that the jurisdiction in which the facility is located and all jurisdictions from which municipal solid waste are received are part of an approved solid waste plan and are actively involved in and have a strategy for meeting the July, 1, 1998, state-wide reduction goal provided by subsection (c) of Code Section 12-8-21.

~~(h)~~(f) No permit for a disposal facility shall be issued to any regional solid waste management authority created under Part 2 of this article, the 'Regional Solid Waste Management Authorities Act,' until local and regional solid waste management plans consistent with this part have been developed for all jurisdictions participating in such authority and such plans are found to be consistent with the state solid waste management plan pursuant to subsection (d) of Code Section 12-8-31.1.

~~(i)~~(g) No permit shall be issued for a new solid waste thermal treatment technology facility unless the applicant meets or exceeds standards adopted by the board which shall be consistent with and at least as stringent as the Federal New Source Performance Standards for new municipal waste combustors outlined in regulations pursuant to the federal Clean Air Act, 42 U.S.C. Section 1857, et seq., as amended, and 42 U.S.C. Section 7401, et seq., as amended.

~~(j)~~(h) The director or his the director's designee is authorized to inspect any generator in Georgia to determine whether that generator's solid waste is acceptable for the intended handling facility. The division may require any generator in Georgia to cease offering solid waste for handling if such solid waste is not acceptable under standards promulgated by the board, and the division may prohibit the handling of such solid waste until waste management procedures acceptable to the division are developed. Such prohibition shall continue in effect until the waste management procedure for handling is approved in writing by the division. Any generator or handler in Georgia which does not comply with a prohibition made under this subsection shall be in violation of this part.

(i) Landfills or portions of landfills which have had all waste removed and which are subsequently proposed for reuse as lined landfills shall be subject to the requirements of this part relating to major modifications, but such reuse shall not be considered a vertical expansion.

(j) Unless otherwise expressly provided, any amendment of this part or to regulations promulgated pursuant to this part which impose permit conditions for the operation, closure, or postclosure care of any solid waste handling facility shall be applicable to all new facilities as well as to all similar existing permitted facilities.

(k) The governing authority of any county, municipal corporation, authority, or special district or any combination of such public entities shall hold a public hearing before entering into a contract with any private entity for the lease, sale, or management of a landfill or solid waste disposal facility owned or operated by such public entity. Notice of such hearing shall be posted at the site of the landfill or facility and shall be advertised in a newspaper of general circulation in the county or counties in which the landfill or facility is located at least 30 days prior to the date of such hearing."

SECTION 5.

Said chapter is further amended by striking in its entirety Code Section 12-8-25.3, relating to restrictions on solid waste landfill sites within significant ground-water recharge areas or near military bombing ranges, and inserting in lieu thereof the following:

"12-8-25.3.

(a) Notwithstanding the provisions of Code Section 12-8-25.2, no permit shall be issued for a municipal solid waste landfill which accepts solid waste generated from outside the county in which such landfill is located or, in the case of a regional landfill, from outside any of the counties or special districts empowered to engage in solid waste management activities constituting such region if any part of such site is within any area that has been designated by the director as a significant ground-water recharge area.

(b) In addition to the provisions of subsection (a) of this Code section, in the case of a regional municipal solid waste landfill where any part of such site is within any area

that has been designated by the director as a significant ground-water recharge area, no permit shall be issued for such regional landfill unless the boundaries of the counties or special districts empowered to engage in solid waste management activities are contiguous and such counties or special districts have entered into a joint contract for the collection and disposal of solid waste.

(e)(a) No permit or modification of an existing permit shall be issued for land application of untreated municipal sewage sludge located in an area designated by Hydrologic Atlas 18 prepared by the Department of Natural Resources as a significant ground-water recharge area including, but not limited to, those areas designated as probable areas of thick soils.

(d)(b) Notwithstanding any other provision of law or any administrative action, no No permit shall be issued for a municipal solid waste landfill within two miles of a federally restricted military air space which is used for a bombing range or for a solid waste processing facility on property immediately adjacent to property on which is located a church or school. The provisions of this subsection shall apply to all permit applications pending on or submitted on or after the date this subsection becomes effective and to all permits denied prior to such date which are the subject of an appeal or judicial review pending on such date.

(c) No permit shall be issued for a solid waste disposal facility other than a permit-by-rule inert landfill or a solid waste handling facility other than a material recovery facility located within the boundaries of any municipal corporation having a population of 1,500 or less according to the United States decennial census of 1990 or any future such census and which is not included in a regional solid waste plan or multijurisdictional solid waste plan developed pursuant to Code Section 12-8-31.1 without the express approval of the governing authority of each county encompassing any part of the boundary of the municipality in which the facility is proposed to be located. Such governing authority may consider, without limitation, such factors as the impact the proposed facility will have on the infrastructure, health and welfare, economy, environment, and ecology of the region. The provisions of this subsection shall apply to all permit applications pending on or submitted on or after the date this subsection becomes effective and shall apply to all permits issued prior to such date, which permits are the subject of an appeal or judicial review and such appeal or judicial review is in process."

SECTION 6.

Said chapter is further amended by striking in its entirety Code Section 12-8-30.3, relating to the entry of judgments in accordance with the order of the director of the Environmental Protection Division of the Department of Natural Resources, and inserting in lieu thereof the following:

"12-8-30.3.

The director may file in the superior court of the county wherein the person under order resides or, if such person is a corporation, in the county wherein the corporation maintains its principal place of business or, in any case, in the county wherein the violation occurred or in which jurisdiction is appropriate a certified copy of an unappealed a final order of the director or of a final an order of the administrative law judge unappealed from or affirmed on appeal director affirmed upon appeal or modified on any review or appeal from which no further review is taken or allowed, whereupon such court shall render judgment in accordance therewith and notify the parties. Such judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though such judgment had been rendered in an action duly heard and determined by such court."

SECTION 7.

Said chapter is further amended by striking in their entirety subsections (e) and (f) of Code Section 12-8-31.1, relating to local and regional solid waste plans, and inserting in lieu thereof, respectively, the following:

"(e) After July 1, 1992, no permit, major permit modification, grant, or loan shall be issued for any publicly or privately owned municipal solid waste disposal facility or any

solid waste handling equipment or recycling equipment used in conjunction therewith in a county or region which is not consistent with a local, multijurisdictional, or regional solid waste management plan. Each application for a permit, grant, or loan ~~issued submitted after July 1, 1992,~~ shall include the following:

- ~~(1) Certification that the facility for which a permit is sought complies with local land use and zoning requirements, if any;~~
~~(2)(1) Verification that the facility for which a permit, grant, or loan is sought meets the ten-year capability and capacity needs identified in the approved local, multijurisdictional, or regional solid waste management plan; and~~
~~(3)(2) Demonstration that the host jurisdiction and all jurisdictions generating solid waste destined for the applicant's facility are part of an approved solid waste management plan developed in accordance with standards promulgated pursuant to this part, and are actively involved in, and have a strategy for, meeting the July 1, 1998, state-wide waste reduction goal provided by subsection (c) of Code Section 12-8-21 for reduction of solid waste disposal by July 1, 1996.~~
- (f) This Code section shall not apply to:
- (1) Any solid waste disposal facility which is operated exclusively by a private solid waste generator on property owned by the private solid waste generator for the purpose of accepting solid waste exclusively from the private solid waste generator so long as the operation of the solid waste disposal facility does not adversely affect the public health or the environment. After commencement of operation by a private solid waste generator of a solid waste disposal facility which is permitted but not included in a local or regional solid waste management plan, an amendment into a local or regional solid waste management plan shall be required for any solid waste which is to be no longer disposed of by the private solid waste generator in its own solid waste disposal facility prior to any substantial reduction in the amount of solid waste accepted by the solid waste disposal facility or its closure; ~~or~~
- (2) Effective September 1, 1994, any privately owned solid waste handling facility seeking a permit or major modification of an existing permit where the host local governing authority has failed either to submit or make a good faith effort, as determined by the Department of Community Affairs, to submit a local solid waste management plan or to be included in a multijurisdictional or regional solid waste management plan; provided, however, that the permit applicant and permit recipient, as appropriate, continues continue to be obligated to demonstrate that all generating jurisdictions from which waste will be received at the time of the application and during the operating life of the facility are part of an approved solid waste management plan developed in accordance with standards promulgated pursuant to this part and have a strategy to meet and are actively engaged in meeting the July 1, 1998, state-wide waste reduction goal provided by subsection (c) of Code Section 12-8-21 of reducing waste by 25 percent by July 1, 1996; or
- (3) Any biomedical waste thermal treatment technology facility."

SECTION 8.

Said chapter is further amended by striking in its entirety Code Section 12-8-32, relating to permits for regional solid waste disposal facilities, and inserting in lieu thereof the following:

"12-8-32.

(a) ~~Prior to submission of an application to the division for a permit for a regional solid waste disposal facility, conflicts as defined in Articles 1 and 2 of Chapter 8 of Title 50 shall follow the mediation procedures developed by the Department of Community Affairs pursuant to Articles 1 and 2 of Chapter 8 of Title 50.~~ Upon the submission of any application to the division for any municipal solid waste disposal facility for which a permit other than a permit by rule is required by the division, the permit applicant shall within 15 days of the date of submission of the application publicize the submission by public notice and in writing as follows:

- (1) If the application is for a facility serving no more than one county, the public notice shall be published in a newspaper of general circulation serving the host county,

and each local government in the county and the regional development center shall further be notified in writing of the permit application;

(2) If the application is for a facility serving more than one county, the public notice shall ~~be published in a newspaper~~ of general circulation serving each affected county, and each local government within said counties and the regional development center shall be further notified in writing of the permit application; and

(3) The public notice shall be prominently displayed in the courthouse of each notified county.

(b) The division shall review the application and supporting data, make a determination as to the suitability or unsuitability of the proposed site for the intended purpose, and notify the applicant and the host local government if different from the applicant in writing of its determination.

(c) Upon receipt from the division of notice that the proposed site is suitable for the intended purpose, the applicant shall within 15 days of receipt of such notification, notify the Department of Community Affairs and publicize the fact by public notice as outlined in paragraphs (1), (2), and (3) of subsection (a) of this Code section. Further, within 45 days of receipt of such notification from the division, the host local government for the proposed site shall as outlined in paragraphs (1), (2), and (3) of subsection (a) of this Code section advertise and hold a public meeting to inform affected residents and landowners in the area of the proposed site and of the opportunity to engage in a facility issues negotiation process.

(d) Following notification of the applicant of the proposed site's suitability, the division may continue to review the applicant's permit application but the director shall not take any action with respect to permit issuance or denial until such time as the local notification and negotiation processes described in this Code section have been exhausted.

(e) The division shall not be a party to the negotiation process described in this Code section, nor shall technical environmental issues which are required by law and rules to be addressed in the permitting process be considered negotiable items by parties to the negotiation process.

(f)(1) Within 30 days following a public meeting held in accordance with subsection (c) of this Code section, ~~a facility issues negotiation process shall be initiated by the host local government,~~ upon receipt of a written petition by at least 25 affected persons, at least 20 of whom shall be registered voters of or landowners in the host jurisdiction, shall initiate a facility issues negotiation process. Multiple petitions may be consolidated into a single negotiating process. For the purposes of this subsection, the term 'affected person' means a registered voter of the host local government or of a county contiguous to such host local government or a landowner within the jurisdiction of the host local government.

(2) The Department of Community Affairs shall assist the host government, citizen petitioners, and permit applicant in organizing the facility issues negotiation process provided in paragraph (1) of this subsection by providing information and facilitating support during the prenegotiation phase of the process as needed and at the discretion of the department and the host government.

(g) Within 15 days following receipt of such written petition, the host local government shall validate the petition to ensure that the petitioners meet the requirements of this Code section.

(h) Within ~~15~~ 30 days following the validation of the written petition to negotiate, the host local government shall notify the petitioners by publication as provided in paragraphs (1), (2), and (3) of subsection (a) of this Code section; shall notify the permit applicant if different from the host local government, the division, the Department of Community Affairs, and the regional development center that the negotiation process is being initiated; and shall set a date for a meeting with the citizens facility issues committee, the host local government, and the permit applicant not later than 30 days following validation of such written petition to negotiate.

(i) The petitioning persons shall select up to ten members, at least eight of whom shall be registered voters or landowners in the host local government, to serve on a citizens facility issues committee to represent them in the negotiation process. The membership

of the citizens facility issues committee shall be chosen within ~~15~~ 30 days following the validation of such written petition pursuant to this Code section.

(j) The negotiation process shall be overseen by a facilitator mediator named by the host local government, ~~after consultation with the citizens facility issues committee, from a list provided by the Department of Community Affairs. The mediator shall be selected within 30 days of the validation of the petition.~~ The function of the facilitator mediator shall be to assist the petitioners, the host local government, and the permit applicant, if different from the host local government, through the negotiation process. Such assistance shall include both the facilitation of negotiation and the active mediation of disputes between such meetings. The cost, if any, of the facilitator mediator shall be borne by the permit applicant.

(k) Beginning with the date of the first negotiation meeting called in accordance with subsection (h) of this Code section, there shall be no fewer than three negotiation meetings within the following 45 day period; provided, however, that the mediator may approve fewer than three meetings or an extension of the 45 day period provided by subsection (h) of this Code section if all participants to the facility issues negotiation process agree unless waived by consent of the parties. Such negotiation meetings shall be presided over by the facilitator mediator named in subsection (j) of this Code section and shall be for the purpose of assisting the petitioners, the host local government, and the permit applicant, if different from the host local government, to engage in nonbinding negotiation.

(l) ~~Minutes of each meeting and a record of the negotiation process shall be kept by the host local government. The mediator shall keep a record of the negotiation process and shall produce a summary of the meeting report for each meeting. The mediator shall provide the Department of Community Affairs, the host government, the chairperson of the citizens facility issues committee, and the permit applicant, if different from the local host government, with copies of the summary of the meeting report for each meeting within ten days of the meeting.~~

(m) All issues except those which apply to environmental permit conditions are negotiable. Environmental permit conditions are not negotiable. Issues which may be negotiated include but are not limited to:

- (1) Operational issues, such as hours of operation;
- (2) Recycling efforts that may be implemented;
- (3) Protection of property values;
- (4) Traffic routing and road maintenance; and
- (5) Establishment of local advisory committees.

(n) ~~At~~ Within 15 days of the end of the 45 day period following the first negotiation meeting or at the end of such extension of time as the participants have agreed upon, the facilitator mediator shall provide the Department of Community Affairs with a notice of the results and shall publish a notice of the results, if any, of the negotiation process in the same manner as provided in paragraphs (1), (2), and (3) of subsection (a) of this Code section and shall include the date, time, and place of a public meeting to be held within ten days after publication at which the input of persons not represented by the citizens facility issues committee may be received.

(o) The negotiated concessions reached by the negotiating parties shall be reduced to writing and executed by the ~~chairman~~ chairperson of the citizens facility issues committee, ~~and the chief elected official of the host local government, and the permit applicant, if different from the local host government,~~ and shall be adopted by resolution of the host local government.

(p) If the negotiating parties fail to reach consensus on any issue or issues, the permit applicant may nonetheless proceed to seek a permit from the division. The facilitator mediator shall notify the division and the Department of Community Affairs in writing that the negotiating parties have failed to reach consensus.

(q) If the negotiating parties reach consensus on negotiated issues, the permit applicant may proceed to seek a permit from the division. The facilitator mediator shall notify the division and the Department of Community Affairs in writing that the negotiating parties have reached consensus.

(r) Negotiated concessions shall not be construed as environmental permit conditions.

(s) Upon receipt of a written notification from the ~~facilitator~~ mediator that the parties to negotiation have reached consensus or have failed to reach consensus on negotiated issues, ~~and upon written notification from the permit applicant that he or she wishes to pursue permitting of the solid waste disposal facility for which an application has been filed, the director shall proceed to process the permit in accordance with Code Section 12-8-24.~~"

SECTION 9.

Said chapter is further amended by striking in its entirety Code Section 12-8-33, relating to the Recycling Market Development Council, which reads as follows:

"12-8-33.

(a) Effective July 1, 1990, there is created a 15 member Recycling Market Development Council to be appointed as follows:

- (1) Seven members appointed by the Governor representing the paper, glass, aluminum, plastic, and ferrous and nonferrous metals industries and trade associations which are active in recycling;
- (2) One member who is an elected or appointed municipal official to be appointed by the Governor;
- (3) One member who is an elected or appointed member of a county governing authority to be appointed by the Governor;
- (4) One member appointed by the Speaker of the House of Representatives;
- (5) One member appointed by the Lieutenant Governor; and
- (6) One representative each from the Department of Administrative Services; the Department of Industry, Trade, and Tourism; the Department of Community Affairs; and the Department of Natural Resources.

(b) The council shall meet as necessary and shall determine what actions, if any, are needed to facilitate the development and expansion of markets for recovered materials in Georgia and shall prepare an annual report with recommendations to the Governor and General Assembly.

(c) The council shall function for a period of five years from its establishment, at which time it shall either be reauthorized or shall stand abolished."

and inserting in lieu thereof the following:

"12-8-33.

(a) There is created the Intergovernmental Solid Waste Coordinating Council to be chaired by the director or his or her designee and composed of representatives from departments and agencies within state government which have responsibilities or activities relating to solid waste as well as representatives from county and municipal governing authorities. The council shall be responsible for coordinating the activities of state and local governments responsible for implementing the provisions of this part and shall serve as a forum for sharing information and mobilizing the state's resources to achieve more effective solid waste management. The council shall meet upon the call of the chairperson.

(b) The Recycling Market Development Council created on July 1, 1990, shall stand abolished on July 1, 1996."

SECTION 10.

Said chapter is further amended by striking in its entirety subsection (c) of Code Section 12-8-37.1, relating to the authorization of certain state grants to local governing authorities, and inserting in lieu thereof the following:

"(c) The corpus of the solid waste trust fund established in Code Section 12-8-27.1 may be used to make grants and loans to cities and counties, any combination of cities and counties, authorities, and state agencies; ~~or the Georgia Recycling Market Development Council~~ for the cleanup of solid waste disposal facilities, including those used for the disposal of scrap tires; for the development and implementation of solid waste enforcement programs for the abatement of illegal dumping of solid waste; for the funding of grants

or loans, in accordance with procedures developed by the division; for the implementation of innovative technologies for the recycling and reuse of ~~solid waste~~ recovered materials, including without limitation scrap tires; and for educational and other efforts to promote ~~waste reduction, recycling,~~ and recycling market development. Ten percent of the funds appropriated by the General Assembly for the solid waste trust fund on an annual basis shall be transferred to the Department of Community Affairs to assist that department in the implementation of solid waste education, recycling, and waste reduction efforts as provided by Code Section 50-8-7.3."

SECTION 11.

Said chapter is further amended by striking in its entirety subsection (a) of Code Section 12-8-39.3, relating to the collection of taxes, fees, and assessments, and inserting in lieu thereof the following:

"(a) Any city, county, or authority which operates a solid waste handling facility or provides solid waste collection services or both and which levies and collects taxes, fees, or assessments to accomplish the purposes of this part shall be further authorized to enforce by ordinance or resolution the collection of taxes, fees, or assessments due a city, county, or authority in the same manner as authorized by law for the enforcement of the collection and payment of state taxes, fees, or assessments. Any such ordinance or resolution enacted by a county governing authority ~~with concurrence of the tax commissioner or tax collector of such county~~ may provide that ~~said officer the tax commissioner or tax collector of such county shall~~ be the officer charged with the enforcement of its provisions."

SECTION 12.

Said chapter is further amended by striking in its entirety subparagraph (5) of subsection (i) of Code Section 12-8-40.1, relating to tire disposal restrictions, and inserting in lieu thereof the following:

"(5) The division may bring an action or proceeding against the property owner or the person having possession, care, custody, or control of the scrap tires or other scrap tire materials to enforce the corrective action order issued under Code Section 12-8-30 and recover any reasonable and necessary expenses incurred by the division for corrective action, including administrative and legal expenses. The division's certification of expenses shall be prima-facie evidence that the expenses are reasonable and necessary. Notwithstanding any other provision of this subsection, any generator of scrap tires who is identified as being a contributor to the materials which are the object of the abatement and who can document that he or she has fully complied with this part and all rules promulgated pursuant to this part in disposing of his or her scrap tires shall not be liable for any of the cost recovery actions of the abatement."

SECTION 13.

Said chapter is further amended by inserting at the end of Code Section 12-8-180, relating to definitions relative to the Pollution Prevention Assistance Division of the Department of Natural Resources, two new paragraphs to read as follows:

"(6) 'Pollution prevention' means the use of materials, natural resources, energy, processes, and practices which reduce or eliminate the creation of pollutants or wastes at the source. Such term shall include, without limitation, inventory management and purchasing procedures, process modifications, housekeeping and efficient operating practices, material substitutions, redesign of product pollution prevention education and outreach, and in-process recycling.

(7) 'Waste minimization' means pollution prevention and off-process recycling including, without limitation, use, reuse, and reclamation."

SECTION 14.

Said chapter is further amended by inserting at the end of Code Section 12-8-182, relating to certain responsibilities and duties of the Pollution Prevention Assistance Division of the Department of Natural Resources and related matters, a new subsection to read as follows:

"(e) The division shall serve as the lead entity for developing and providing activities and assistance programs, except those related to municipal solid waste, designed to

effect emission reduction, minimization of solid waste and hazardous waste in industrial and business operations, and the reduction of household hazardous waste.”

SECTION 15.

Said chapter is further amended by striking in its entirety of Code Section 12-8-183, relating to pollution prevention assistance plans, and inserting in lieu thereof the following:

“12-8-183.

(a) Not later than October 1, ~~1994~~ 1996, the division shall complete a pollution prevention assistance plan to achieve voluntary participation by businesses and industries and the general public within the state in programs and activities designed to reduce and prevent the pollution of the environment by the products, ~~and~~ by-products, and waste of such businesses, ~~and~~ industries, and, where hazardous household waste is involved, the general public and to promote recycling of such products, by-products, and waste. The plan shall establish the objectives of the division and address such matters as the division deems appropriate.

(b) The division shall publish the plan developed pursuant to subsection (a) of this Code section for public comment and shall send a copy of the plan to the board, the Governor, the Speaker of the House of Representatives, and the President of the Senate for comment. The division shall seek and encourage public comment on the plan and shall document and consider such comments.

(c) The division shall present a final plan to the commissioner within 60 days after publication for public comment. If the commissioner approves, the division shall implement the plan. The plan may be amended from time to time as required or appropriate, after public notice and comment.

(d) In implementing the plan pursuant to subsection (a) of this Code section, the division shall have the power and duties:

(1) To enter into such contracts as may be necessary and appropriate to implement the plan;

(2) To conduct investigations, analyses, and inspections in the implementation of the plan;

(3) To encourage, participate in, and conduct studies, reviews, and investigations relating to the implementation of the plan;

(4) To accept, receive, administer, and disburse grants from public or private sources for the purpose of implementing the plan; and

(5) To exercise all incidental powers necessary to implement the plan.”

SECTION 16.

Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Community Affairs, is amended by striking in its entirety Code Section 50-8-7.3, relating to solid waste management education and related matters, which reads as follows:

“50-8-7.3.

The department shall perform the duties, responsibilities, and functions and may exercise the power and authority described in this Code section. The department shall establish a solid waste management education program in the state. Such program shall include, but not be limited to, the following:

(1)(A) The establishment of a Georgia Clean and Beautiful Advisory Committee that shall assist the department in developing, coordinating, and implementing efforts to educate the citizens of the state on methods of solid waste management.

(B) The advisory committee shall consist of no more than 30 members, who shall be appointed by the Governor and be representative of state and local government; business and industry; community, environmental, and civic organizations; the news media; educators; and other areas as the Governor may deem appropriate.

(C) Members of the advisory committee are authorized to receive reimbursement for actual expenses incurred in the performance of their duties from such funds as may be appropriated for such purposes and within such limits as may be established by the department; and

(2)(A) The establishment of an Interagency Council on Solid Waste Management that shall be chaired by the commissioner and shall consist of representatives from departments and agencies within state government that have responsibilities or activities relating to solid waste.

(B) The council shall serve as a forum for gathering and sharing information on solid waste management as well as for developing and initiating activities within state government relating to solid waste management and shall provide advice and assistance to the Georgia Clean and Beautiful Advisory Committee and its educational programs.”

and inserting in lieu thereof the following:

“50-8-7.3.

(a) The department shall serve as the lead state agency with regard to recycling, waste reduction, and education efforts relating to municipal solid waste; provided, however, that such authority shall not extend to hazardous waste. The authority provided in this Code section shall include, but shall not be limited to:

(1) Overseeing matters relating to education activities relative to municipal solid waste reduction;

(2) Promoting activities and programs which will help the state achieve its solid waste reduction goal including, without limitation, citizen education, recycling and composting education programs, recycling market development, intergovernmental and regional cooperation, local government technical assistance, solid waste management training, solid waste planning, and litter control; and

(3) Implementing the Georgia Clean and Beautiful program.

(b) The commissioner shall establish an advisory council to assist the department in developing, coordinating, and implementing efforts to promote effective municipal solid waste education, recycling, and waste reduction and other activities provided for in subsection (a) of this Code section. The department shall provide staff assistance for the council. The council shall consist of 21 members appointed by the commissioner, each serving a two-year term. The commissioner shall select councilmembers in such a manner as to represent a broad range of interests including, but not limited to, state agencies; local governments; waste collection, handling, and disposal industries; reuse and recycling industries; composting industries; waste exchange programs; the Georgia Clean and Beautiful program; environmental groups; businesses; and private citizens. The council shall meet on the call of the commissioner and the members shall receive the same per diem expense allowance as that received by members of the General Assembly for each day a councilmember is in attendance at a meeting of the council or a subcommittee of the council, plus reimbursements for actual transportation expenses incurred while traveling by public carrier or the mileage allowance authorized for state officials and employees for use of a personal automobile in connection with such attendance. Such per diem and reimbursement for transportation expenses shall be paid in lieu of any other per diem, allowances, remuneration, or compensation. The council as a whole or a committee of the council shall serve as the state advisory committee for the Georgia Clean and Beautiful program.

(c) Activities of the department relative to municipal solid waste education, recycling of recovered materials, and waste reduction may be funded from the funds appropriated to the solid waste trust fund as provided in Code Section 12-8-37.1. Such funds may be utilized by the department to cover staffing and operating expenses for municipal solid waste education, recycling, and waste reduction efforts including per diem and reimbursement of travel expenses for council members.”

SECTION 17.

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

SECTION 18.

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

Representative Dobbs of the 92nd moved that the House disagree to the Senate substitute to HB 148.

The motion prevailed.

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

SB 396. By Senators Johnson of the 1st and Clay of the 37th:

A bill to amend Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public health and morality, so as to change the penalties for contributing to the deprivation of a minor; to provide a definition.

The following Committee substitute was read:

A BILL

To amend Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public health and morality, so as to change the penalties for contributing to the deprivation of a minor; to provide a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public health and morality, is amended by striking in its entirety Code Section 16-12-1, relating to contributing to the delinquency, unruliness, or deprivation of a minor, and inserting in lieu thereof a new Code section to read as follows:

“16-12-1.

(a) As used in this Code section, the term:

(1) ‘Delinquent act’ means a delinquent act as defined in Code Section 15-11-2.

(2) ‘Felony’ means any act which constitutes a felony under the laws of this state, the laws of any other state of the United States, or the laws of the United States.

(3) ‘Minor’ means any individual who is under the age of 17 years or any individual under the age of 18 years who is alleged to be a deprived child as such is defined in Code Section 15-11-2, relating to juvenile proceedings.

(4) ‘Serious injury’ means an injury involving a broken bone, the loss of a member of the body, the loss of use of a member of the body, or the substantial disfigurement of the body or of a member of the body or an injury which is life threatening.

(b) A person commits the offense of contributing to the delinquency, unruliness, or deprivation of a minor when such person:

(1) Knowingly and willfully encourages, causes, abets, connives, or aids a minor in committing a delinquent act as such is defined in Code Section 15-11-2, relating to juvenile proceedings;

(2) Knowingly and willfully encourages, causes, abets, connives, or aids a minor in committing an act which would cause such minor to be found to be an unruly child as such is defined in Code Section 15-11-2, relating to juvenile proceedings;

(3) Willfully commits an act or acts or willfully fails to act when such act or omission would cause a minor to be found to be a deprived child as such is defined in Code Section 15-11-2, relating to juvenile proceedings;

(4) Knowingly and willfully hires, solicits, engages, contracts with, conspires with, encourages, abets, or directs any minor to commit any felony which encompasses force or violence as an element of the offense or delinquent act which would constitute a

felony which encompasses force or violence as an element of the offense if committed by an adult; or

(5) Knowingly and willfully provides to a minor any weapon as defined in paragraph (2) of ~~subsection (a) of Code~~ Section 16-11-127.1 or any weapon as defined in Code Section 16-11-121 to commit any felony which encompasses force or violence as an element of the offense or delinquent act which would constitute a felony which encompasses force or violence as an element of the offense if committed by an adult.

(c) It shall not be a defense to the offense provided for in this Code section that the minor has not been formally adjudged to have committed a delinquent act or has not been found to be unruly or deprived.

(d) A person convicted pursuant to paragraph (1); or (2); ~~or~~ (3) of subsection (b) of this Code section shall be punished as follows:

(1) Upon conviction of the first offense, the defendant shall be guilty of a misdemeanor and shall be fined not less than \$200.00 nor more than \$500.00 or shall be imprisoned for not less than one month nor more than five months, or both fined and imprisoned;

(2) Upon conviction of the second offense, the defendant shall be guilty of a misdemeanor and shall be fined not less than \$400.00 nor more than \$1,000.00 or shall be imprisoned for not less than three months nor more than one year, or both fined and imprisoned; and

(3) Upon the conviction of the third or subsequent offense, the defendant shall be guilty of a felony and shall be fined not less than \$1,000.00 nor more than \$5,000.00 or shall be imprisoned for not less than one year nor more than three years, or both fined and imprisoned.

(d.1) A person convicted pursuant to paragraph (3) of subsection (b) of this Code section shall be punished as follows:

(1) Upon conviction of an offense which resulted in the serious injury or death of a child, without regard to whether such offense was a first, second, third, or subsequent offense, the defendant shall be guilty of a felony and shall be punished as provided in subsection (e) of this Code section;

(2) Upon conviction of an offense which does not result in the serious injury or death of a child and which is the first conviction, the defendant shall be guilty of a misdemeanor and shall be fined not more than \$1,000.00 or shall be imprisoned for not more than 12 months, or both fined and imprisoned;

(3) Upon conviction of an offense which does not result in the serious injury or death of a child and which is the second conviction, the defendant shall be guilty of a high and aggravated misdemeanor and shall be fined not less than \$1,000.00 nor more than \$5,000.00 or shall be imprisoned for not less than one year, or both fined and imprisoned; and

(4) Upon the conviction of an offense which does not result in the serious injury or death of a child and which is the third or subsequent conviction, the defendant shall be guilty of a felony and shall be fined not less than \$10,000.00 or shall be imprisoned for not less than one year nor more than five years, or both fined and imprisoned.

(e) A person convicted pursuant to paragraph (4) or (5) of subsection (b) or paragraph (1) of subsection (d.1) of this Code section shall be guilty of a felony and punished as follows:

(1) Upon conviction of the first offense, the defendant shall be imprisoned for not less than one nor more than five years; and

(2) Upon conviction of the second or subsequent offense, the defendant shall be imprisoned for not less than three years nor more than 20 years."

SECTION 2.

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

The following amendment was read:

Representative Buckner of the 95th moves to amend the Committee substitute to SB 396 by striking line 5 of page 1 and inserting in lieu thereof the following:

“definition; to change the lawful age for admission to certain premises exhibiting sexual matter; to provide for related matters; to repeal”

By striking line 11 of page 4 and inserting in lieu thereof the following:

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“SECTION 2.

Said chapter is further amended by striking subsections (b), (c), and (d) of Code Section 16-12-103, relating to selling, distributing, or exhibiting sexual or other matter harmful to minors, and inserting in their place new subsections to read as follows:

(b) (1) It shall be unlawful for any person knowingly to sell or furnish to a minor an admission ticket or pass or knowingly to admit a minor to premises whereon there is exhibited a motion picture, show, or other presentation which, in whole or in part, depicts sexually explicit nudity, sexual conduct, or sadomasochistic abuse and which is harmful to minors or exhibit any such motion picture at any such premises which are not designed to prevent viewing from any public way of such motion picture by minors not admitted to any such premises.

(2) It shall be unlawful for any person knowingly to sell or to furnish to a person under the age of 21 an admission ticket or pass or knowingly to admit a person under the age of 21 to premises whereon there is exhibited a show or performance which is harmful to minors and which, in whole or in part, consists of sexually explicit nudity on the part of one or more live performers; sexual conduct on the part of one or more live performers; or sadomasochistic abuse on the part of one or more live performers.

(c) It shall be unlawful for any ~~minor falsely to represent person to falsely represent his or her age~~ to any person mentioned in subsection (a) or subsection (b) of this Code section or to his ~~or her agent that such minor is 18 years of age or older~~ with the intent to unlawfully procure any material set forth in subsection (a) of this Code section or with the intent to unlawfully procure such minor's person's admission to any motion picture, show, or other presentation, as set forth in subsection (b) of this Code section.

(d) It shall be unlawful for any person knowingly to make a false representation to any person mentioned in subsection (a) or subsection (b) of this Code section or to his ~~or her agent that he or she is the parent or guardian of any minor or that any minor is 18 years of age or older~~ knowingly to make a false representation with respect to the age of another person with the intent to unlawfully procure for such other person any material set forth in subsection (a) of this Code section or with the intent to unlawfully procure such minor's other person's admission to any motion picture, show, or other presentation, as set forth in subsection (b) of this Code section.

SECTION 3.”

The following amendment was read and adopted:

Representative Klein of the 39th moves to amend the Buckner amendment as follows:

Add a new Section 3 to read:

“If any portion of this act shall be found to be unconstitutional or violative of any law, it shall be presumed that the General Assembly would have passed the balance of said act with the removal of the unconstitutional provision.”

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

N Allen	Y Bannister	Bates	N Breedlove	Buck
N Anderson	E Barfoot	Benefield	Y Brooks, D	Y Buckner
Y Ashe	Y Bargerion	N Birdsong	N Brooks, T	Y Bunn
Y Bailey	Y Barnard	N Bordeaux	N Brown, J	Y Burkhalter
N Baker	Y Barnes	N Bostick	Y Brush	Byrd

Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	N Stancil, F
Y Canty	Y Greene	Y Lee	Y Purcell, B	N Stancil, S
Y Carter	Y Grindley	Y Lewis	Y Randall	Y Stanley, L
Chambless	Y Hanner	Y Lifsey	N Randolph	Stanley, P
N Channell	Y Harbin	Y Lord	Y Ray	Stephenson
Y Childers	N Harris	Y Lucas	Y Reaves	Y Streat
Y Coker	N Heard	N Maddox	N Reichert	E Taylor
Y Coleman, B	N Heckstall	Y Mann	N Roberts	Y Teague
Y Coleman, T	N Hegstrom	N Martin	E Rogers	N Teper
Y Connell	Y Hembree	Y McBee	Y Royal	N Thomas
Y Crawford	N Henson	Y McCall	N Sanders	Y Tillman
Y Crews	Y Holland	N McClinton	Y Sauder	N Titus
Y Culbreth	Y Holmes	Y McKinney	N Scoggins	Y Towery
Y Cummings	N Howard	Y Mills	Y Shanahan	Y Trense
N Davis, G	Y Hudson	N Mobley, B	Shaw	Turnquest
Y Davis, M	Y Hugley	Y Mobley, J	Y Sherrill	Y Twiggs
Y Day	Y Irvin	N Mosley	Y Shipp	Walker, L
Y DeLoach, B	Y James	N Mueller	N Simpson	Y Walker, R.L
Y DeLoach, G	N Jamieson	Y O'Neal	N Sinkfield	N Wall
Y Dix	Y Jenkins	N Orrock	Y Skipper	N Watson
Y Dixon, H	Y Johnson, G	N Parham	Y Smith, C	Y Watts
Y Dixon, S	Y Johnson, J	N Parrish	Y Smith, C.W	Y Westmoreland
Y Dobbs	Y Johnston	Y Parsons	Smith, L	Whitaker
Y Ehrhart	Y Jones	N Pelote	Y Smith, P	N White
Y Epps	N Joyce	N Perry	Smith, T	Y Wiles
Y Evans	Y Kaye	N Pinholster	N Smith, V	Y Williams, B
Y Falls	Y Kinnamon	N Polak	Smith, W	Y Williams, J
Y Felton	Y Klein	Y Ponder	Y Smyre	Y Williams, R
Y Floyd	Y Ladd	N Porter	Y Snelling	N Woods
Y Godbee	N Lakly	Y Poston	Y Snow	N Yates
Y Golden	Y Lane	Y Powell	Y Stallings	Murphy, Spkr

On the adoption of the amendment, as amended, the ayes were 89, nays 49.

The amendment was adopted.

Representative Perry of the 11th stated that he inadvertently voted "nay" on the preceding roll call. He wished to be recorded as voting "aye" thereon.

House of Representatives
Atlanta, Georgia 30334

I voted against the Buckner amendment to SB 396 because it has the effect of shifting the age of adulthood upward from 18 to 21, and does not recognize the special status of persons under the age of 21 who serve in the Armed Forces of the United States. As a former marine, I fully believe that anyone in a position to voluntarily offer up their own life in the defense of their country is an adult with all rights and privileges associated with adulthood, and will vote against any bill diminishing those rights and privileges no matter how laudable the intent.

Jim Woods

The following amendment was read and withdrawn:

Representative Teper of the 61st moves to amend the Buckner amendment to SB 396 as follows:

Page 1, line 36 after the word "performers"

add

"which involves nudity."

The following amendment was read and adopted:

Representative Klein of the 39th moves to amend the Committee substitute to SB 396 as follows:

P.3, L.36 between the words "conviction" and "an", add the word "of".

The Committee substitute, as amended, was adopted.

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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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
E Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	E Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Teague
Y Bordeaux	Epps	Y Lakly	N Randolph	N Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	E Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Chambless	Y Hegstrom	Y Mills	N Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 151, nays 5.

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

Representative Coleman of the 80th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SB 521. By Senators Marable of the 52nd, Dean of the 31st and Ray of the 19th:

A bill to amend Code Section 20-2-152 of the Official Code of Georgia Annotated, relating to special education services, so as to allow parents of deaf students the final determination of placement of such students in the local school system or the Georgia School for the Deaf.

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 Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
E Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	E Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	E Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 162, nays 0.

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

SB 310. By Senator Thomas of the 10th:

A bill to amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," as amended, so as to change the compensation and allowances of the members and the chairman of the Authority's Board of Directors.

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 Allen	Y Brooks, D	Y Coleman, B	Y Ehrhart	Y Hegstrom
Y Anderson	Y Brooks, T	Y Coleman, T	Y Epps	Y Hembree
Y Ashe	Y Brown, J	Y Connell	Evans	Y Henson
Y Bailey	Y Brush	Y Crawford	Y Falls	Y Holland
Y Baker	Y Buck	Y Crews	N Felton	Holmes
Y Bannister	Y Buckner	Y Culbreth	Floyd	Y Howard
E Barfoot	N Bunn	Y Cummings	Y Godbee	Y Hudson
Y Bargeron	Y Burkhalter	Y Davis, G	Y Golden	Y Hugley
Y Barnard	N Byrd	Y Davis, M	Y Goodwin	Y Irvin
Y Barnes	Y Campbell	Y Day	Y Greene	Y James
Y Bates	Y Canty	Y DeLoach, B	Y Grindley	Y Jamieson
Y Benefield	Y Carter	Y DeLoach, G	Y Hanner	Y Jenkins
Y Birdsong	Y Chambless	N Dix	Y Harbin	Y Johnson, G
Y Bordeaux	Y Channell	Y Dixon, H	Y Harris	Y Johnson, J
Y Bostick	Y Childers	Y Dixon, S	Y Heard	N Johnston
Y Breedlove	Y Coker	Y Dobbs	Y Heckstall	Y Jones

Y Joyce	Mills	Randall	Y Smith, L	Y Titus
N Kaye	Y Mobley, B	Y Randolph	Y Smith, P	Y Towery
Y Kinnamon	Y Mobley, J	Y Ray	Smith, T	Y Trense
Y Klein	Y Mosley	Reaves	N Smith, V	Y Turnquest
N Ladd	Y Mueller	Y Reichert	Smith, W	Y Twiggs
N Lakly	Y O'Neal	Y Roberts	Y Smyre	Walker, L
Y Lane	Orrock	E Rogers	Y Snelling	Y Walker, R.L
Y Lawrence	Y Parham	Y Royal	Y Snow	Y Wall
Y Lee	Y Parrish	N Sanders	Y Stallings	Y Watson
Y Lewis	Y Parsons	Y Sauder	Y Stancil, F	Y Watts
Lifsey	Y Pelote	Y Scoggins	Y Stancil, S	N Westmoreland
N Lord	Y Perry	Y Shanahan	Y Stanley, L	Whitaker
Y Lucas	Y Pinholster	Y Shaw	Y Stanley, P	White
N Maddox	Y Polak	Y Sherrill	Y Stephenson	N Wiles
Y Mann	Y Ponder	Y Shipp	Y Streat	Y Williams, B
Y Martin	Y Porter	Y Simpson	E Taylor	Williams, J
Y McBee	Y Poston	Y Sinkfield	Y Teague	Y Williams, R
Y McCall	Y Powell	Y Skipper	Y Teper	N Woods
Y McClinton	Y Purcell, A	Y Smith, C	Y Thomas	N Yates
McKinney	Y Purcell, B	Y Smith, C.W	Y Tillman	Murphy, Spkr

On the passage of the Bill, the ayes were 145, nays 16.

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

The following Resolution of the Senate was read:

SR 645. By Senators Ray of the 19th, Perdue of the 18th and Hooks of the 14th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at 5:00 P.M. on Friday, March 8, 1996, and shall reconvene on Wednesday, March 13, 1996.

BE IT FURTHER RESOLVED that the General Assembly shall again adjourn at 5:00 P.M. on Friday, March 15, 1996, and reconvene on Monday, March 18, 1996.

BE IT FURTHER RESOLVED that the General Assembly shall again adjourn at 12:00 Midnight on Monday, March 18, 1996, and reconvene on Wednesday, March 20, 1996.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on each day on which the General Assembly reconvenes under this resolution may be as ordered by the Senate; and the hour for convening the House on each day on which the General Assembly reconvenes under this resolution may be as ordered by the House.

The following substitute, offered by Representatives Walker of the 141st, Lee of the 94th, Buck of the 135th and Coleman of the 142nd, was read and adopted:

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at 5:00 P.M. on Friday, March 8, 1996, and shall reconvene on Tuesday, March 12, 1996.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on Tuesday, March 12, 1996, may be as ordered by the Senate; and the hour for convening the House on Tuesday, March 12, 1996, may be as ordered by the House.

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

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Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
E Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	E Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	N Tillman
Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
N Brown, J	Y Godbee	Y Lifsey	E Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, by substitute, the ayes were 153, nays 7.

The Resolution was adopted, by substitute.

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

SB 626. By Senators Crotts of the 17th, Guhl of the 45th, Balfour of the 9th and others:

A bill to amend Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and observances, so as to provide for Firefighter Appreciation Day.

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 Allen	Bates	Y Buck	Y Childers	Y Davis, M
Y Anderson	Y Benefield	Y Buckner	Y Coker	Y Day
Y Ashe	Y Birdsong	Y Bunn	Y Coleman, B	Y DeLoach, B
Y Bailey	Y Bordeaux	Y Burkhalter	Y Coleman, T	Y DeLoach, G
Y Baker	Y Bostick	Byrd	Y Connell	Y Dix
Y Bannister	Y Breedlove	Y Campbell	Y Crawford	Y Dixon, H
E Barfoot	Y Brooks, D	Y Canty	Y Crews	Y Dixon, S
Y Bargeron	Y Brooks, T	Y Carter	Y Culbreth	Y Dobbs
Y Barnard	Y Brown, J	Y Chambliss	Y Cummings	Y Ehrhart
Y Barnes	Y Brush	Y Channell	Y Davis, G	Y Epps

Evans	Y Johnson, G	Y Mobley, J	Y Sanders	Streat
Y Falls	Y Johnson, J	Y Mosley	Y Sauder	E Taylor
Y Felton	Y Johnston	Y Mueller	Y Scoggins	Y Teague
Floyd	Y Jones	Y O'Neal	Shanahan	Y Teper
Y Godbee	Y Joyce	Orrock	Y Shaw	Y Thomas
Y Golden	Y Kaye	Y Parham	Y Sherrill	Y Tillman
Y Goodwin	Y Kinnamon	Y Parrish	Y Shipp	Y Titus
Y Greene	Klein	Y Parsons	Y Simpson	Y Towery
Y Grindley	Y Ladd	Y Pelote	Y Sinkfield	Y Trense
Y Hanner	Y Lakly	Y Perry	Y Skipper	Y Turnquest
Y Harbin	Y Lane	Y Pinholster	Y Smith, C	Y Twiggs
Y Harris	Y Lawrence	Y Polak	Y Smith, C.W	Y Walker, L
Y Heard	Y Lee	Y Ponder	Y Smith, L	Y Walker, R.L
Y Heckstall	Y Lewis	Y Porter	Y Smith, P	Y Wall
Y Hegstrom	Y Lifsey	Y Poston	Y Smith, T	Y Watson
Y Hembree	Lord	Y Powell	Y Smith, V	Y Watts
Y Henson	Y Lucas	Y Purcell, A	Smith, W	Y Westmoreland
Y Holland	Y Maddox	Y Purcell, B	Y Smyre	Whitaker
Y Holmes	Y Mann	Y Randall	Y Snelling	Y White
Y Howard	Y Martin	Y Randolph	Y Snow	Y Williams
Hudson	Y McBee	Y Ray	Y Stallings	Williams, B
Y Hugley	Y McCall	Y Reaves	Y Stancil, F	Y Williams, J
Y Irvin	Y McClinton	Reichert	Y Stancil, S	Y Williams, R
Y James	McKinney	Y Roberts	Y Stanley, L	Y Woods
Y Jamieson	Y Mills	E Rogers	Stanley, P	Y Yates
Y Jenkins	Y Mobley, B	Y Royal	Y Stephenson	Murphy, Spkr

On the passage of the Bill, the ayes were 159, nays 0.

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

SB 693. By Senators Dean of the 31st, Marable of the 52nd and Guhl of the 45th:

A bill to amend Code Section 42-9-21 of the Official Code of Georgia Annotated, relating to supervision of persons placed on parole or other conditional release and programs and services for persons on parole or conditional release, so as to authorize the State Board of Pardons and Paroles to supervise persons participating in transition or intermediate programs.

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 Allen	Y Chambliss	Y Goodwin	Y Ladd	Y Pinholster
Y Anderson	Y Channell	Y Greene	N Lakly	Y Polak
Y Ashe	Y Childers	Y Grindley	Y Lane	Y Ponder
Y Bailey	Y Coker	Hanner	Y Lawrence	Y Porter
Y Baker	Y Coleman, B	N Harbin	Y Lee	Y Poston
Y Bannister	Y Coleman, T	Y Harris	Y Lewis	Y Powell
E Barfoot	Y Connell	Y Heard	Y Lifsey	Y Purcell, A
Y Bergeron	Y Crawford	Heckstall	Lord	Y Purcell, B
Barnard	Y Crews	Y Hegstrom	Y Lucas	Y Randall
Y Barnes	Y Culbreth	Y Hembree	Y Maddox	Y Randolph
Y Bates	Y Cummings	Y Henson	Y Mann	Y Ray
Y Benefield	N Davis, G	Y Holland	Y Martin	Y Reaves
Y Birdsong	Y Davis, M	Y Holmes	Y McBee	Y Reichert
Bordeaux	Y Day	Howard	Y McCall	Roberts
Y Bostick	Y DeLoach, B	Y Hudson	Y McClinton	E Rogers
Y Breedlove	Y DeLoach, G	Y Hugley	McKinney	Y Royal
Y Brooks, D	Y Dix	Y Irvin	Y Mills	Y Sanders
Y Brooks, T	Y Dixon, H	Y James	Y Mobley, B	Y Sauder
Y Brown, J	Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins
Y Brush	Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan
Y Buck	Y Ehrhart	Y Johnson, G	Y Mueller	Y Shaw
Y Buckner	Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill
N Bunn	Evans	Y Johnston	Orrock	Y Shipp
Y Burkhalter	Y Falls	Y Jones	Y Parham	Y Simpson
Y Byrd	Y Felton	Y Joyce	Y Parrish	Y Sinkfield
Y Campbell	Floyd	Y Kaye	Y Parsons	Y Skipper
Y Canty	Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C
Y Carter	Y Golden	Y Klein	Y Perry	Y Smith, C.W

Y Smith, L	Y Stallings	Y Teague	Y Twiggs	White
Y Smith, P	Y Stancil, F	Y Teper	Y Walker, L	Y Wiles
Smith, T	Y Stancil, S	Y Thomas	Y Walker, R.L	Y Williams, B
Y Smith, V	Y Stanley, L	Y Tillman	Y Wall	Y Williams, J
Y Smith, W	Y Stanley, P	Y Titus	Y Watson	Y Williams, R
Y Smyre	Y Stephenson	Y Towery	Y Watts	Y Woods
Y Snelling	Streat	Y Trense	Y Westmoreland	Y Yates
Y Snow	E Taylor	Y Turnquest	Whitaker	Murphy, Spkr

On the passage of the Bill, the ayes were 154, nays 4.

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

Representative Barnard of the 154th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Resolutions of the House were read and adopted:

- HR 1224. By Representatives Lee of the 94th and Murphy of the 18th:
A resolution paying tribute to Sheriff Albert Franklin Thornton of Walton County.
- HR 1225. By Representative Ehrhart of the 36th:
A resolution commending Cub Scout Troop 749 of Mableton, Georgia.
- HR 1226. By Representative Bannister of the 77th:
A resolution commending Gartrell A. Nash.
- HR 1227. By Representative Bannister of the 77th:
A resolution commending the Sons of Confederate Veterans and Eli P. Landers Camp No. 1724.
- HR 1228. By Representative Bannister of the 77th:
A resolution commending W Calvin Fitchett.
- HR 1229. By Representative Coker of the 31st:
A resolution honoring the May family.
- HR 1230. By Representative Birdsong of the 123rd:
A resolution commending Leigh Scott.
- HR 1231. By Representative Mobley of the 86th:
A resolution commending Linda E. Williams.

The Speaker announced the House in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

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The Speaker called the House to order.

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

Mr. Speaker:

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

SR 645. By Senators Ray of the 19th, Perdue of the 18th and Hooks of the 14th:
A resolution relative to adjournment.

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

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st, Baker of the 70th, Bordeaux of the 151st and others:
A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

Representative Hanner of the 159th 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 Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 500 Do Pass, by Substitute

Respectfully submitted,
/s/ Hanner of the 159th
Chairman

The following Resolution of the House was read and referred to the Committee on Rules:

HR 1232. By Representatives Hegstrom of the 66th, Byrd of the 170th, Shanahan of the 10th, Cummings of the 27th, Stallings of the 100th and others:
A resolution welcoming and honoring Chief John Ross of the United Keetoowah Band of Cherokees.

Pursuant to SR 645, adopted by the House and Senate, the House adjourned until 10:00 o'clock, A.M., Tuesday, March 12, 1996.

Representative Hall, Atlanta, Georgia**Tuesday, March 12, 1996**www.libtool.com.cn

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:

Allen	Connell	Hugley	Parham	Smith, W
Anderson	Crawford	Irvin	Parrish	Smyre
Ashe	Crews	James	Parsons	Snelling
Bailey	Culbreth	Jamieson	Pelote	Snow
Baker	Cummings	Jenkins	Perry	Stallings
Bannister	Davis, G	Johnson, G	Pinholster	Stancil, F
Barfoot	Davis, M	Johnson, J	Polak	Stancil, S
Bargeron	Day	Johnston	Ponder	Stanley, L
Barnard	DeLoach, B	Jones	Porter	Stanley, P
Barnes	Dix	Joyce	Poston	Stephenson
Bates	Dixon, H	Kaye	Powell	Streat
Benefield	Dobbs	Klein	Purcell, A	Taylor
Birdsong	Ehrhart	Ladd	Purcell, B	Teper
Bordeaux	Epps	Lakly	Randall	Thomas
Bostick	Evans	Lane	Ray	Tillman
Breedlove	Falls	Lawrence	Reaves	Titus
Brooks, D	Felton	Lee	Reichert	Towery
Brooks, T	Floyd	Lewis	Roberts	Trense
Brown, J	Godbee	Lifsey	Rogers	Twiggs
Brush	Golden	Lord	Royal	Walker, R.L
Buck	Greene	Maddox	Sanders	Wall
Buckner	Grindley	Mann	Sauder	Watson
Bunn	Hanner	Martin	Scoggins	Watts
Burkhalter	Harbin	McBee	Shanahan	Westmoreland
Byrd	Heard	McCall	Shipp	Whitaker
Campbell	Heckstall	McClinton	Simpson	White
Canty	Hegstrom	Mills	Sinkfield	Wiles
Carter	Hembree	Mobley, B	Skipper	Williams, B
Chambless	Henson	Mobley, J	Smith, C	Williams, J
Channell	Holland	Mosley	Smith, C.W	Williams, R
Childers	Holmes	Mueller	Smith, L	Woods
Coker	Howard	O'Neal	Smith, P	Yates
Coleman, B	Hudson	Orrock	Smith, V	Murphy, Spkr
Coleman, T				

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

Representatives McKinney of the 51st, Harris of the 17th, Teague of the 58th, Shaw of the 176th and Goodwin of the 79th.

They wish to be recorded as present.

Representative Sherrill of the 62nd was excused all day on March 12, 1996.

Prayer was offered by the Reverend Emuel Sanford, Pastor, Calvary Baptist Church, Ellijay, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.

Pursuant to Rule 58, Representative Joyce of the 1st served notice that at the next regular meeting of the House he would submit a procedural motion instructing the Committee on Judiciary to report the following Resolution back to the House:

SR 4. By Senators McGuire of the 30th, Edge of the 28th, Newbill of the 56th and others:

A resolution proposing an amendment to the Constitution so as to reserve to the people of the state the power to propose laws and amendments to the Constitution and to enact or reject the same; to provide procedures and restrictions connected therewith; to provide for the submission of this amendment for ratification or rejection.

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 Bills and Resolution of the House were introduced, read the first time and referred to the committees:

HB 1893. By Representatives Ashe of the 46th, Trense of the 44th, Mueller of the 152nd, Smith of the 174th, Felton of the 43rd and others:

A bill to amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to change a definition.

Referred to the Committee on Judiciary.

HB 1895. By Representatives Stallings of the 100th, Simpson of the 101st and Snelling of the 99th:

A bill to amend an Act providing a new charter for the City of Villa Rica, so as to change the corporate limits of the City of Villa Rica.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1896. By Representatives Walker of the 87th and Stancil of the 91st:

A bill to amend an Act incorporating the City of Social Circle, so as to change the maximum penalties in the recorder's court.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1897. By Representative Birdsong of the 123rd:

A bill to create the Twiggs County Recreation Authority.

Referred to the Committee on State Planning & Community Affairs Local.

- HB 1898. By Representative Holland of the 157th:
A bill to provide a new charter for the City of Sycamore.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1899. By Representative Smith of the 19th:
A bill to amend an Act creating the Board of Commissioners of Dawson County, so as to change the provisions relating to the county manager.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1900. By Representatives Smith of the 169th and Mosley of the 171st:
A bill to amend an Act establishing the State Court of Pierce County, so as to provide for the compensation of the judge and solicitor.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1901. By Representatives Birdsong of the 123rd and Jenkins of the 110th:
A bill to amend an Act creating a new board of commissioners of Jones County, so as to change the provisions relating to the annual publication of the name, department, and salary of each county employee.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1902. By Representative Greene of the 158th:
A bill to create the Board of Commissioners of Stewart County.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1903. By Representatives Poston of the 3rd and Snow of the 2nd:
A bill to amend an Act implementing the constitutional amendment creating the Catoosa County Development Authority, so as to change the number of voting members required to take action by the authority.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1904. By Representative Floyd of the 138th:
A bill to amend an Act providing for a new charter for the City of Hawkinsville, so as to provide for authority to lease or otherwise dispose of municipally owned property generally; to provide for authority to lease the Hawkinsville Harness Horse Training Facility.
Referred to the Committee on State Planning & Community Affairs Local.
- HB 1905. By Representatives Smith of the 169th and Mosley of the 171st:
A bill to provide a new charter for the City of Offerman.
Referred to the Committee on State Planning & Community Affairs Local.
- HR 1233. By Representative Greene of the 158th:
A resolution creating the Stewart County Governmental Consolidation Study Committee.
Referred to the Committee on State Planning & Community Affairs Local.

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

HB 1881	HB 1891
HB 1882	HB 1892
HB 1883	HB 1894
HB 1884	HR 1218
HB 1885	HR 1219
HB 1886	HR 1220
HB 1887	SB 778
HB 1888	SB 779
HB 1889	SB 780
HB 1890	

Representative Randall of the 127th District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Special Judiciary 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 446 Do Pass, by Substitute

Respectfully submitted,
/s/ Randall of the 127th
Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs 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 1872 Do Pass	SB 759 Do Pass
HB 1880 Do Pass	SB 764 Do Pass
SB 733 Do Pass, as Amended	SB 777 Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HOUSE RULES CALENDAR
TUESDAY, MARCH 12, 1996

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 36th Legislative Day as enumerated below:

SB 169 Outdoor Advertising cert. tree trimming not allowed (Egan of the 40th)
SB 395 Elderly reporting of need for protective services

- (Isakson of the 21st)
- SB 428 Multiyear Contracts political subdiv., school systems
(Starr of the 44th)
- SB 549 ~~Gov. Military College~~ Bd. of Trustees composition
(Griffin of the 25th)
- SB 550 Purchasing Reform Act of 1996 provide
(Taylor of the 12th)
- SB 583 Seed Laws rewrite
(Ragan of the 11th)
- SB 587 Cert. County Inmates info. regarding medical insurance
(Dean of the 31st)
- SB 588 Music Hall of Fame Auth. general powers
(Dean of the 31st)
- SB 591 Veh. Hauling Solid Waste weight limitation
(Thompson of the 33rd)
- SB 610 Family Violence Battery define offense
(Stokes of the 43rd)
- SB 623 State Patrol create Auxiliary Serv. in Uniform Div.
(Ray of the 19th)
- SB 667 Campaign Contributions; person acting on behalf of cert util corp
(Cheeks of the 23rd)
- SB 671 State Employees medical, physical fitness requirements
(Thomas of the 10th)
- SB 678 Carrying Concealed Weapon change provisions
(Perdue of the 18th)
- SB 698 Local Retirement Sys. investment of assets in equities
(Starr of the 44th)
- SB 737 State Games Commission powers in state games operation
(Gillis of the 20th)
- SR 64 City, Co. Enterprise Zones creation (CA)
(Thompson of the 33rd)
- SR 385 Brigadier Gen. John R. Hullender Hwy. designate
(Farrow of the 54th)
- SR 506 Bill Fincher, Jr. Highway designate
(Farrow of the 54th)
- SR 507 Charles A. Pannell, Sr. Highway designate
(Farrow of the 54th)
- SR 570 Aden Massey Hwy. designate portion of U.S. Hwy. 280
(Hill of the 4th)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Lee of the 94th
Chairman

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

HB 1872. By Representative Breedlove of the 85th:

A bill to amend an Act creating a new charter for the City of Buford, so as to change the corporate limits of the city.

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

HB 1880. By Representatives Mann of the 5th, Kinnamon of the 4th and Lifsey of the 6th:

A bill to increase the homestead exemption from Whitfield County ad valorem taxes for county purposes and provide for conditions and procedures relating thereto.

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

SB 733. By Senator Farrow of the 54th:

A bill to be entitled an Act to provide a new charter for the City of Fort Oglethorpe; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority.

The following amendment was read and adopted:

The Committee on State Planning and Community Affairs Local moves to amend SB 733 by striking line 10 of page 39 and inserting in lieu thereof the following:

“election on the date of the general primary in July,”

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

SB 759. By Senators Lamutt of the 21st, Tanksley of the 32nd, Clay of the 37th and others:

A bill to amend an Act consolidating the offices of tax collector and tax receiver into the office of tax commissioner of Cobb County, as amended, so as to provide for the position of administrative specialist in the office of the tax commissioner; to provide for appointment, powers, duties, compensation, and tenure of such person; to provide an effective date.

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

SB 764. By Senators Clay of the 37th and Lamutt of the 21st:

A bill to provide for the method of filling vacancies on the Board of Education of Cobb County; to provide for related matters; to provide for an effective date and applicability.

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

SB 777. By Senator Thompson of the 33rd:

A bill to amend an Act creating the Cobb County Commission on Children and Youth, as amended, so as to change the date upon which the commission will be abolished.

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 Allen	Y Crews	Y Irvin	Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Bailey	Y Davis, G	Jenkins	Y Perry	Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Y Johnson, J	Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Teague
Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Felton	Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Y Mills	Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bills, the ayes were 136, nays 0.

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

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

Mr. Speaker:

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

HB 1797. By Representatives Chambless of the 163rd, White of the 161st and Roberts of the 162nd:

A bill to amend an Act creating the Small Claims Court of Dougherty County, now the Magistrate Court of Dougherty County, so as to provide for one additional full-time magistrate.

- HB 1798. By Representatives Smith of the 109th and Jenkins of the 110th:
A bill to provide a \$15,000.00 homestead exemption from Lamar County School District ad valorem taxes for residents of that district who are totally disabled and whose annual net income does not exceed \$20,000.00 and provide for conditions and procedures relating thereto.
- HB 1811. By Representatives Mosley of the 171st and Smith of the 169th:
A bill to provide a new charter for the City of Offerman.
- HB 1816. By Representative Barfoot of the 155th:
A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Toombs County.
- HB 1822. By Representative Barger of the 120th:
A bill to reconstitute the Board of Education of Glascock County.
- HB 1318. By Representatives Lucas of the 124th, Polak of the 67th, Walker of the 141st and others:
A bill to amend Chapter 2 of Title 21, relating to elections and primaries generally, and Code Section 45-5-3, relating to the election or appointment of successors to fill the unexpired term of certain public officers, so as to provide for the position on the general election ballot of candidates to fill the unexpired term of certain offices elected statewide.

The Senate has adopted, by substitute, by the requisite constitutional majority the following resolution of the House:

- HR 1096. By Representatives Teper of the 61st, Baker of the 70th, Lawrence of the 64th and others:
A resolution re-creating the Joint Study Committee on DeKalb County's Form of Government.

The Senate insists on its substitute to the following bill of the House:

- HB 148. By Representative Dobbs of the 92nd:
A bill to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to provide that certain landfills proposed for reuse shall be subject to provisions relating to major modifications of landfills but shall not be considered vertical expansions; to create the Intergovernmental Solid Waste Coordinating Council and to provide for its membership and duties.

The Senate recedes from its amendment to the following bill of the House:

- HB 756. By Representatives Childers of the 13th, Royal of the 164th, Culbreth of the 132nd and others:
A bill to amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to exemptions from ad valorem taxation, so as to provide for an exemption for vans and buses owned by any religious group and used exclusively for religious, educational, and charitable purposes or for the purpose of maintaining and operating such religious group.

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

SB 603. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Appling County so as to provide that such nonpartisan nomination and election of the judge of the Probate Court of Appling County shall begin with the election held in 1996; to provide an effective date.

SB 781. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:

A bill to amend an Act providing for the appointment of the chief magistrate of the Magistrate Court of Clayton County, as amended, so as to provide for qualifications for the chief magistrate and magistrates.

SB 782. By Senator Farrow of the 54th:

A bill to amend an Act creating a board of utilities commissioners for Catoosa County, Georgia, as amended, so as to change the provisions relating to the compensation of the members of the board of utilities commissioners; to provide an effective date.

SB 783. By Senator Cheeks of the 23rd:

A bill to amend an Act providing for the continued existence of the Richmond County Department of Health and for the management and control of such department by the Richmond County Board of Health, as amended, so as to change the composition of said board of health; to provide for appointments and terms of office.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the committees:

SB 603. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Appling County so as to provide that such nonpartisan nomination and election of the judge of the Probate Court of Appling County shall begin with the election held in 1996; to provide an effective date.

Referred to the Committee on State Planning & Community Affairs Local.

SB 781. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:

A bill to amend an Act providing for the appointment of the chief magistrate of the Magistrate Court of Clayton County, as amended, so as to provide for qualifications for the chief magistrate and magistrates.

Referred to the Committee on State Planning & Community Affairs Local.

SB 782. By Senator Farrow of the 54th:

A bill to amend an Act creating a board of utilities commissioners for Catoosa County, Georgia, as amended, so as to change the provisions relating to the compensation of the members of the board of utilities commissioners; to provide an effective date.

Referred to the Committee on State Planning & Community Affairs Local.

SB 783. By Senator Cheeks of the 23rd:

A bill to amend an Act providing for the continued existence of the Richmond County Department of Health and for the management and control of such department by the Richmond County Board of Health, as amended, so as to change the composition of said board of health; to provide for appointments and terms of office.

Referred to the Committee on State Planning & Community Affairs Local.

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

SR 64. By Senators Thompson of the 33rd, Hooks of the 14th, Perdue of the 18th and others:

A resolution proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the creation of enterprise zones by counties or municipalities; to provide for exemptions, credits, or reductions of taxes, or any combination thereof, within such zones with respect to taxes levied by a county or municipality; to provide for limitations and requirements; to provide for the submission of this amendment for ratification or rejection.

The following Committee substitute was read and adopted:

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the creation of enterprise zones by counties, municipalities, or combinations thereof; to provide for exemptions, credits, or reductions of taxes within such enterprise zones; to provide for conditions and limitations; to provide for other matters relative to the foregoing; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article IX, Section II, Paragraph VII of the Constitution is amended by adding a new subparagraph (c) at the end thereof to read as follows:

“(c) The General Assembly is authorized to provide by general law for the creation of enterprise zones by counties or municipalities, or both. Such law may provide for exemptions, credits, or reductions of any tax or taxes levied within such zones by the state, a county, a municipality, or any combination thereof. Such exemptions shall be available only to such persons, firms, or corporations which create job opportunities within the enterprise zone for unemployed, low, and moderate income persons in accordance with the standards set forth in such general law. Such general law shall further define enterprise zones so as to limit such tax exemptions, credits, or reductions to persons and geographic areas which are determined to be underdeveloped as evidenced by the unemployment rate and the average personal income in the area when compared to the remainder of the state. The General Assembly may by general law further define areas qualified for creation of enterprise zones and may provide for all matters relative to the creation, approval, and termination of such zones.”

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution.

The ballot submitting the above proposed amendment shall have written or printed thereon the following:

- “() YES Shall the Constitution be amended so as to authorize the General Assembly to provide by general law for the creation of enterprise zones for the purposes of providing exemptions, credits, and reductions of taxes levied by the state, a county, a city, or any combination thereof to persons, firms, or corporations which create job opportunities within designated enterprise zones to provide employment opportunities?”
- () NO

All persons desiring to vote in favor of ratifying the proposed amendment shall vote “Yes.” All persons desiring to vote against ratifying the proposed amendment shall vote “No.”

If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

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 Allen	Y Crews	Y Irvin	Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Y Johnson, J	Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, by substitute, the ayes were 149, nays 0.

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

SB 428. By Senators Starr of the 44th, Cheeks of the 23rd and Perdue of the 18th:

A bill to change provisions of the Official Code of Georgia Annotated, relating to the authority of political subdivisions of the state to enter into multiyear contracts; to amend Code Section 20-2-506 of the Official Code of Georgia Annotated, relating to multiyear contracting powers of school systems, so as to provide that such contracting powers shall not apply with respect to real property.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, the ayes were 149, nays 0.

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

SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and others:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

The following Committee substitute was read:

A BILL

To amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions; to change the provisions relating to records and samples which must be kept and the

inspection thereof; to change the provisions relating to the powers and duties of the Commissioner of Agriculture; to change the provisions relating to licensing and the revocation of licenses; to provide for penalties; to repeal certain provisions relating to itinerant vendors and bonds; ~~to change the provisions relating to the power of the Commissioner to promulgate and enforce rules and regulations; to repeal provisions relating to the Seed Advisory Committee; to change the provisions relating to applicability of certain laws; to change the provisions relating to the certification of seeds and plants; to change certain definitions; to change references to certain organizations or associations; to change the provisions relating to the Seed Arbitration Council and the duties, power, authority, practices, and procedures of such council; to change the provisions relating to complaints, fees, and forfeitures; to change the provisions relating to membership of the Seed Arbitration Council; to provide for other matters related to seed; to provide an effective date; to repeal conflicting laws; and for other purposes.~~

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, is amended by striking Article 2, known as the "Georgia Seed Law," in its entirety and inserting in lieu thereof a new Article 2 to read as follows:

"ARTICLE 2

2-11-20.

This article may be cited as the 'Georgia Seed Law.'

2-11-21.

As used in this article, the term:

(1) 'Advertisement' means all representations, other than those on the label, disseminated in any manner or by any means, relating to any seed within the scope of this article.

(2) 'Agricultural seed' means the seeds of grass, forage, cereal, oil, and fiber crops and any other kinds of seeds commonly recognized within this state as agricultural seed, lawn seed, and mixtures of such seeds and may include noxious weed seed when the Commissioner of Agriculture determines that such seed is being used as agricultural seed.

(3) 'Bulk' means a volume of seed in a container larger than a typical individual packaging unit for that kind, e.g., bulk bags and boxes, bins, trucks, rail cars, or barges.

(4) 'Coated or encrusted seed' means seed that has been covered by a layer or layers of materials that obscure the original shape and size of the seed resulting in a substantial weight increase. The addition of biologicals, pesticides, identifying colorants, dyes, polymers, and other ingredients can be included in this process.

(5) 'Dormant seed' means viable seed, excluding hard seed, that fail to germinate when provided the specified germination conditions for the kind of seed in question.

~~(3)~~(6) 'Flower seeds seed' means the seeds of herbaceous plants grown for their blooms, ornamental foliage, or other ornamental parts and commonly known and sold under the name of flower seeds in this state.

(4) 'Hybrid corn seed,' as applied to field corn, sweet corn, or popcorn, means the first generation seed of a cross made under controlled conditions between two or more strains and involving one or more inbred lines of corn. For purposes of labeling, the number or other designations of hybrid corn shall be used as a variety name.

(7) 'Germination' means the emergence and development from the seed embryo of those essential structures which, for the kind of seed in question, are indicative of the ability to produce a normal plant under favorable conditions.

(8) 'Hard seed' means seed that remain hard at the end of the prescribed test period because they have not absorbed water due to an impermeable seed coat.

(9) 'Hybrid' means the first generation of a cross produced by controlling the pollination and by combining: (A) two or more inbred lines; (B) one inbred or a single cross with another single cross or with an open-pollinated variety; or (C) two varieties or

species, except open-pollinated varieties of corn (*Zea mays*) and other open-pollinated crop kinds. The second generation or subsequent generations from such crosses shall not be regarded as hybrids. Hybrid designations shall be treated as variety names and hybrids shall be labeled as hybrids.

(10) 'Inert matter' means all matter that is not seed, which includes but is not limited to broken seeds, sterile florets, chaff, fungus bodies, and stones as determined by methods defined by rule. The percent inert matter shall not exceed 3 percent for hybrid field corn, nor 4 percent inert matter for other agricultural crop seed, except as established by rule for special crops. Inert matter will not include coating or pelleting material, fertilizer, or mulch, for which there are no limitations.

(11) 'Inoculated seed' means seed that has received a coating of a preparation containing a microbial product, e.g., *Rhizobium* sp.

~~(6)~~(12) 'Kind' means one or more related species or subspecies which singly or collectively are known by one common name, as, for example, corn, oats, alfalfa, and cotton.

~~(6)~~(13) 'Labeling' means all labels and a tag or other written, printed, or graphic representations, in any form whatsoever, on any container or accompanying or pertaining to any seed, whether in lot of bulk seeds, or in containers, including such representations as those on invoices, purporting to set forth the information required on the seed label by this article.

(14) 'Lawn and turf' pertains to seeds of the grass family (*Poaceae*) that are used within the industry for lawn and turf applications.

~~(7)~~(15) 'Lot' means a definite quantity of seed identified by a lot number or other mark, every portion or bag of which is uniform within recognized tolerances for the factors which are required to appear in the labeling.

(16) 'Mixture,' 'mix,' or 'mixed' means seed consisting of more than one kind or variety or both, each in excess of 5 percent by weight of the whole.

~~(8)~~(17) 'Noxious weed seeds' include 'prohibited noxious weed seeds' and 'restricted noxious weed seeds,' as defined in subparagraphs (A) and (B) of this paragraph, provided that the Commissioner of Agriculture may, through the promulgation of regulations, add to or subtract from the establish a list of seeds included under subparagraph subparagraphs (A) or and (B), whenever he the Commissioner finds that such additions or subtractions are within seeds conform to the respective definitions.

(A) 'Prohibited noxious weed seeds' means the seeds of perennial weeds, including not only those which reproduce by seed but also those which spread by underground roots, stems, and other reproductive parts, which weeds, when well established, are highly destructive and difficult to control in this state by ordinary good cultural practice: are those weed seeds that are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed. They are the seed of weeds that are highly destructive and difficult to control by good cultural practices and the use of herbicides.

(B) 'Restricted noxious weed seeds' means the seeds of such weeds as are those weed seeds that are very objectionable in fields, lawns, and gardens of this state but can be controlled by good cultural practice.

(18) 'Other crop seed' means seed of plants grown as crops (other than the kind or variety included in the pure seed) as determined by methods defined by rule.

(19) 'Pelleted seed' means coated or encrusted seed that also improves the plantability or singulation of the seed.

~~(9)~~(20) 'Person' means any an individual, partnership, corporation, company, society, association, receiver, trustee, or agent or combination thereof.

~~(10)~~(21) 'Private hearing' means a discussion of facts between the person charged with a violation and enforcement officers representatives of the Georgia Department of Agriculture.

(11) 'Pure seed,' 'germination,' and other seed labeling and testing terms in common usage shall be defined as in the rules for seed testing published by the Association of Official Seed Analysts and in the Federal Seed Act and the rules and regulations promulgated thereunder.

(22) 'Pure seed' means all seeds of each kind and variety under consideration that are present in excess of 5 percent of the whole. Kinds or varieties shown on a label as

components of a mixture in amounts 5 percent or less of the whole may be considered pure seed when shown on a label as components of a mixture.

~~(12)~~(23) 'Record' means all information relating to the lot, identification, source, origin, ~~variety, amount, processing,~~ blending, testing, labeling, and distribution of the seed and includes a file sample thereof.

~~(13)~~(24) 'Seed' means any vegetative material used in the propagation of a species the true seeds of all field crops, vegetables, flowers, trees, and shrubs, and any naturally occurring vegetative propagule, excluding plant parts of hybrids.

~~(14)~~(25) 'Seizure' means a legal process carried out by court order against a definite amount of seed.

~~(15)~~(26) 'Stop sale' means an administrative order provided by law restraining the sale, use, disposition, and movement of a definite amount of seed.

~~(16)~~(27) 'Treated' means ~~that the seed that~~ has received ~~an application a~~ minimal covering according to the manufacturer's recommended rate of a substance or process which is designed to reduce; or control; or ~~repel~~ certain disease organisms, insects, or other pests attacking such seed or seedlings growing therefrom ~~or to otherwise improve the planting value of the seed and the covering substance may contain identifying colorants and dyes.~~

~~(17)~~(28) 'Tree and shrub seeds' means seeds of woody plants commonly known and sold as tree or shrub seeds in this state.

~~(18)~~(29) 'Variety' means a subdivision of a kind ~~characterized by growth, yield, fruit, seed, or that is distinct, uniform, and stable; 'distinct' in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics by which it can be differentiated from other plants of the same kind from all other varieties of public knowledge; 'uniform' in the sense that the variations in essential and distinctive characteristics are describable; and 'stable' in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted.~~

~~(19)~~(30) 'Vegetable seeds' means the seeds of those crops which are grown in gardens and on ~~truck~~ farms and are generally known and sold under the name of vegetable or herb seeds in this state.

~~(20)~~(31) 'Weed seeds' means the seeds of all plants generally recognized as weeds within this state, and determined by methods defined by rule, and includes the prohibited and restricted noxious weed seeds.

2-11-22.

(a) Labeling required. Each bag, container, package, or bulk of seeds which is sold, offered for sale, exposed for sale, or transported within this state for planting purposes shall bear thereon or have attached thereto in a conspicuous place a plainly written or printed label or tag in the English language, giving the information specified in subsections (b) through (f) (j) of this Code section, which statement shall not be modified or denied in the labeling or on another label attached to the container. The labeler is responsible to assure that the required labeling is applied to each container or, in the case of bulk seed, that required labeling is shown on the invoice. All invoices and records pertaining to the shipment or sale of seed must show each lot number.

(b) Treated seeds. For all treated seeds, as defined in this article, for which a separate label may be used, the following information shall be given:

(1) A word or statement that the seed has been treated;

(2) The commonly accepted, coined, chemical, or abbreviated chemical (generic) name of the applied substance and the rate of application;

(3) If harmful to human or other vertebrate animals If the level of treatment exceeds the established tolerance or is not subject to an exemption to a tolerance, a caution statement, such as 'Do not use for food or feed or oil purposes.' The caution for mercurials and similarly toxic substances shall be a poison statement or symbol and the label shall carry the words 'poison treated'; and

(4) If the seed is treated with an inoculant, the label must state the inoculant manufacturer's lot number and expiration date as listed on the inoculant's original package.

(c) Agricultural ~~seeds~~ seed. For agricultural ~~seeds~~ seed the following information shall be given except for grass seed mixtures as provided in (d) of this Code section; and for hybrids that contain less than 95 percent hybrid seed as provided in (j) of this Code section: www.libtool.com.cn

- (1) The commonly accepted name of kind and variety of each agricultural seed component in excess of 5 percent of the whole and the percentage by weight of each in the order of its predominance. Where more than one component is required to be named, the word 'mixture' or the word 'mixed' shall be shown conspicuously on the label, provided that the Commissioner may, through the promulgation of regulations, allow certain kinds of seed to be labeled 'mixed' without showing the percentage of each variety present;
- (2) The net weight;
- (3) The lot number or other lot identification;
- (4) The origin (state or foreign country);
- (5) The percentage by weight of all weed seeds;
- (6) The name and rate of occurrence per pound of each kind of restricted noxious weed seed present;
- (7) The percentage by weight of crop seeds other than those required to be named on the label;
- (8) The percentage by weight of inert matter;
- (9) For each named agricultural seed:
 - (A) The percentage of germination, exclusive of hard seed or dormant seed;
 - (B) The percentage of hard ~~seeds~~ seed or dormant seed, if present; and
 - (C) The calendar month and year the test was completed to determine such percentage;

following the information given pursuant to subparagraphs (A) and (B) of this paragraph, the 'total germination and hard seed' or 'total germination and dormant seed' may be stated as such, if desired; and

- (10) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state.

(d) For seed mixtures for lawn or turf purposes or both lawn and turf purposes the following information shall be given:

- (1) The word 'mixed' or 'mixture' shall be stated with the name of the mixture;
- (2) The headings 'pure seed' and 'germination' or 'germ' shall be used in the proper places;
- (3) The net weight;
- (4) The lot number or other lot identification;
- (5) Commonly accepted name of kind, variety, and origin of each agricultural seed component in excess of 5 percent of the whole and the percentage by weight of pure seed in order of its predominance and in columnar form;
- (6) Percentage by weight of agricultural seed other than those required to be named on the label (which shall be designated as 'crop seed');
- (7) The percentage by weight of inert matter;
- (8) Percentage by weight of all weed seeds;
- (9) Noxious weeds that are required to be labeled will be listed under the heading 'noxious weed seeds';
- (10) For each agricultural seed named under paragraph (5) of this subsection;
 - (A) Percentage of germination, exclusive of dormant seed; and
 - (B) Percentage of dormant seed, if present; and
 - (C) The calendar month and year the test was completed to determine such percentages. The test date for each component may be labeled or, if each component does not show a test date, the oldest test date shall be used for the mixture; and
- (11) Name and address of the person who labeled said seed or who sells, offers, or exposes said seed for sale within the state.

(e) For agricultural seeds that are coated or pelleted:

- (1) Percentage by weight of pure seed with coating or pelleting material removed;
- (2) Percentage by weight of coating or pelleting material;

(3) Percentage by weight of inert material exclusive of coating or pelleting material;

(4) Percentage of germination is to be determined on 400 pellets with or without seeds;

(5) In addition to the provisions of paragraphs (1) through (4) of this subsection, labeling of coated or pelleted seed shall comply with the requirements of Code Section 2-11-22 for the specific seed kind.

~~(f)(d)~~ Vegetable seeds in containers of one pound or less. For vegetable seeds in containers of one pound or less or preplanted containers, mats, tapes, or other planting devices, the following information shall be given:

(1) The name of kind and variety of seed;

(2) The lot number or other lot identification;

~~(2)(3)~~ The year for which the seed was packed for sale as 'Packed for _____', or the percent germination and the calendar month and year the test was completed to determine the such percentage of germination;

~~(3)(4)~~ For seeds seed which germinate less than the standard last established by the Commissioner under this article:

(A) The percentage of germination, exclusive of hard seed or dormant seed;

(B) The percentage of hard seed or dormant seed, if present;

(C) The calendar month and year the test was completed to determine such percentage; and

~~(D) The~~ For seed that germinate less than the standard last established by the Commissioner, the words 'below standard' in not less than eight point type; and must be printed or written with permanence on the face of the label, in addition to the other information required, provided that no seed marked 'below standard' shall be sold if it falls more than 20 percent below the established standard for such seed;

~~(4)(5)~~ The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state; and

(6) For seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seeds from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container;

~~(e)(g)~~ Vegetable seeds in containers of more than one pound.

(1) For vegetable seeds in containers of more than one pound, the following information shall be given:

(A) The name of each kind and variety present in excess of 5 percent and the percentage by weight of each in order of its predominance;

(B) The net weight or seed count;

~~(B)(C)~~ The lot number or other lot identification;

~~(C)(D)~~ For each named vegetable seed:

(i) The percentage of germination, exclusive of hard seed or dormant seed;

(ii) The percentage of hard seed or dormant seed, if present; and

(iii) The calendar month and year the test was completed to determine such percentages;

following the information given pursuant to such divisions (i) and (ii) of this subparagraph, the 'total germination and hard seed' or the 'total germination and dormant seed' may be stated as such, if desired; and

(E) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state; and

(2) The labeling requirements for vegetable seeds in containers of more than one pound shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser.

~~(f)~~ Cowpeas and oats. Any provision of this article to the contrary notwithstanding, cowpeas and oats consisting of mixed varieties may be sold by labeling them as 'mixed cowpeas' or 'mixed oats.' The percentage of pure seed shall represent all cowpeas or oats present, or both, and a germination test shall be based upon a uniform sample of all varieties in the lot of seed. Cowpeas and oats shall be labeled 'mixed' when they contain

in excess of 5 percent of one variety or in excess of 5 percent of a combination of varieties by weight.

(h) For flower seed in packets prepared for use in home gardens or household plantings or flower seed in preplanted containers, mats, tapes, or other planting devices, the following information shall be given:

(1) For all kinds of flower seeds:

(A) The name of the kind and variety or a statement of type and performance characteristics as prescribed in the rules promulgated under this article;

(B) The calendar month and year the seed was tested or the year for which the seed was packaged;

(C) The lot number or other lot identification;

(D) The net weight or seed count; and

(E) The name and address of the person who labeled said seed or who sells, offers, or exposes said seed for sale within this state;

(2) For flower seed kinds for which standard testing procedures are prescribed and that germinate less than the germination standard last established by rule under this article:

(A) Percentage of germination, exclusive of hard seed or dormant seed;

(B) Percentage of hard seed or dormant seed, if present; and

(C) The words 'below standard' in not less than eight-point type; and

(3) For flower seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seed from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container.

(i) For flower seed in containers other than packets and other than preplanted containers, mats, tapes, or other planting devices and not prepared for use in home flower gardens or household plantings, the following information shall be given:

(1) The name of the kind and variety or a statement of type and performance characteristics as prescribed in the rules promulgated under this article and for wildflowers the genus and species and, if appropriate, the subspecies;

(2) The lot number or other lot identification;

(3) The net weight or seed count;

(4) For wildflower seed only with a pure seed percentage of less than 90 percent:

(A) The percentage, by weight, of each component listed in order of their predominance;

(B) The percentage by weight of weed seed if present; and

(C) The percentage by weight of inert matter;

(5) For those seed kinds for which standard testing procedures are prescribed:

(A) Percentage of germination, exclusive of hard seed or dormant seed;

(B) Percentage of hard seed or dormant seed, if present;

(C) The calendar month and year that the seed was tested or the year for which the seed was packaged; and

(D) For flower seed kinds that germinate less than the germination standard last established by rule under this article, the words 'below standard' in not less than eight-point type;

(6) For those kinds of seed for which standard testing procedures are not available, the year of production or collection; and

(7) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state.

(j) For hybrid agricultural and vegetable seed, the following is required:

(1) If any one kind or kind and variety of seed present in excess of 5.0 percent is hybrid seed, it shall be designated hybrid on the label. The percentage that is hybrid shall be at least 95 percent of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of 5.0 percent and are named on the label, each that is hybrid shall be designated as hybrid on the label. Any one kind or kind and variety that has pure seed which is less than 95 percent but more than 90 percent hybrid seed

as a result of incompletely controlled pollination in a cross shall be labeled to show the percentage of pure seed that is hybrid seed. No kind or variety of seed shall be labeled as hybrid if the pure seed contains less than 90 percent hybrid seed;

(2) ~~Hybrid wheat, hybrid millet, and other hybrids~~ to be established by rule shall be labeled the same as all other hybrids except that if any one kind or kind and variety that has pure seed which is less than 95 percent but more than 75 percent hybrid seed as a result of incompletely controlled pollination shall be labeled to show the percentage of pure seed that is hybrid seed. No one kind or variety of seed shall be labeled as hybrid if the pure seed contains less than 75 percent hybrid seed. Any seed containing less than 95 percent hybrids must be labeled as a mixture; and

(3) In addition to the provisions of paragraph (1) of this subsection, labeling of hybrid agricultural and vegetable seed shall comply with the requirements of Code Section 2-11-22 for the specific seed kind and, if appropriate, quantity.

2-11-23.

(a) No person shall sell, offer for sale, expose for sale, or transport for sale any agricultural, vegetable, flower, tree, or shrub seed within this state:

(1) Unless the test to determine the percentage of germination required in Code Section 2-11-22 shall have been completed within a nine-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale, offering for sale, or transportation. This prohibition does not apply to agricultural or vegetable seed in hermetically sealed containers. Agricultural or vegetable seeds packaged in hermetically sealed containers under the conditions defined in rules and regulations promulgated under the provisions of this article may be sold, exposed for sale, or offered for sale or transportation for a period of 24 months after the last day of the month that the seeds were tested for germination prior to packaging. If seeds in hermetically sealed containers are sold, exposed for sale, or offered for sale or transportation more than 24 months after the last day of the month in which they were tested prior to packaging, they must have been retested within a nine-month period, exclusive of the calendar month in which the retest was completed, immediately prior to sale, exposure for sale, or offering for sale or transportation;

(2) Not labeled in accordance with this article or having false, or misleading, or illegible labeling;

(3) Pertaining to which there has been a false or misleading advertisement;

(4) Consisting of or containing prohibited noxious weed seeds;

(5) Consisting of or containing restricted noxious weed seeds per pound in excess of the number prescribed by rules and regulations promulgated under this article or in excess of the number declared on the label attached to the container of the seed or associated with the seed; or

(6) Represented to be 'certified seed,' 'registered seed,' or 'foundation seed,' unless it has been produced and labeled in accordance with the procedures and in compliance with rules and regulations of a legally authorized seed certification or registration agency; or

(7) Labeled with a variety name but not certified by an official seed certifying agency when it is a variety for which a United States certificate of plant variety protection under the Plant Variety Protection Act (7 U.S.C. 2321 et seq.) specifies sale only as a class of certified seed, provided that seed from a certified seed lot may be labeled as to variety name when used in a mixture by, or with the approval of, the owner of the variety.

(b) It shall be unlawful for any person within this state:

(1) To detach, alter, deface, or destroy any label provided for in this article or the rules and regulations made and promulgated hereunder or to alter or substitute seed in a manner that may defeat the purpose of this article;

(2) To disseminate any false or misleading advertisements concerning seeds in any manner that may defeat the purpose of this article;

(3) To hinder or obstruct, in any way, any authorized person in the performance of his or her duties under this article;

- (4) To fail to comply with a 'stop sale' order or to move from the premises or dispose of any lot of seed or the tags attached thereto held under a 'stop sale' order, except with express permission of the enforcing officer and for the purpose specified thereby;
- (5) ~~To use the word 'trace' as a substitute for any statement which is required; or~~
- (6) To use the words 'or better,' 'more than,' 'less than,' or similar words in connection with any information required on purity analyses;
- (7) To use the word 'type' in any labeling in connection with the name of any agricultural seed variety; or
- (8) To alter or falsify any seed label, seed test, laboratory report, record, or other document pertaining to seed dealings for the purpose of defrauding or misleading the purchaser or to create a misleading impression as to kind or variety, history, quality, or origin of seed.

2-11-24.

Each person whose name or approved A.M.S. code number or other approved designation appears on the label as handling seeds seed subject to this article shall keep, for a period of two years, complete records of each lot of agricultural, ~~or~~ vegetable, flower, tree, or shrub seed handled and shall keep, for one year, a file sample of each lot of seed after final disposition of such lot. All such records and samples pertaining to the shipment or shipments involved shall be accessible for inspection by the Commissioner or ~~his~~ the Commissioner's agent during customary business hours.

2-11-25.

The duty of enforcing this article and the carrying out of its provisions and requirements shall be vested in the Commissioner of Agriculture, who may act through his or her authorized agents. He shall have authority:

- (1) To sample, test, make analysis of, and inspect any seed transported, sold, or offered or exposed for sale within this state for planting purposes, at such time and place and to such extent as may be deemed necessary to determine whether such seed is in compliance with this article;
- (2) To enter upon any public or private premises during regular business hours in order to have access to seeds and the records connected therewith subject to this article and rules and regulations promulgated hereunder;
- (3) To issue and enforce a written or printed 'stop sale' order to the person or vendor of any seed which is in violation or is believed to be in violation of any of the provisions of this article or rules and regulations promulgated hereunder;
- (4) To furnish adequate facilities for testing seed and to employ qualified persons for making such tests;
- (5) To publish or cause to be published the results of the examination, analysis, and testing of any agricultural or vegetable seed sampled in accordance with this article, together with any other information that the Commissioner may deem advisable;
- (6) To provide that any person in this state shall have the privilege of submitting seed samples for testing, subject to the charges made for samples submitted as prescribed in rules and regulations promulgated under this article; provided, however, that seed samples shall be tested without charge for farmers who do not have a seed license; and
- (7) To cooperate with the United States Department of Agriculture in the enforcement of the Federal Seed Act.

2-11-26.

(a) For the purpose of carrying out this article, the Commissioner, who may act through his or her authorized agents, is authorized to issue a license to each retail and wholesale seed dealer, such license to be applied for by each seed dealer upon forms furnished for such purpose. A separate license shall be required for each place of business point of sale, from which seed are sold, offered for sale, or exposed for sale. Out-of-state wholesale and retail seed dealers who sell or ship seed into this state shall obtain a license in the same manner. Such licenses shall be valid until revoked as provided by subsection (b) of this Code section renewable in August of every third year following issuance. Seed dealer license fees shall be established by rule promulgated under this article.

(b) Any license issued under this article may be revoked by the Commissioner upon satisfactory proof that the licensee has violated this article or any rule or regulation promulgated under this article. No license issued under this article shall be revoked by the Commissioner unless the Commissioner has given the licensee notice of the intent to revoke such license and the reason therefor and until the Commissioner has given the licensee a hearing. The Commissioner may enter an order imposing one or more of the following penalties against any person who violates any of the provisions of this chapter or the rules promulgated under this article or who impedes, obstructs, hinders, or otherwise prevents or attempts to prevent the Commissioner or the Commissioner's agent in the performance of his or her duty in connection with the provisions of this article:

- (1) Issuance of a warning letter;
- (2) Imposition of an administrative fine not more than \$1,000.00 per occurrence, suspension of a license, or both; or
- (3) Revocation of the seed dealer's license.

Actions stated in paragraphs (2) and (3) of this subsection shall be preceded by a departmental hearing to consider evidence that the licensee has violated this article or any rule or regulation promulgated under this article.

(c) No person who has not complied with this Code section shall sell or offer for sale any seed within this state.

2-11-27.

(a) For the purpose of carrying out this article, the Commissioner, who may act through his authorized agents, is authorized to provide that any person who does not have a fixed place of business or who is traveling or peddling or who is an itinerant and who sells or offers for sale seed in this state shall comply with all the requirements of this article and of all seed laws of this state.

(b) As a further requirement, any person coming under this Code section shall be required, upon application for a license to sell or offer for sale seed in this state, to furnish a surety bond of not less than \$1,000.00, payable to the Commissioner, for the use and benefit of the buyer of seed bought from such person who is traveling, peddling, or is an itinerant, when seed are sold without compliance with and in violation of this article and other seed laws of this state. Such bond shall be given for the protection of the farmers of this state and for the purpose of carrying out this article.

(c) No person who has not complied with this Code section shall sell or offer for sale any seed within this state. Reserved.

2-11-28.

The Commissioner shall have authority to promulgate and enforce such rules and regulations as he the Commissioner may deem necessary to carry out or make effective this article. Such rules and regulations may:

- (1) Provide such additional definitions of terms as the Commissioner believes are needed;
- (2) Provide a noxious weed list and add to or subtract therefrom from time to time;
- (3) Prescribe minimum standards of germination and purity and maximum amounts of inert matter and weed seed;
- (4) Prescribe the maximum number of weed seeds per pound allowed for each type of restricted noxious weed;
- (5) ~~Govern~~ Specify the methods of sampling, inspecting, analysis, testing, and examination of seed and the tolerance to be followed in the administration of this article, which shall be in general accord with the officially prescribed practice in interstate commerce;
- (6) Provide for field testing and make requirements for special permits for the sale of hybrid corn seed and such other seeds being sold under variety names as may be deemed necessary;
- (7)(6) Prescribe the form of tags or labels;
- (8)(7) Fix the number of tests allowed to any one person, firm, corporation, etc.;
- (9)(8) Fix charges for tests made; and

- (9) Prescribe minimum standards for seed vigor when such standards have been developed and standardized by the Association of Official Seed Analysts (AOSA) and to require the results of any seed vigor test to be placed upon seed labels; and
 (10) ~~Prescribe such other~~ rules and regulations as may be recommended by the Seed Advisory Committee necessary to secure the efficient enforcement of this article.

2-11-29.

(a) ~~There is created a Seed Advisory Committee to be composed of the following persons who, aside from the ex officio members, shall be selected by the heads of the institutions or organizations in question:~~

- (1) ~~The Commissioner of Agriculture, ex officio, as chairman;~~
- (2) ~~An appointee of the Governor who is not the Attorney General;~~
- (3) ~~One member from the experiment stations of the College of Agricultural and Environmental Sciences of the University of Georgia;~~
- (4) ~~One member from the Coastal Plains Experiment Station;~~
- (5) ~~One member from the Cooperative Extension Service;~~
- (6) ~~Two members from the Georgia Seedmen's Association;~~
- (7) ~~One member from the College of Agricultural and Environmental Sciences of the University of Georgia;~~
- (8) ~~One member from the Georgia Crop Improvement Association, Inc.; and~~
- (9) ~~One member from the Georgia Farm Bureau Federation.~~

(b) ~~The Commissioner shall be compensated as provided by law. The other members of the committee shall be compensated \$20.00 per day for each day of service on business of the committee, to be paid from the funds of the Department of Agriculture.~~

(c) ~~The committee shall serve in an advisory capacity to the Commissioner in promulgating rules and regulations pursuant to this article. No rule or regulation shall be promulgated by the Commissioner without consulting the advisory committee.~~

(d) ~~The Seed Advisory Committee is assigned to the Department of Agriculture for administrative purposes only as prescribed in Code Section 50-4-3 Reserved.~~

2-11-30.

Any seed sold, offered for sale, or exposed for sale in violation of this article or rules and regulations promulgated under this article shall be subject to seizure on the complaint of any authorized agent of the Commissioner to the superior court of the county where the seed is located. If the court finds the seed to be in violation of this article and orders its condemnation, the seed shall be destroyed, reprocessed, relabeled, or otherwise disposed of in compliance with the laws of this state and as directed by the court. In no instance shall the court order such disposition of ~~such~~ seed without first having given the claimant an opportunity to apply to the court for the release of the seed or for permission to process or relabel it to bring it into compliance with this article.

2-11-31.

The Commissioner is authorized to apply for and the court is authorized to grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this article or rules and regulations promulgated under this article, notwithstanding the existence of other remedies at law. Such injunctions shall be issued without bond.

2-11-32.

No person or vendor shall be subject to the penalties of this article for having sold or offered or exposed for sale in this state any seed incorrectly labeled or represented as to variety or origin when the variety or origin of such seed could not be identified by examination thereof, unless he or she failed to obtain an invoice, grower's declaration, or other document indicating variety and origin and failed to take such other precautions as were necessary or required to ensure that the identity and variety of the seed ~~was~~ were as stated.

2-11-33.

Code Sections 2-11-21 and 2-11-22 shall not apply:

- (1) To seed sold by a farmer or grower to a seed dealer or ~~processor~~ conditioner or in storage in or consigned to a seed cleaning or ~~processing~~ conditioning establishment for cleaning or processing, provided that any labeling or other representation which may ~~be made with respect to~~ uncleaned seed shall be subject to this article;
- (2) To seed grown by a farmer or other person, who sells it as such, when it is sold at his or her own farm and he or she does not advertise or transfer it by any public carrier provided such activity is not in conflict with paragraph (7) of subsection (a) of Code Section 2-11-23 or requirements of the United States Plant Variety Protection Act;
- (3) To seed or grain not intended for planting purposes, provided that such seed or grain sold to a farmer or consumer which could be used for planting purposes shall be marked or tagged 'for feed' or 'not for planting'; and
- (4) To any carrier, in respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier, if such carrier is not engaged in producing, processing, or marketing agricultural or vegetable seed which is subject to this article.

2-11-34.

- (a) Any person or vendor violating any of the provisions of this article or rules and regulations promulgated under this article shall be guilty of a misdemeanor.
- (b) When the Commissioner or any of ~~his~~ the Commissioner's authorized agents find that a person has violated any of the provisions of this article or rules and regulations promulgated under this article, ~~he~~ the Commissioner may institute proceedings in the superior court of the county in which the violation occurred to have such person convicted therefor or may file with the prosecuting attorney, with the view of prosecution, such evidence as may be deemed necessary.
- (c) It shall be the duty of each prosecuting attorney to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted against the accused.
- (d) Nothing in this article shall be construed as requiring the Commissioner or any of ~~his~~ the Commissioner's authorized agents to report, for prosecution or for the institution of seizure proceedings, minor violations of this article when ~~he~~ the Commissioner believes that the public interest will best be served by a suitable notice of warning in writing."

SECTION 2.

Said chapter is further amended by striking in its entirety Article 3, relating to certification of seeds and plants, and inserting in lieu thereof the following:

"ARTICLE 3

2-11-50.

The General Assembly declares that for the purpose of fostering improved agricultural methods, promoting advances in agricultural fields, and giving legal status to an existing practice and for the general welfare of the people it is necessary to establish as a policy of this state a method for protecting the public in the guarantee of the high quality of seeds and plants for various agricultural pursuits. It is the intent of the General Assembly to carry out that policy by this article, protecting the public from false claims and unwarranted statements as to genetic identity, varietal purity, and germinating viability of seeds and plants presented and claimed to be foundation, registered, or certified.

2-11-51.

For the purposes of this article, the term:

- (1) 'Certified seed' means the progeny of foundation, registered, or, in special cases, certified seed; which is ~~so produced and handled as to maintain satisfactory genetic purity and identity, as approved and meets the standards of certified by~~ the official seed certifying agency.
- (2) 'Foundation seed' means the progeny of breeder's seed or, in special cases, the progeny of foundation seed; ~~so handled as to most nearly maintain specific genetic purity and identity, as designated by the official seed certifying agency. Foundation~~

seed may be produced only by or under the direct supervision of an approved agronomist or institution: which meets the standards of the official seed certifying agency.

- (A) ~~On its headquarters farm;~~
 (B) ~~On a farm organized as a branch of such headquarters farm, with a qualified plant breeder in charge of such production; or~~
 (C) ~~On a farm operating under contractual agreement with and under the direct supervision of the originating or sponsoring plant breeder or institution for the production of foundation seed. Foundation seed shall be the source of registered seed or, in special cases, certified seed.~~
- (3) 'Plant' means seedlings, nursery stock, roots, tubers, bulbs, cuttings, and other parts used in the propagation of field crops, vegetables, fruits, flowers, trees, or other plants.
- (4) 'Registered seed' means the progeny of foundation seed and meets the standards of the official seed certifying agency. Registered seed shall be so handled as to maintain satisfactory genetic purity and identity as designated by the official seed certifying agency. Registered seed shall be produced under the general supervision of an approved agronomist and under the regulations of the official seed certifying agency.
- (5) 'Seed' means the true seeds of all field crops, vegetables, flowers, trees, or other plants.
- (6) 'Variety' carries its original meaning and includes 'strains' of varieties which are sufficiently different from the parent variety to justify special designation.

2-11-52.

In order to execute the policy stated in Code Section 2-11-50, the dean of the College of Agricultural and Environmental Sciences of the University of Georgia is authorized to provide for seed, plant, and variety certification and labeling. ~~He~~ The dean shall designate the Georgia Crop Improvement Association, Inc., as certifying agency, provided that the Georgia Crop Improvement Association, Inc., must be in good standing with the International Crop Improvement Association Association of Official Seed Certifying Agencies. The College of Agricultural and Environmental Sciences of the University of Georgia shall not be held responsible for any claim, debt, obligation, or damage of any kind to any person in conducting certification work or in the work of the certifying agent.

2-11-53.

It shall be a misdemeanor for any person, firm, association, or corporation selling seeds or plants in this state to use any evidence of certification, including specially designed tags or any tags similar thereto or the word 'certified,' on any package of seeds or plants, unless such seeds or plants have been duly inspected and certified as provided for in this article or have been inspected and certified by a legally constituted agency of another state or foreign country. The duty of enforcing this Code section shall be vested in the Commissioner."

SECTION 3.

Said chapter is further amended by striking in its entirety Article 4, relating to the Seed Arbitration Council, and inserting in lieu thereof the following:

"ARTICLE 4

2-11-70.

(a) The intent and purpose of this article ~~is~~ are to provide a method for assisting farmers, persons purchasing seed, and persons selling seed in determining the validity of complaints of seed purchasers against seed sellers relating to the quality and performance of the seed by establishing a committee to investigate, hold informal hearings, make findings, and render recommendations in the nature of arbitration proceedings where damages suffered by seed purchasers are caused by the alleged failure of the seed to perform as represented or to conform to the description on the labeling thereof as required by law.

(b) In order to effectuate the intent and purpose set out in subsection (a) of this Code section, there is created the 'Seed Arbitration Council.'

2-11-71.

As used in this article, the term:

- (1) 'Commissioner' means the Commissioner of Agriculture or the designated official or department employed by the Department of Agriculture of this state.
- (2) 'Council' means the Seed Arbitration Council.
- (3) 'Person' means an individual, firm, partnership, corporation, or company.
- (4) 'Purchaser' means the person who buys agricultural, flower, tree, shrub, or vegetable seed subject to Article 2 of this chapter.
- (5) 'Seller' means any person who sells seed, including but not limited to; the person who sold the seed to the purchaser and the person who actually labeled the seed that is the subject of the council's investigation.

2-11-72.

(a) At the time of purchase of agricultural, vegetable, flower, tree, or shrub seed, except for vegetable and flower seed in packets weighing less than one pound for use in home gardens or household plantings, language setting forth the requirement for filing a complaint shall be legibly typed or printed on the seed container, on the label affixed thereto, or printed on the invoice covering bulk seed.

(b) Such language shall be in addition to the labeling requirements specified in Code Section 2-11-22 and shall contain a notice in a form acceptable in interstate trade as prescribed by rule and regulation promulgated by the Commissioner.

(c) If language setting forth the requirement is not so placed on the seed container, label, or invoice covering bulk seed, the filing of a complaint by the buyer shall not be required as a prerequisite to maintaining a legal action against the seller as provided in Code Section 2-11-73.

2-11-73.

(a) When any farmer or seed purchaser alleges to have been damaged by the failure of any agricultural, flower, tree, shrub, or vegetable seed, except for vegetable and flower seed in packets weighing less than one pound for use in home gardens or household plantings, to conform to or perform as represented by the label required to be attached to such seed under Code Section 2-11-22 or by warranty or as a result of negligence, as a prerequisite to the purchaser's right to maintain a legal action against the seller, the purchaser shall submit a complaint against the seller alleging the damages sustained or to be sustained and shall file such complaint with the Commissioner within ten days after the alleged defect or violation becomes apparent to allow inspection of the alleged deficiencies if deemed necessary. Upon receipt, the Commissioner shall send a copy of the complaint to the seller by registered or certified mail.

(b) A filing fee of \$75.00 shall be paid to the Commissioner with each complaint filed. Such fee shall be recovered from the seller upon recommendation of the Seed Arbitration Council. The filing fee shall be forfeited if the complaint is independently settled between the purchaser and seller prior to the informal hearing scheduled by the council. Such independent settlement serves to close the file on the complaint.

(c) Within ten days after the receipt of a copy of the complaint, the seller shall file with the Commissioner a response to said complaint. Upon receipt, the Commissioner shall send a copy of the response to the purchaser by registered or certified mail.

(d) Upon gathering the complaint and the response, the Commissioner shall refer the complaint and the response to the Seed Arbitration Council as provided in Code Section 2-11-75 for investigation, informal hearing, findings, and recommendations on the complaint.

(e) Upon receipt of findings and recommendations of the Seed Arbitration Council, the Commissioner shall transmit said items to the purchaser and seller by registered or certified mail.

(f) The purchaser and seller shall give written notice to the Commissioner of the acceptance or rejection of the council's recommendations within 30 days of the date the decision is mailed to the purchaser and seller.

2-11-74.

(a) The Seed Arbitration Council shall be composed of five members. One member and one alternate shall be appointed upon the recommendation of each of the following individuals ~~or executive committee:~~

- (1) The ~~director of~~ associate dean for the Cooperative Extension Service of the University of Georgia;
- (2) The ~~director of~~ associate dean for the experiment stations of the College of Agricultural and Environmental Sciences of the University of Georgia;
- (3) The ~~president of~~ the Georgia Farm Bureau Federation;
- (4) The ~~president~~ executive committee of the Georgia ~~Seedmen's~~ Seedsmen's Association; and
- (5) The Commissioner of Agriculture.

(b) Each member and each alternate shall continue to serve until a replacement has been recommended by ~~their~~ his or her appointing official. Alternate members shall serve only in the absence of the member for whom such person is an alternate.

(c) The council shall annually elect a chairperson and a secretary from its membership. The chairperson shall conduct the meetings and deliberations of the council and direct all activities. The secretary shall keep accurate records of all the meetings and deliberations and perform such other duties as the chairperson may direct.

(d) The council may be called into session upon the direction of the chairperson or by the Commissioner to consider matters referred to it by the Commissioner.

(e) Members of the council shall receive no compensation for the performance of their duties but shall be reimbursed for travel expenses by each representing organization.

2-11-75.

(a) Upon receipt of a seed buyer complaint and a seller response, the council shall schedule a hearing date within ten days and shall make a full and complete investigation of the matters stated in the complaint.

(b) Hearings scheduled by the council shall be conducted in Tifton, Macon, Athens, or Rome, Georgia, whichever is most convenient to the farmer or other seed purchaser filing the complaint, such determination to be made by the chairperson.

(c) The Commissioner shall provide administrative support for the council and shall adopt rules and regulations to govern investigations and hearings.

(d) In conducting its investigation, the council, in addition to other activities deemed necessary, is authorized to:

- (1) ~~Examine~~ the purchaser on the use of the seed ~~of~~ about which the complaint is filed, the purchaser's operation and the seller on the packaging and labeling, and the seller's operations on the seed alleged to be faulty;
- (2) Grow to production a representative sample of the alleged faulty seed through the facilities of the state and under the supervision of the Commissioner, as deemed necessary;
- (3) Hold informal hearings at a reasonable time as directed by the chairperson. At such hearing, the purchaser and seller shall be allowed to present their side of the dispute before the council. Attorneys may be present, provided that no attorney may participate directly in the proceeding; and
- (4) Seek evaluations from authorities in allied disciplines when deemed necessary.

(e) Any investigation made by ~~less~~ fewer than all of the councilmembers shall be by authority of a written directive by the chairperson, and such investigation shall be summarized in writing and considered by the council in reporting its findings and recommendations.

(f) The Attorney General shall provide legal services for the council.

2-11-76.

(a) After completion of the informal hearing by the council, a report of findings and recommendations shall be transmitted to parties present at the arbitration process pursuant to subsection (e) of Code Section 2-11-73. In such report, the council may make any recommendations it deems fair and equitable under the circumstances presented. These

recommendations are up to the discretion of the council and may include, but are not limited to, the following:

- (1) That no action be taken;
 - (2) That money damages be paid to the purchaser as a result of the alleged failure of the seed to conform to or perform as represented by the seed label, container, or invoice;
 - (3) That the seller reimburse the purchaser for the amount of the filing fee paid to enter the arbitration process; or
 - (4) Such other recommendation found by the council to be fair and equitable to the parties.
- (b) In any litigation involving a complaint which has been the subject of arbitration under this Code section, any party may introduce the report of arbitration as evidence of the facts found in the report as the court may see fit. Findings and conclusions of the council are not admissible as evidence. However, the court may take into account any determinations of the council with respect to the failure of any party to cooperate in the arbitration proceedings.

2-11-77.

Pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' the Commissioner shall have authority to promulgate and enforce such rules and regulations as may be deemed necessary to carry out the provisions of this article."

SECTION 4.

This Act shall become effective on July 1, 1997.

SECTION 5.

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

The following amendment was read:

Representative Hudson of the 156th moves to amend the Committee substitute to SB 583 as follows:

By adding after the word "seeds;" on line 4, page 9, the following new (10) to read as follows:

- (10) "The calendar year or years in which the seeds were grown;"

And by renumbering the following subsections accordingly.

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

Allen	Y Buck	N Davis, M	Y Harbin	N Joyce
Anderson	Y Buckner	Y Day	Y Harris	N Kaye
Y Ashe	Y Bunn	Y DeLoach, B	N Heard	Y Kinnamon
Y Bailey	Y Burkhalter	DeLoach, G	Y Heckstall	Y Klein
Y Baker	Y Byrd	Y Dix	Y Hegstrom	N Ladd
Y Bannister	Y Campbell	Y Dixon, H	N Hembree	Y Lakly
N Barfoot	Y Canty	E Dixon, S	Y Henson	Y Lane
Y Bargeron	Y Carter	Y Dobbs	Y Holland	N Lawrence
Y Barnard	Y Chambliss	N Ehrhart	Y Holmes	Y Lee
Y Barnes	N Channell	Y Epps	Y Howard	Y Lewis
N Bates	Y Childers	N Evans	Y Hudson	Y Lifsey
Y Benefield	N Coker	Y Falls	Y Hugley	Y Lord
Y Birdsong	Y Coleman, B	Y Felton	N Irvin	Y Lucas
Y Bordeaux	Y Coleman, T	Y Floyd	Y James	Y Maddox
Y Bostick	Y Connell	Y Godbee	Y Jamieson	N Mann
Y Breedlove	N Crawford	N Golden	Y Jenkins	Y Martin
N Brooks, D	Y Crews	Y Goodwin	Y Johnson, G	N McBee
Y Brooks, T	Y Culbreth	N Greene	Y Johnson, J	Y McCall
N Brown, J	Y Cummings	Y Grindley	Y Johnston	Y McClinton
Y Brush	Y Davis, G	Y Hanner	N Jones	Y McKinney

N Mills	Y Poston	Sbaw	Y Stallings	Y Twiggs
Y Mobley, B	E Powell	Sherrill	N Stancil, F	Y Walker, L
Y Mobley, J	N Purcell, A	Y Shipp	Y Stancil, S	Y Walker, R.L
Y Mosley	Y Purcell, B	Y Simpson	Y Stanley, L	Y Wall
Mueller	Y Randall	Y Sinkfield	Y Stanley, P	Y Watson
Y O'Neal	E Randolph	Y Skipper	N Stephenson	Y Watts
Y Orrock	Y Ray	Y Smith, C	Streath	Y Westmoreland
Y Parham	N Reaves	N Smith, C.W	Y Taylor	Y Whitaker
Y Parrish	Y Reichert	Y Smith, L	Teague	N White
N Parsons	N Roberts	Y Smith, P	Y Teper	N Wiles
Y Pelote	Rogers	E Smith, T	Thomas	N Williams, B
Y Perry	Y Royal	Y Smith, V	Y Tillman	Y Williams, J
N Pinholster	Y Sanders	N Smith, W	Y Titus	Y Williams, R
N Polak	Y Sauder	Y Smyre	Towery	N Woods
Y Ponder	Scoggins	N Snelling	Y Trense	N Yates
Y Porter	Y Shanahan	Y Snow	Turnquest	Murphy, Spkr

On the adoption of the amendment, the ayes were 109, nays 39.

The amendment was adopted.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Asbe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streath
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Cbilders	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 160, nays 0.

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

SB 586. By Senators Bowen of the 13th, Oliver of the 42nd, Perdue of the 18th and others:

A bill to amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to the state highway system, so as to provide that no outdoor advertising depicting obscene material shall be allowed; to restrict outdoor advertising of commercial establishments where nudity is exhibited; to provide for legislative intent; to define a certain term.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	N Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	N Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Sherrill	Y Watts
Y Canty	Y Heard	N McClinton	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 153, nays 9.

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

Representatives Lucas of the 124th and Poston of the 3rd stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto:

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st, Baker of the 70th, Bordeaux of the 151st and others:

A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

The following Senate substitute was read:

A BILL

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To make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997; to make and provide such appropriations for the operation of the State government, its departments, boards, bureaus, commissions, institutions, and other agencies, and for the university system, common schools, counties, municipalities, political subdivisions and for all other governmental activities, projects and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA

That the sums of money hereinafter provided are appropriated for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997, as prescribed hereinafter for such fiscal year, from funds from the Federal Government and the General Funds of the State, including unappropriated surplus, reserves and a revenue estimate of \$10,629,000,000 (excluding indigent trust fund receipts and lottery receipts) for State Fiscal Year 1997

PART I.
LEGISLATIVE BRANCH

Section 1. General Assembly.

Budget Unit: General Assembly.....	\$	<u>25,810,775</u>
Personal Services Staff.....	\$	13,610,340
Personal Services Elected Officials.....	\$	3,784,583
Regular Operating Expenses	\$	2,639,647
Travel Staff.....	\$	98,000
Travel Elected Officials.....	\$	7,000
Capital Outlay	\$	0
Per Diem Differential.....	\$	585,000
Equipment.....	\$	232,000
Computer Charges.....	\$	475,000
Real Estate Rentals	\$	5,000
Telecommunications	\$	650,500
Per Diem, Fees and Contracts Staff	\$	125,980
Per Diem, Fees and Contracts Elected Officials.....	\$	2,374,925
Photography.....	\$	90,000
Expense Reimbursement Account.....	\$	<u>1,132,800</u>
Total Funds Budgeted.....	\$	<u>25,810,775</u>
State Funds Budgeted.....	\$	25,810,775

Senate Functional Budgets

	Total Funds	State Funds
Senate and Research Office	\$ 4,018,084	\$ 4,018,084
Lt. Governor's Office	\$ 641,433	\$ 641,433
Secretary of the Senate's Office	\$ <u>1,159,009</u>	\$ <u>1,159,009</u>
Total	\$ <u>5,818,526</u>	\$ <u>5,818,526</u>

House Functional Budgets

	Total Funds	State Funds
House of Representatives and Research Office	\$ 10,473,417	\$ 10,473,417
Speaker of the House's Office	\$ 540,240	\$ 540,240

Clerk of the House's Office	\$	<u>1,390,034</u>	\$	<u>1,390,034</u>
Total	\$	12,403,691	\$	12,403,691

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	Total Funds	State Funds
Legislative Counsel's Office	\$ 2,711,423	\$ 2,711,423
Legislative Fiscal Office	\$ 2,238,789	\$ 2,238,789
Legislative Budget Office	\$ 980,000	\$ 980,000
Ancillary Activities	\$ 1,290,022	\$ 1,290,022
Budgetary Responsibility		
Oversight Committee	\$ 368,324	\$ 368,324
Total	\$ 7,588,558	\$ 7,588,558

For compensation, expenses, mileage, allowances, travel and benefits for members, officials, committees and employees of the General Assembly and each House thereof; for operating the offices of Lieutenant Governor and Speaker of the House of Representatives; for membership in the Council of State Governments, the National Conference of State Legislatures and the National Conference of Insurance Legislators and other legislative organizations, upon approval of the Legislative Services Committee; for membership in the Marine Fisheries Compact and other compacts, upon approval of the Legislative Services Committee; for the maintenance, repair, construction, reconstruction, furnishing and refurbishing of space and other facilities for the Legislative Branch; provided, however, before the Legislative Services Committee authorizes the reconstruction or renovation of legislative office space, committee rooms, or staff support service areas in any State-owned building other than the State Capitol, the committee shall measure the need for said space as compared to space requirements for full-time state agencies and departments and shall, prior to approval of renovation or reconstruction of legislative office space, consider the most efficient and functional building designs used for office space and related activities; for the Legislative Services Committee, the Office of Legislative Counsel, the Office of Legislative Budget Analyst and for the Legislative Fiscal Office; for compiling, publishing and distributing the Acts of the General Assembly and the Journals of the Senate and the House of Representatives; for Code Revision; for equipment, supplies, furnishings, repairs, printing, services and other expenses of the Legislative Branch of Government; and for payments to Presidential Electors. The provisions of any other law to the contrary notwithstanding, such payments to Presidential Electors shall be paid from funds provided for the Legislative Branch of Government, and the payment and receipt of such allowances shall not be in violation of any law.

The Legislative Services Committee shall seek to determine ways to effect economies in the expenditure of funds appropriated to the Legislative Branch of Government. The Committee is hereby authorized to promulgate rules and regulations relative to the expenditure of funds appropriated to the Legislative Branch which may include that no such funds may be expended without prior approval of the Committee. The Committee shall also make a detailed study of all items and programs for which payments are made from funds appropriated to the Legislative Branch of Government with a view towards determining which are legitimate legislative expenses and which should be paid from other appropriations.

Section 2. Department of Audits.

Budget Unit: Department of Audits.....	\$	<u>19,229,367</u>
Personal Services.....	\$	15,993,269
Regular Operating Expenses	\$	602,030
Travel.....	\$	575,000
Motor Vehicle Purchases	\$	268,695
Equipment.....	\$	15,000
Real Estate Rentals	\$	895,000
Per Diem, Fees and Contracts	\$	58,225
Computer Charges.....	\$	660,000

Telecommunications	\$	<u>162,148</u>
Total Funds Budgeted.....	\$	19,229,367
State Funds Budgeted.....	\$	19,229,367

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**PART II
JUDICIAL BRANCH**

Section 3. Judicial Branch.

Budget Unit: Judicial Branch.....	\$	83,030,792
Personal Services.....	\$	11,712,494
Other Operating	\$	68,525,838
Prosecuting Attorney's Council.....	\$	2,107,215
Judicial Administrative Districts.....	\$	1,373,841
Payment to Council of Superior Court Clerks	\$	26,240
Payment to Resource Center.....	\$	300,000
Computerized Information Network.....	\$	683,800
Total Funds Budgeted.....	\$	<u>84,729,428</u>
State Funds Budgeted.....	\$	83,030,792

Judicial Branch Functional Budgets

	Total Funds	State Funds
Supreme Court	\$ 6,498,792	\$ 5,873,321
Court of Appeals	\$ 7,445,292	\$ 7,395,292
Superior Court Judges	\$ 34,976,905	\$ 34,908,905
Superior Court		
District Attorneys	\$ 26,866,394	\$ 25,911,229
Juvenile Court	\$ 1,033,576	\$ 1,033,576
Institute of Continuing		
Judicial Education	\$ 750,219	\$ 750,219
Judicial Council	\$ 1,991,359	\$ 1,991,359
Judicial Qualifications		
Commission	\$ 164,309	\$ 164,309
Indigent Defense Council	\$ 3,000,000	\$ 3,000,000
Georgia Courts Automation		
Commission	\$ 1,759,514	\$ 1,759,514
Georgia Office Of		
Dispute Resolution	\$ 243,068	\$ 243,068
Total	\$ <u>84,729,428</u>	\$ 83,030,792

Section 4. Department of Administrative Services.

A. Budget Unit: Department of Administrative		
Services.....	\$	<u>40,696,644</u>
Personal Services.....	\$	48,900,672
Regular Operating Expenses	\$	12,758,301
Travel.....	\$	432,865
Motor Vehicle Purchases	\$	696,459
Equipment.....	\$	1,517,294
Computer Charges.....	\$	16,674,556
Real Estate Rentals	\$	3,537,507
Telecommunications	\$	2,881,122
Per Diem, Fees and Contracts	\$	2,634,296
Rents and Maintenance Expense	\$	11,792,750
Utilities	\$	0
Payments to DOAS Fiscal Administration	\$	2,972,744
Direct Payments to Georgia Building		
Authority for Capital Outlay	\$	50,000
Direct Payments to Georgia Building		

Authority for Operations.....	\$	0
Telephone Billings	\$	55,617,230
Radio Billings	\$	896,550
Materials for Resale.....	\$	21,000,000
Public Safety Officers Indemnity Fund	\$	700,000
Health Planning Review Board Operations.....	\$	35,000
Payments to Aviation Hall of Fame	\$	48,500
Payments to Golf Hall of Fame.....	\$	85,000
Total Funds Budgeted.....	\$	183,230,846
State Funds Budgeted.....	\$	40,696,644

Departmental Functional Budgets

	Total Funds	State Funds
Executive Administration	\$ 1,171,051	\$ 609,858
Departmental Administration	\$ 2,136,046	\$ 2,004,859
Statewide Systems	\$ 12,714,200	\$ 9,739,403
Space Management	\$ 517,000	\$ 517,000
Procurement Administration	\$ 2,928,212	\$ 2,928,212
General Services	\$ 604,880	\$ 0
Central Supply Services	\$ 20,905,028	\$ 0
Data Processing Services	\$ 44,171,792	\$ 14,069,599
Motor Vehicle Services	\$ 4,567,736	\$ 0
Communication Services	\$ 77,772,859	\$ 5,850,000
Printing Services	\$ 3,252,953	\$ 0
Surplus Property	\$ 2,619,102	\$ 0
Mail and Courier Services	\$ 1,284,449	\$ 0
Risk Management	\$ 3,587,642	\$ 700,000
State Properties Commission	\$ 480,988	\$ 480,988
Distance Learning and Telemedicine	\$ 0	\$ 0
Office of the Treasury	\$ 942,411	\$ 496,397
State Office of Administrative Hearings	\$ 3,574,497	\$ 3,300,328
Total	\$ 183,230,846	\$ 40,696,644
B. Budget Unit: Georgia Building Authority.....	\$	0
Personal Services.....	\$	21,719,670
Regular Operating Expenses	\$	13,236,589
Travel.....	\$	12,000
Motor Vehicle Purchases	\$	268,000
Equipment.....	\$	452,400
Computer Charges.....	\$	110,100
Real Estate Rentals	\$	15,071
Telecommunications	\$	228,970
Per Diem, Fees and Contracts	\$	405,000
Capital Outlay	\$	50,000
Utilities	\$	0
Contractual Expense.....	\$	0
Facilities Renovations and Repairs.....	\$	0
Total Funds Budgeted.....	\$	36,497,800
State Funds Budgeted.....	\$	0

Departmental Functional Budgets

	Total Funds	State Funds
Grounds	\$ 1,535,634	\$ 0
Custodial	\$ 5,475,952	\$ 0

Maintenance	\$	4,453,839	\$	0
Security	\$	6,785,722	\$	0
Van Pool	\$	382,451	\$	0
Sales	\$	4,097,175	\$	0
Administration	\$	12,386,540	\$	0
Roofing	\$	451,635	\$	0
Facilities Program	\$	928,852	\$	0
Total	\$	36,497,800	\$	0

Section 5. Department of Agriculture.

A. Budget Unit: Department of Agriculture	\$		\$	37,458,541
Personal Services.....	\$		\$	31,544,513
Regular Operating Expenses	\$		\$	4,503,508
Travel.....	\$		\$	959,114
Motor Vehicle Purchases	\$		\$	692,227
Equipment.....	\$		\$	439,750
Computer Charges.....	\$		\$	550,000
Real Estate Rentals	\$		\$	814,475
Telecommunications	\$		\$	412,585
Per Diem, Fees and Contracts	\$		\$	992,587
Market Bulletin Postage	\$		\$	1,046,000
Payments to Athens and Tifton Veterinary Laboratories	\$		\$	2,750,466
Poultry Veterinary Diagnostic Laboratories in Canton, Dalton, Douglas, Oakwood, Statesboro, Carroll, Macon, Mitchell, and Monroe	\$		\$	2,678,811
Veterinary Fees.....	\$		\$	312,000
Indemnities.....	\$		\$	60,000
Advertising Contract.....	\$		\$	175,000
Payments to Georgia Agrirama Development Authority for Operations.....	\$		\$	619,163
Payments to Georgia Development Authority.....	\$		\$	250,000
Renovation, Construction, Repairs and Maintenance Projects at Major and Minor Markets	\$		\$	350,000
Capital Outlay	\$		\$	0
Contract Federation of Southern Cooperatives.....	\$		\$	40,000
Boll Weevil Eradication Program.....	\$		\$	0
Total Funds Budgeted.....	\$		\$	49,190,199
State Funds Budgeted.....	\$		\$	37,458,541

Departmental Functional Budgets

	Total Funds	State Funds
Plant Industry	\$ 8,099,581	\$ 7,318,581
Animal Industry	\$ 15,790,232	\$ 12,658,097
Marketing	\$ 6,754,599	\$ 3,079,599
Internal Administration	\$ 6,344,617	\$ 6,075,117
Fuel and Measures	\$ 3,514,005	\$ 3,384,305
Consumer Protection Field Forces	\$ 8,105,062	\$ 4,942,842
Seed Technology	\$ 582,103	\$ 0
Total	\$ 49,190,199	\$ 37,458,541

B. Budget Unit: Georgia Agrirama Development

Authority.....	\$	0
Personal Services.....	\$	880,699

Regular Operating Expenses	\$	189,313
Travel.....	\$	5,100
Motor Vehicle Purchases	\$	0
Equipment.....	\$	4,066
Computer Charges.....	\$	7,600
Real Estate Rentals	\$	0
Telecommunications	\$	7,757
Per Diem, Fees and Contracts	\$	6,380
Capital Outlay	\$	145,367
Goods for Resale	\$	114,750
Total Funds Budgeted.....	\$	1,361,032
State Funds Budgeted.....	\$	0

Section 6. Department of Banking and Finance.

Budget Unit: Department of Banking and Finance.....	\$	9,100,000
Personal Services.....	\$	7,483,065
Regular Operating Expenses	\$	455,685
Travel.....	\$	400,000
Motor Vehicle Purchases	\$	36,750
Equipment.....	\$	8,200
Computer Charges.....	\$	295,000
Real Estate Rentals	\$	335,000
Telecommunications	\$	73,000
Per Diem, Fees and Contracts	\$	13,300
Total Funds Budgeted.....	\$	9,100,000
State Funds Budgeted.....	\$	9,100,000

Section 7. Department of Children and Youth Services.

Budget Unit: Department of Children and Youth Services.....	\$	135,022,255
Personal Services.....	\$	82,332,538
Regular Operating Expenses	\$	7,488,704
Travel.....	\$	901,207
Motor Vehicle Purchases	\$	147,402
Equipment.....	\$	419,583
Computer Charges.....	\$	265,336
Real Estate Rentals	\$	1,690,885
Telecommunications	\$	934,714
Per Diem, Fees and Contracts	\$	4,965,409
Utilities	\$	2,382,853
Institutional Repairs and Maintenance.....	\$	509,559
Grants to County-Owned Detention Centers	\$	3,715,495
Service Benefits for Children.....	\$	17,760,980
Purchase of Service Contracts	\$	17,029,342
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	140,544,007
State Funds Budgeted.....	\$	135,022,255

Departmental Functional Budgets

	Total Funds	State Funds
Regional Youth Development Centers	\$ 31,493,075	\$ 29,514,514
Milledgeville State YDC	\$ 14,938,805	\$ 14,215,112
Augusta State YDC	\$ 12,906,291	\$ 12,085,355
Atlanta State YDC	\$ 6,604,822	\$ 6,273,866
Macon State YDC	\$ 5,418,517	\$ 5,081,920

Court Services	\$ 18,675,780	\$ 18,528,976
Community Treatment Centers	\$ 0	\$ 0
Day Centers	\$ 487,745	\$ 487,745
Group Homes	\$ 1,023,480	\$ 1,023,480
Purchased Services	\$ 36,041,238	\$ 34,947,033
Runaway Investigation/Interstate Compact	\$ 974,262	\$ 974,262
Assessment and Classification	\$ 582,587	\$ 582,587
Youth Services Administration	\$ 7,527,175	\$ 7,527,175
Multi-Service Centers	\$ 3,870,230	\$ 3,780,230
Total	\$ 140,544,007	\$ 135,022,255

Section 8. Department of Community Affairs.

Budget Unit: Department of Community Affairs	\$	<u>28,380,925</u>
Personal Services	\$	6,005,436
Regular Operating Expenses	\$	334,749
Travel	\$	167,696
Motor Vehicle Purchases	\$	0
Equipment	\$	1,368
Computer Charges	\$	132,424
Real Estate Rentals	\$	513,430
Telecommunications	\$	54,610
Per Diem, Fees and Contracts	\$	279,160
ARC Revolving Loan Fund	\$	0
Contracts for Regional Planning and Development	\$	2,167,374
Local Assistance Grants	\$	5,447,335
Appalachian Regional Commission Assessment	\$	112,439
Community Development Block Grants(Federal)	\$	30,000,000
National and Community Service Program	\$	0
Payments to Music Hall of Fame Authority	\$	690,702
Payments to Sports Hall of Fame	\$	275,550
Local Development Fund	\$	650,000
Payment to State Housing Trust Fund	\$	4,625,000
Payment to Georgia Housing Finance Authority	\$	2,814,244
Payment to Georgia Environmental Facilities Authority	\$	2,321,675
Regional Economic Business Assistance Grants	\$	6,650,000
Local Government Efficiency Grant Program	\$	500,000
State Commission on National and Community Service	\$	204,101
Business Flood Disaster Recovery Program	\$	0
EZ/EC Administration	\$	209,499
Capital Felony Expenses	\$	0
Total Funds Budgeted	\$	64,156,792
State Funds Budgeted	\$	28,380,925

Departmental Functional Budgets

	Total Funds	State Funds
Executive and Administrative Division	\$ 27,680,529	\$ 23,143,162
Planning, Information and Management Division	\$ 3,762,040	\$ 3,587,512
Business and Financial Assistance Division	\$ 32,714,223	\$ 1,650,251
Total	\$ 64,156,792	\$ 28,380,925

Section 9. Department of Corrections.

A. Budget Unit: Administration, Institutions

and Probation.....	\$	<u>651,842,011</u>
Personal Services.....	\$	456,864,099
Regular Operating Expenses	\$	57,578,948
Travel.....	\$	2,162,244
Motor Vehicle Purchases	\$	2,848,384
Equipment.....	\$	4,695,277
Computer Charges.....	\$	6,017,166
Real Estate Rentals	\$	6,008,776
Telecommunications	\$	6,850,514
Per Diem, Fees and Contracts	\$	6,972,555
Capital Outlay	\$	0
Utilities	\$	21,267,728
Court Costs.....	\$	900,000
County Subsidy	\$	16,786,950
County Subsidy for Jails.....	\$	6,843,750
County Workcamp Construction Grants	\$	0
Central Repair Fund.....	\$	1,127,250
Payments to Central State		
Hospital for Meals.....	\$	4,059,700
Payments to Central State		
Hospital for Utilities.....	\$	1,376,000
Payments to Public Safety for Meals	\$	461,160
Inmate Release Fund.....	\$	1,300,000
Health Services Purchases	\$	66,985,723
Payments to MAG for Health Care Certification.....	\$	63,420
University of Georgia College of Veterinary		
Medicine Contracts	\$	366,244
Minor Construction Fund	\$	894,000
Total Funds Budgeted.....	\$	672,429,888
Indirect DOAS Funding.....	\$	450,000
Georgia Correctional Industries	\$	0
State Funds Budgeted.....	\$	651,842,011

Departmental Functional Budgets

	Total Funds		State Funds
Administration	\$ 76,663,076	\$	74,668,076
Institutions and Support	\$ 491,354,290	\$	477,023,025
Probation	\$ <u>104,412,522</u>	\$	<u>100,150,910</u>
Total	\$ <u>672,429,888</u>	\$	<u>651,842,011</u>

B. Budget Unit: Board of Pardons and Paroles	\$	<u>42,231,308</u>
Personal Services.....	\$	32,379,357
Regular Operating Expenses	\$	1,615,677
Travel.....	\$	542,000
Motor Vehicle Purchases	\$	78,000
Equipment.....	\$	191,424
Computer Charges.....	\$	291,200
Real Estate Rentals	\$	2,785,000
Telecommunications	\$	930,000
Per Diem, Fees and Contracts	\$	2,743,650
County Jail Subsidy.....	\$	650,000
Health Services Purchases	\$	<u>25,000</u>
Total Funds Budgeted.....	\$	42,231,308
State Funds Budgeted.....	\$	42,231,308

Section 10. Department of Defense.

Budget Unit: Department of Defense	\$	4,162,871
Personal Services.....	\$	9,035,906
Regular Operating Expenses	\$	6,083,797
Travel.....	\$	29,375
Motor Vehicle Purchases	\$	0
Equipment.....	\$	28,840
Computer Charges.....	\$	11,125
Real Estate Rentals	\$	24,400
Telecommunications	\$	40,825
Per Diem, Fees and Contracts	\$	458,000
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	15,712,268
State Funds Budgeted.....	\$	4,162,871

Departmental Functional Budgets

	Total Funds		State Funds
Office of the Adjutant General	\$ 1,398,374	\$	1,359,225
Georgia Air National Guard	\$ 5,215,262	\$	503,878
Georgia Army National Guard	\$ 9,098,632	\$	2,299,768
Total	\$ 15,712,268	\$	4,162,871

Section 11. State Board of Education

Department of Education.

A. Budget Unit: Department of Education	\$	3,866,805,038
Operations:		
Personal Services.....	\$	31,304,565
Regular Operating Expenses	\$	4,606,393
Travel.....	\$	932,048
Motor Vehicle Purchases	\$	80,914
Equipment.....	\$	287,255
Computer Charges.....	\$	8,141,976
Real Estate Rentals	\$	1,495,506
Telecommunications	\$	1,116,985
Per Diem, Fees and Contracts	\$	18,698,646
Utilities	\$	912,272
Capital Outlay	\$	0
QBE Formula Grants:		
Kindergarten/Grades 1 3.....	\$	892,506,494
Grades 4 8.....	\$	826,337,967
Grades 9 12.....	\$	312,138,845
High School Laboratories	\$	195,395,882
Vocational Education Laboratories.....	\$	110,390,437
Special Education.....	\$	370,993,328
Gifted.....	\$	56,018,006
Remedial Education.....	\$	79,938,450
Staff Development and Professional Development	\$	31,031,019
Media	\$	102,950,643
Indirect Cost	\$	724,330,800
Pupil Transportation.....	\$	136,403,015
Local Fair Share.....	\$	(673,335,756)
Mid-Term Adjustment Reserve	\$	0
Teacher Salary Schedule Adjustment.....	\$	0
Other Categorical Grants:		
Equalization Formula.....	\$	164,772,551
Sparsity Grants.....	\$	3,609,604

In School Suspension.....	\$	24,382,088
Special Instructional Assistance	\$	85,392,400
Middle School Incentive	\$	74,884,571
Special Education Low Incidence Grants.....	\$	563,759
Limited English-Speaking Students Program	\$	13,895,030
Non-QBE Grants:		
Education of Children of		
Low-Income Families.....	\$	143,999,894
Retirement (H.B. 272 and H.B. 1321)	\$	5,408,750
Instructional Services for the Handicapped	\$	54,732,103
Tuition for the Multi-Handicapped	\$	1,308,088
Severely Emotionally Disturbed	\$	42,156,666
School Lunch (Federal).....	\$	188,375,722
School Lunch (State).....	\$	27,661,249
Supervision and Assessment of Students and		
Beginning Teachers and Performance-Based		
Certification.....	\$	1,491,147
Regional Education Service Agencies	\$	9,325,478
Georgia Learning Resources System.....	\$	3,474,586
High School Program	\$	21,568,361
Special Education in State Institutions.....	\$	5,041,480
Governor's Scholarships	\$	1,720,000
Counselors	\$	7,233,500
Vocational Research and Curriculum	\$	293,520
Even Start	\$	2,720,906
Salaries and Travel of Public Librarians	\$	12,477,124
Public Library Materials.....	\$	5,828,704
Talking Book Centers.....	\$	974,478
Public Library M & O.....	\$	4,998,958
Child Care Lunch Program (Federal).....	\$	25,244,070
Chapter II Block Grant Flow Through.....	\$	9,663,513
Payment of Federal Funds to Board of		
Technical and Adult Education.....	\$	14,395,919
Education of Homeless Children/Youth.....	\$	601,772
Innovative Programs.....	\$	1,690,215
Next Generation School Grants.....	\$	500,000
Drug Free School (Federal)	\$	11,625,943
At Risk Summer School Program	\$	5,979,345
Emergency Immigrant Education Program	\$	164,514
Title II Math/Science Grant (Federal).....	\$	5,042,895
Robert C. Byrd Scholarship (Federal).....	\$	273,723
Health Insurance Non-Cert. Personnel		
and Retired Teachers	\$	99,047,892
Pre-School Handicapped Program	\$	12,489,184
Mentor Teachers	\$	1,250,000
Advanced Placement Exams	\$	0
Serve America Program	\$	382,597
Youth Apprenticeship Grants	\$	4,340,000
Remedial Summer School.....	\$	1,875,664
Alternative Programs.....	\$	12,976,442
Environmental Science Grants.....	\$	100,000
Pay for Performance.....	\$	2,000,000
Mentoring Program.....	\$	500,000
Charter Schools	\$	55,000
Technology Specialist.....	\$	14,416,122
Migrant Education.....	\$	266,403
Total Funds Budgeted.....	\$	4,365,847,620

Indirect DOAS Services Funding	\$	340,000
State Funds Budgeted	\$	3,866,805,038

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	Total Funds	State Funds
State Administration	\$ 6,055,893	\$ 5,166,658
Instructional Services	\$ 22,526,660	\$ 17,714,279
Governor's Honors Program	\$ 1,208,128	\$ 1,130,539
Administrative Services	\$ 16,102,273	\$ 11,599,085
Special Services	\$ 5,123,413	\$ 2,185,064
Professional Practices Commission	\$ 1,066,099	\$ 1,066,099
Local Programs	\$ 4,298,621,060	\$ 3,813,555,256
Georgia Academy for the Blind	\$ 5,292,296	\$ 5,038,911
Georgia School for the Deaf	\$ 4,913,947	\$ 4,684,851
Atlanta Area School for the Deaf	\$ <u>4,937,851</u>	\$ <u>4,664,296</u>
Total	\$ 4,365,847,620	\$ 3,866,805,038

B. Budget Unit: Lottery for Education.....	\$	291,393,499
Pre-Kindergarten for 4-year-olds	\$	192,662,155
Applied Technology Labs	\$	4,300,000
Next Generation Schools	\$	0
Alternative Programs.....	\$	1,100,000
Educational Technology Centers.....	\$	0
Distant Learning Satellite Dishes.....	\$	0
Model Technology Schools.....	\$	0
Capital Outlay	\$	64,726,684
Post Secondary Options.....	\$	1,000,000
Learning Logic Sites.....	\$	0
Assistive Technology.....	\$	500,000
Computers in the Classroom.....	\$	<u>27,104,660</u>
Total Funds Budgeted.....	\$	291,393,499
Lottery Funds Budgeted.....	\$	291,393,499

Section 12. Employees' Retirement System.

Budget Unit: Employees' Retirement System	\$	0
Personal Services.....	\$	1,884,668
Regular Operating Expenses	\$	298,500
Travel.....	\$	18,000
Motor Vehicle Purchases	\$	0
Equipment.....	\$	13,220
Computer Charges.....	\$	554,222
Real Estate Rentals	\$	302,000
Telecommunications	\$	38,362
Per Diem, Fees and Contracts	\$	1,281,000
Benefits to Retirees	\$	0
Total Funds Budgeted.....	\$	4,389,972
State Funds Budgeted.....	\$	0

Section 13. Forestry Commission.

Budget Unit: Forestry Commission	\$	34,635,008
Personal Services.....	\$	28,870,075
Regular Operating Expenses	\$	5,781,558
Travel.....	\$	159,937
Motor Vehicle Purchases	\$	921,785
Equipment.....	\$	1,580,419
Computer Charges.....	\$	310,500
Real Estate Rentals	\$	54,764

Telecommunications	\$	928,106
Per Diem, Fees and Contracts	\$	604,307
Ware County Grant	\$	0
Ware County Grant for Southern Forest World	\$	28,500
Ware County Grant for Road Maintenance	\$	60,000
Capital Outlay	\$	241,752
Total Funds Budgeted.....	\$	39,541,703
State Funds Budgeted.....	\$	34,635,008

Departmental Functional Budgets

	Total Funds	State Funds
Reforestation	\$ 1,790,318	\$ 0
Field Services	\$ 33,797,465	\$ 30,849,243
General Administration and Support	\$ 3,953,920	\$ 3,785,765
Total	\$ 39,541,703	\$ 34,635,008

Section 14. Georgia Bureau of Investigation.

Budget Unit: Georgia Bureau of Investigation	\$	45,684,273
Personal Services.....	\$	34,528,786
Regular Operating Expenses	\$	3,978,630
Travel.....	\$	463,187
Motor Vehicle Purchases	\$	476,558
Equipment.....	\$	606,640
Computer Charges.....	\$	700,837
Real Estate Rentals	\$	2,086,425
Telecommunications	\$	1,090,470
Per Diem, Fees and Contracts	\$	1,268,740
Evidence Purchased.....	\$	484,000
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	45,684,273
State Funds Budgeted.....	\$	45,684,273

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 3,753,308	\$ 3,753,308
Investigative	\$ 24,176,752	\$ 24,176,752
Georgia Crime Information Center	\$ 7,783,785	\$ 7,783,785
Forensic Sciences	\$ 9,970,428	\$ 9,970,428
Total	\$ 45,684,273	\$ 45,684,273

Section 15. Office of the Governor.

A. Budget Unit: Office of the Governor.....	\$	30,095,230
Personal Services.....	\$	14,869,285
Regular Operating Expenses	\$	971,694
Travel.....	\$	272,039
Motor Vehicle Purchases	\$	0
Equipment.....	\$	65,776
Computer Charges.....	\$	585,327
Real Estate Rentals	\$	1,005,258
Telecommunications	\$	456,996
Per Diem, Fees and Contracts	\$	4,342,390
Cost of Operations	\$	3,360,858
Mansion Allowance	\$	40,000
Governor's Emergency Fund	\$	3,350,000
Intern Stipends and Travel.....	\$	165,000

Art Grants of State Funds.....	\$	3,850,000
Art Grants of Non-State Funds.....	\$	372,960
Humanities Grant State Funds.....	\$	150,000
Art Acquisitions State Funds.....	\$	\$0
Children and Youth Grants.....	\$	290,975
Juvenile Justice Grants.....	\$	1,187,700
Georgia Crime Victims Assistance Program.....	\$	100,000
Grants to Local Systems.....	\$	684,400
Grants Local EMA.....	\$	1,085,968
Grants Other.....	\$	0
Grants Civil Air Patrol.....	\$	60,000
Total Funds Budgeted.....	\$	37,266,626
State Funds Budgeted.....	\$	30,095,230

Departmental Functional Budgets

	Total Funds	State Funds
Governor's Office	\$ 6,915,858	\$ 6,915,858
Office of Fair Employment		
Practices	\$ 962,187	\$ 804,187
Office of Planning and Budget	\$ 7,761,382	\$ 7,661,382
Council for the Arts	\$ 5,210,787	\$ 4,416,439
Office of Consumer Affairs	\$ 3,111,340	\$ 3,111,340
Georgia Information Technology		
Policy Council	\$ 336,001	\$ 336,001
Criminal Justice Coordinating		
Council	\$ 1,354,727	\$ 415,408
Children and Youth Coordinating		
Council	\$ 1,881,303	\$ 528,303
Human Relations Commission	\$ 307,352	\$ 307,352
Professional Standards Commission	\$ 4,342,409	\$ 4,342,409
Georgia Emergency Management		
Agency	\$ 4,990,614	\$ 1,163,885
Office of State Olympic		
Coordination	\$ 92,666	\$ 92,666
Total	\$ 37,266,626	\$ 30,095,230

Section 16. Department of Human Resources.

A. Budget Unit: Departmental Operations.....	\$	<u>689,988,419</u>
1. General Administration and Support Budget:		
Personal Services.....	\$	50,643,536
Regular Operating Expenses.....	\$	2,159,717
Travel.....	\$	1,332,087
Motor Vehicle Purchases.....	\$	1,647,558
Equipment.....	\$	91,675
Real Estate Rentals.....	\$	4,826,668
Per Diem, Fees and Contracts.....	\$	5,890,526
Computer Charges.....	\$	1,282,446
Telecommunications.....	\$	734,732
Special Purpose Contracts.....	\$	284,000
Service Benefits for Children.....	\$	46,486,389
Purchase of Service Contracts.....	\$	36,266,342
Institutional Repairs and Maintenance.....	\$	73,440
Postage.....	\$	997,780
Payments to DMA-Community Care.....	\$	<u>16,626,037</u>
Total Funds Budgeted.....	\$	169,342,933
Indirect DOAS Services Funding.....	\$	412,600
State Funds Budgeted.....	\$	104,733,447

Departmental Functional Budgets

	Total Funds	State Funds
Commissioner's Office	\$ 5,681,781	\$ 5,681,781
Budget Administration	\$ 2,086,402	\$ 2,086,402
Office of Children and Youth	\$ 46,486,389	\$ 33,335,726
Administrative Support Services	\$ 20,116,698	\$ 18,473,544
Facilities Management	\$ 5,468,694	\$ 4,214,698
Regulatory Services Program		
Direction and Support	\$ 854,526	\$ 844,526
Child Care Licensing	\$ 3,116,180	\$ 3,116,180
Health Care Facilities Regulation	\$ 9,615,430	\$ 3,880,947
Fraud and Abuse	\$ 6,141,002	\$ 2,244,611
Financial Services	\$ 6,043,639	\$ 5,843,639
Auditing Services	\$ 1,796,490	\$ 1,796,490
Personnel Administration	\$ 1,741,224	\$ 1,741,224
Indirect Cost	\$ 0	\$ (8,440,218)
Public Affairs	\$ 471,184	\$ 471,184
Aging Services	\$ 56,384,960	\$ 27,815,793
State Health Planning Agency	\$ 1,655,757	\$ 1,575,757
DD Council	\$ <u>1,682,577</u>	\$ <u>51,163</u>
Total	\$ 169,342,933	\$ 104,733,447

2. Public Health Budget:

Personal Services.....	\$	52,878,607
Regular Operating Expenses	\$	75,544,729
Travel.....	\$	984,162
Motor Vehicle Purchases	\$	0
Equipment.....	\$	501,177
Real Estate Rentals	\$	1,483,527
Per Diem, Fees and Contracts	\$	4,182,623
Computer Charges.....	\$	1,646,431
Telecommunications	\$	1,260,661
Special Purpose Contracts.....	\$	580,732
Purchase of Service Contracts	\$	12,133,236
Grant-In-Aid to Counties.....	\$	120,480,221
Institutional Repairs and Maintenance	\$	34,500
Postage.....	\$	125,529
Medical Benefits.....	\$	<u>4,462,872</u>
Total Funds Budgeted.....	\$	276,299,007
Indirect DOAS Services Funding	\$	549,718
State Funds Budgeted.....	\$	147,340,428

Departmental Functional Budgets

	Total Funds	State Funds
District Health Administration	\$ 12,565,802	\$ 12,436,127
Newborn Follow-Up Care	\$ 1,395,587	\$ 1,216,391
Oral Health	\$ 1,491,037	\$ 1,168,862
Stroke and Heart Attack Prevention	\$ 2,253,243	\$ 1,182,284
Sickle Cell, Vision and Hearing	\$ 4,182,172	\$ 3,767,167
High-Risk Pregnant Women and Infants	\$ 5,269,219	\$ 5,157,219
Sexually Transmitted Diseases	\$ 2,194,741	\$ 304,952
Family Planning	\$ 10,376,510	\$ 5,625,092
Women, Infants and Children Nutrition	\$ 82,711,047	\$ 0

Grant in Aid to Counties	\$	60,078,918	\$	59,144,446
Children's Medical Services	\$	13,134,478	\$	5,812,530
Emergency Health	\$	3,098,157	\$	1,784,975
Primary Health Care	\$	1,876,264	\$	1,732,101
Epidemiology	\$	480,269	\$	330,279
Immunization	\$	982,669	\$	0
Community Tuberculosis Control	\$	6,069,857	\$	4,610,739
Family Health Management	\$	1,114,135	\$	798,834
Infant and Child Health	\$	1,174,334	\$	480,631
Maternal Health Perinatal	\$	2,399,100	\$	903,425
Chronic Disease	\$	462,982	\$	462,982
Diabetes	\$	547,431	\$	547,431
Cancer Control	\$	4,793,293	\$	4,793,293
Director's Office	\$	1,220,417	\$	1,023,192
Injury Control	\$	413,334	\$	212,154
Health Program Management	\$	1,808,996	\$	1,808,996
Vital Records	\$	1,903,326	\$	1,671,850
Health Services Research	\$	2,713,848	\$	2,491,030
Environmental Health	\$	859,768	\$	670,695
Laboratory Services	\$	6,186,709	\$	5,916,709
Community Care	\$	4,171,279	\$	1,570,418
Community Health Management	\$	129,166	\$	129,166
AIDS	\$	9,677,242	\$	5,052,774
Vaccines	\$	9,215,767	\$	745,341
Drug and Clinic Supplies	\$	3,250,000	\$	2,493,380
Adolescent Health	\$	3,212,259	\$	2,088,655
Public Health Planning Councils	\$	170,408	\$	152,911
Early Intervention	\$	12,715,243	\$	10,589,115
Public Health Division Indirect Cost	\$	0	\$	(1,535,718)
Total	\$	276,299,007	\$	147,340,428

3. Rehabilitation Services Budget:

Personal Services.....	\$	76,064,243
Regular Operating Expenses	\$	12,526,958
Travel.....	\$	1,218,988
Motor Vehicle Purchases	\$	83,000
Equipment.....	\$	743,880
Real Estate Rentals	\$	4,816,685
Per Diem, Fees and Contracts	\$	7,939,678
Computer Charges.....	\$	2,457,974
Telecommunications	\$	1,697,134
Case Services.....	\$	25,722,363
E.S.R.P. Case Services.....	\$	0
Special Purpose Contracts.....	\$	705,245
Purchase of Services Contracts.....	\$	11,319,436
Institutional Repairs and Maintenance.....	\$	215,000
Utilities	\$	937,269
Postage.....	\$	817,786
Total Funds Budgeted.....	\$	147,265,639
Indirect DOAS Services Funding	\$	100,000
State Funds Budgeted.....	\$	23,399,163

Departmental Functional Budgets

	Total Funds	State Funds
District Field Services	\$ 49,393,603	\$ 9,726,856

Independent Living	\$	903,650	\$	595,794
Sheltered Employment	\$	1,732,410	\$	786,054
Community Facilities	\$	10,185,560	\$	3,630,710
State Rehabilitation Facilities	\$	6,931,754	\$	1,123,164
Diversified Industries of Georgia	\$	809,166	\$	0
Program Direction and Support	\$	4,381,395	\$	1,353,460
Grants Management	\$	714,540	\$	714,540
Disability Adjudication	\$	35,129,641	\$	0
Georgia Factory for Blind	\$	12,570,382	\$	873,122
Roosevelt Warm Springs Institute	\$	24,513,538	\$	4,595,463
Total	\$	147,265,639	\$	23,399,163

4. Family and Children Services Budget:

Personal Services.....	\$	46,078,561
Regular Operating Expenses	\$	4,742,042
Travel.....	\$	967,632
Motor Vehicle Purchases	\$	0
Equipment.....	\$	400,080
Real Estate Rentals	\$	3,519,841
Per Diem, Fees and Contracts	\$	19,572,831
Computer Charges.....	\$	29,591,929
Telecommunications	\$	9,656,881
Children's Trust Fund.....	\$	2,206,761
Cash Benefits.....	\$	413,423,270
Special Purpose Contracts	\$	5,252,883
Service Benefits for Children	\$	217,877,671
Purchase of Service Contracts	\$	14,834,356
Postage.....	\$	4,425,956
Grants to County DFACS Operations	\$	288,618,632
Total Funds Budgeted.....	\$	1,061,169,326
Indirect DOAS Services Funding	\$	2,565,582
State Funds Budgeted.....	\$	414,515,381

Departmental Functional Budgets

	Total Funds	State Funds
Director's Office	\$ 372,878	\$ 372,878
Social Services	\$ 4,497,943	\$ 3,970,840
Administrative Support	\$ 6,245,323	\$ 5,175,049
Quality Assurance	\$ 3,940,335	\$ 3,940,335
Community Services	\$ 11,492,524	\$ 256,299
Field Management	\$ 895,005	\$ 895,005
Human Resources Management	\$ 3,331,380	\$ 2,439,363
Public Assistance	\$ 30,861,805	\$ 13,181,865
Employment Services	\$ 1,594,437	\$ 1,594,437
Child Support Recovery	\$ 65,589,726	\$ 4,908,816
AFDC Payments	\$ 401,584,150	\$ 154,048,650
SSI Supplemental Benefits	\$ 100	\$ 100
Refugee Programs	\$ 2,799,420	\$ 0
Energy Benefits	\$ 9,893,600	\$ 0
County DFACS Operations		
Eligibility	\$ 109,825,269	\$ 54,946,294
County DFACS Operations		
Social Services	\$ 89,553,161	\$ 32,118,017
Food Stamp Issuance	\$ 3,190,752	\$ 0
County DFACS Operations		
Homemakers Services	\$ 8,210,542	\$ 2,519,399
County DFACS Operations		

Joint and Administration	\$	62,146,743	\$	31,622,626
County DFACS Operations				
Employability Program	\$	18,882,917	\$	7,852,157
Employability Benefits	\$	26,830,224	\$	11,206,449
Legal Services	\$	3,190,503	\$	2,420,990
Family Foster Care	\$	32,960,883	\$	18,405,691
Institutional Foster Care	\$	10,757,999	\$	7,283,205
Specialized Foster Care	\$	5,845,856	\$	4,248,383
Adoption Supplement	\$	12,468,472	\$	9,374,838
Prevention of Foster Care	\$	11,544,785	\$	7,408,642
Day Care	\$	118,285,892	\$	38,486,937
Outreach Contracts	\$	0	\$	0
Special Projects	\$	2,169,941	\$	2,145,709
Children's Trust Fund	\$	2,206,761	\$	2,206,761
Indirect Cost	\$	0	\$	(8,514,354)
Total	\$	1,061,169,326	\$	414,515,381

Budget Unit Object Classes:

Personal Services.....	\$	225,664,947
Regular Operating Expenses	\$	94,973,446
Travel.....	\$	4,502,869
Motor Vehicle Purchases	\$	1,730,558
Equipment.....	\$	1,736,812
Real Estate Rentals	\$	14,646,721
Per Diem, Fees and Contracts	\$	37,585,658
Computer Charges.....	\$	34,978,780
Telecommunications	\$	13,349,408
Case Services.....	\$	25,722,363
Children's Trust Fund.....	\$	2,206,761
Cash Benefits	\$	413,423,270
Special Purpose Contracts.....	\$	6,822,860
Service Benefits for Children.....	\$	264,364,060
Purchase of Service Contracts	\$	74,553,370
Grant-In-Aid to Counties.....	\$	120,480,221
Institutional Repairs and Maintenance	\$	322,940
Utilities	\$	937,269
Postage.....	\$	6,367,051
Payments to DMA-Community Care.....	\$	16,626,037
Grants to County DFACS Operations	\$	288,618,632
Medical Benefits.....	\$	4,462,872

B. Budget Unit: Community Mental Health/Mental

Retardation and Institutions.....	\$	499,513,339
Personal Services.....	\$	350,479,639
Operating Expenses	\$	57,874,598
Motor Vehicle Equipment Purchases	\$	769,533
Utilities	\$	11,595,417
Major Maintenance and Construction	\$	2,127,790
Community Services	\$	273,208,989
Total Funds Budgeted.....	\$	696,055,966
Indirect DOAS Services Funding	\$	2,404,100
State Funds Budgeted.....	\$	499,513,339

Departmental Functional Budgets

	Total Funds	State Funds
Southwestern State Hospital	\$ 40,071,049	\$ 25,507,983
Brook Run	\$ 30,941,065	\$ 14,102,951

Georgia Mental Health Institute	\$	23,785,788	\$	21,867,986
Georgia Regional Hospital at Augusta	\$	21,981,561	\$	20,094,669
Northwest Regional Hospital at Rome	\$	28,149,435	\$	21,277,336
Georgia Regional Hospital at Atlanta	\$	29,269,805	\$	24,714,814
Central State Hospital	\$	132,172,164	\$	85,671,192
Georgia Regional Hospital at Savannah	\$	20,061,092	\$	18,379,771
Gracewood State School and Hospital	\$	52,425,379	\$	23,101,843
West Central Regional Hospital	\$	19,917,934	\$	17,131,695
Outdoor Therapeutic Programs	\$	3,903,863	\$	2,994,928
Metro Drug Abuse Centers	\$	1,679,256	\$	1,483,756
Community Mental Health Services	\$	120,578,614	\$	114,358,874
Community Mental Retardation Services	\$	103,197,311	\$	66,881,980
Community Substance Abuse Services	\$	53,150,881	\$	30,625,041
State Administration	\$	10,271,977	\$	6,967,376
Regional Administration	\$	<u>4,498,792</u>	\$	<u>4,351,144</u>
Total	\$	696,055,966	\$	499,513,339

Section 17. Department of Industry, Trade and Tourism.

Budget Unit: Department of Industry, Trade and

Tourism	\$	20,508,966
Personal Services.....	\$	9,439,963
Regular Operating Expenses	\$	1,624,219
Travel.....	\$	341,250
Motor Vehicle Purchases	\$	31,100
Equipment.....	\$	97,975
Computer Charges.....	\$	137,136
Real Estate Rentals	\$	995,441
Telecommunications	\$	320,058
Per Diem, Fees and Contracts	\$	1,110,960
Local Welcome Center Contracts	\$	191,600
Marketing.....	\$	5,800,264
Georgia Ports Authority Lease Rentals.....	\$	625,000
Foreign Currency Reserve.....	\$	0
Waterway Development in Georgia.....	\$	50,000
Lanier Regional Watershed Commission.....	\$	0
Total Funds Budgeted.....	\$	20,764,966
State Funds Budgeted.....	\$	20,508,966

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 9,369,814	\$ 9,369,814
Economic Development	\$ 4,451,110	\$ 4,351,110
Trade	\$ 1,629,266	\$ 1,629,266
Tourism	\$ <u>5,314,776</u>	\$ <u>5,158,776</u>
Total	\$ 20,764,966	\$ 20,508,966

Section 18. Department of Insurance.

Budget Unit: Department of Insurance	\$	14,828,487
Personal Services.....	\$	13,217,304

Regular Operating Expenses	\$	723,314
Travel.....	\$	379,754
Motor Vehicle Purchases	\$	86,733
Equipment.....	\$	59,129
Computer Charges.....	\$	448,235
Real Estate Rentals	\$	804,047
Telecommunications	\$	275,334
Per Diem, Fees and Contracts	\$	141,292
Health Care Utilization Review.....	\$	0
Total Funds Budgeted.....	\$	16,135,142
State Funds Budgeted.....	\$	14,828,487

Departmental Functional Budgets

	Total Funds		State Funds
Internal Administration	\$ 4,350,673	\$	4,350,673
Insurance Regulation	\$ 6,464,573	\$	6,464,573
Industrial Loans Regulation	\$ 506,468	\$	506,468
Fire Safety and Mobile Home Regulations	\$ 4,813,428	\$	3,506,773
Total	\$ 16,135,142	\$	14,828,487

Section 19. Department of Labor.

Budget Unit: Department of Labor.....	\$	9,613,599
Personal Services.....	\$	70,211,162
Regular Operating Expenses	\$	7,424,929
Travel.....	\$	1,346,137
Motor Vehicle Purchases	\$	0
Equipment.....	\$	844,965
Computer Charges.....	\$	7,151,101
Real Estate Rentals	\$	1,960,798
Telecommunications	\$	1,419,406
Per Diem, Fees and Contracts (JTPA).....	\$	60,500,000
Per Diem, Fees and Contracts	\$	3,161,030
W.I.N. Grants	\$	0
Payments to State Treasury.....	\$	1,774,079
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	155,793,607
State Funds Budgeted.....	\$	9,613,599

Departmental Functional Budgets

	Total Funds		State Funds
Executive Offices/Administrative Services	\$ 29,280,013	\$	7,768,177
Employment and Training Services	\$ 126,513,594	\$	1,845,422
Total	\$ 155,793,607	\$	9,613,599

Section 20. Department of Law.

Budget Unit: Department of Law.....	\$	12,192,981
Personal Services.....	\$	10,893,035
Regular Operating Expenses	\$	638,449
Travel.....	\$	129,322
Motor Vehicle Purchases	\$	0
Equipment.....	\$	31,350
Computer Charges.....	\$	360,793
Real Estate Rentals	\$	698,548
Telecommunications	\$	140,424

Per Diem, Fees and Contracts	\$	60,000
Books for State Library	\$	<u>147,000</u>
Total Funds Budgeted.....	\$	13,098,921
State Funds Budgeted.....	\$	<u>12,192,981</u>

Section 21. Department of Medical Assistance.

Budget Unit: Medicaid Services.....	\$	<u>1,157,941,073</u>
Personal Services.....	\$	15,150,452
Regular Operating Expenses	\$	5,994,250
Travel.....	\$	188,400
Motor Vehicle Purchases	\$	0
Equipment.....	\$	39,500
Computer Charges.....	\$	24,169,000
Real Estate Rentals	\$	765,380
Telecommunications	\$	425,000
Per Diem, Fees and Contracts	\$	100,620,859
Medicaid Benefits, Penalties and Disallowances	\$	3,193,039,747
Audit Contracts.....	\$	<u>772,500</u>
Total Funds Budgeted.....	\$	3,341,165,088
State Funds Budgeted.....	\$	<u>1,157,941,073</u>

Departmental Functional Budgets

	Total Funds	State Funds
Commissioner's Office	\$ 1,605,888	\$ 802,944
Benefits, Penalties and Disallowances	\$ 3,193,039,747	\$ 1,114,223,213
Long Term Care	\$ 1,591,534	\$ 667,166
Systems Management	\$ 31,649,420	\$ 10,181,461
Professional Services	\$ 2,438,202	\$ 1,040,147
Maternal and Child Health	\$ 1,286,094	\$ 522,062
Reimbursement Services	\$ 8,759,918	\$ 3,649,708
General Administration	\$ 91,335,047	\$ 22,168,899
Managed Care	\$ 4,013,248	\$ 1,962,478
Legal and Regulatory	\$ <u>5,445,990</u>	\$ <u>2,722,995</u>
Total	\$ 3,341,165,088	\$ 1,157,941,073

B. Budget Unit: Indigent Trust Fund.....	\$	<u>148,828,880</u>
Per Diem, Fees and Contracts	\$	8,200,000
Benefits.....	\$	<u>376,800,000</u>
Total Funds Budgeted.....	\$	385,000,000
State Funds Budgeted.....	\$	<u>148,828,880</u>

Section 22. Merit System of Personnel Administration.

Budget Unit: Merit System of Personnel Administration	\$	0
Personal Services.....	\$	8,537,134
Regular Operating Expenses	\$	1,815,695
Travel.....	\$	93,500
Equipment.....	\$	27,787
Real Estate Rents	\$	863,078
Per Diem, Fees and Contracts	\$	172,478,321
Computer Charges.....	\$	3,404,105
Telecommunications	\$	450,146
Health Insurance Payments	\$	<u>911,827,186</u>
Total Funds Budgeted.....	\$	<u>1,099,496,952</u>

Other Agency Funds.....	\$	147,595
Agency Assessments.....	\$	11,742,552
Employee and Employer Contributions.....	\$	1,087,388,984
Deferred Compensation.....	\$	217,821
State Funds Budgeted.....	\$	0

Departmental Functional Budgets

	Total Funds		State Funds
Commissioner's Office	\$ 2,813,947	\$	0
Applicant Services	\$ 2,590,227	\$	0
Classification and Compensation	\$ 1,572,061	\$	0
Flexible Benefits	\$ 1,233,020	\$	0
Employee Training and Development	\$ 1,231,065	\$	0
Health Insurance Administration	\$ 1,086,417,792	\$	0
Accounting and Audits	\$ 1,057,382	\$	0
Administration and Systems	2,581,458		0
Total	\$ 1,099,496,952	\$	0

Section 23. Department of Natural Resources.

A. Budget Unit: Department of Natural Resources.....	\$	95,657,162
Personal Services.....	\$	72,884,004
Regular Operating Expenses.....	\$	15,048,803
Travel.....	\$	543,147
Motor Vehicle Purchases.....	\$	2,087,217
Equipment.....	\$	2,455,943
Real Estate Rentals.....	\$	2,317,656
Per Diem, Fees and Contracts.....	\$	3,306,651
Computer Charges.....	\$	886,332
Telecommunications.....	\$	1,293,265
Authority Lease Rentals.....	\$	20,915
Advertising and Promotion.....	\$	575,000
Cost of Material for Resale.....	\$	2,878,663
Capital Outlay:		
New Construction.....	\$	703,810
Repairs and Maintenance.....	\$	2,882,140
Land Acquisition Support.....	\$	213,750
Wildlife Management Area Land Acquisition.....	\$	740,674
Shop Stock Parks.....	\$	350,000
User Fee Enhancements.....	\$	1,300,000
Buoy Maintenance.....	\$	26,250
Waterfowl Habitat.....	\$	0
Paving at State Parks and Historic Sites.....	\$	500,000
Grants:		
Land and Water Conservation.....	\$	800,000
Georgia Heritage 2000 Grants.....	\$	256,500
Recreation.....	\$	800,000
Contracts:		
Paralympic Games.....	\$	895,000
Technical Assistance Contract.....	\$	101,213
Corps of Engineers (Cold Water Creek State Park).....	\$	170,047
Georgia State Games Commission.....	\$	200,000
U. S. Geological Survey for Ground Water Resources.....	\$	300,000
U.S. Geological Survey for Topographic Mapping.....	\$	0

Payments to Civil War Commission	\$	31,000
Hazardous Waste Trust Fund.....	\$	13,180,472
Solid Waste Trust Fund	\$	6,792,756
Payments to Georgia Agricultural Exposition Authority	\$	2,281,543
Payments to McIntosh County.....	\$	100,000
Georgia Boxing Commission.....	\$	<u>6,650</u>
Total Funds Budgeted.....	\$	136,929,401
Receipts from Jekyll Island State Park Authority	\$	888,943
Receipts from Stone Mountain Memorial Association.....	\$	3,811,965
Receipts from Lake Lanier Islands Development Authority	\$	2,663,931
Receipts from North Georgia Mountain Authority	\$	1,424,501
Indirect DOAS Funding.....	\$	200,000
State Funds Budgeted.....	\$	95,657,162

Departmental Functional Budgets

	Total Funds	State Funds
Internal Administration	\$ 4,538,226	\$ 4,538,226
Program Support	\$ 2,660,989	\$ 2,660,989
Historic Preservation	\$ 2,226,360	\$ 1,736,360
Parks, Recreation and Historic Sites	\$ 42,157,730	\$ 16,204,813
Coastal Resources	\$ 2,305,762	\$ 2,181,044
Wildlife Resources	\$ 35,098,830	\$ 30,179,409
Environmental Protection	\$ 46,852,353	\$ 37,067,170
Pollution Prevention Program	\$ <u>1,089,151</u>	\$ <u>1,089,151</u>
Total	\$ 136,929,401	\$ 95,657,162

B. Budget Unit: Georgia Agricultural Exposition

Authority	\$	0
Personal Services.....	\$	2,281,819
Regular Operating Expenses	\$	1,774,578
Travel.....	\$	21,059
Motor Vehicle Purchases	\$	12,000
Equipment.....	\$	85,000
Computer Charges.....	\$	15,000
Real Estate Rentals	\$	0
Telecommunications	\$	38,000
Per Diem, Fees and Contracts	\$	645,000
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	4,872,456
State Funds Budgeted.....	\$	0

Departmental Functional Budgets

	Total Funds	State Funds
Georgia Agricultural Exposition Authority	\$ 4,872,456	\$ 0

Section 24. Department of Public Safety.

A. Budget Unit: Department of Public Safety	\$	<u>99,253,236</u>
1. Operations Budget:		

Personal Services.....	\$	59,724,373
Regular Operating Expenses	\$	7,676,813
Travel.....	\$	104,095
Motor Vehicle Purchases	\$	3,750,000
Equipment.....	\$	749,554
Computer Charges.....	\$	3,701,067
Real Estate Rentals	\$	28,962
Telecommunications	\$	1,680,294
Per Diem, Fees and Contracts	\$	1,285,050
State Patrol Posts Repairs and Maintenance.....	\$	145,100
Capital Outlay	\$	0
Conviction Reports	\$	303,651
Total Funds Budgeted.....	\$	79,148,959
Indirect DOAS Service Funding	\$	1,650,000
State Funds Budgeted.....	\$	77,498,959

2. Driver Services Budget:

Personal Services.....	\$	17,661,815
Regular Operating Expenses	\$	1,232,457
Travel.....	\$	57,181
Motor Vehicle Purchases	\$	52,500
Equipment.....	\$	69,800
Computer Charges.....	\$	0
Real Estate Rentals	\$	47,262
Telecommunications	\$	633,853
Per Diem, Fees and Contracts	\$	41,500
Capital Outlay	\$	0
Conviction Reports	\$	0
State Patrol Posts Repairs and Maintenance.....	\$	34,900
Driver License Processing.....	\$	1,923,009
Total Funds Budgeted.....	\$	21,754,277
Indirect DOAS Service Funding	\$	0
State Funds Budgeted.....	\$	21,754,277

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 22,245,348	\$ 20,745,348
Driver Services	\$ 21,754,277	\$ 21,754,277
Field Operations	\$ <u>56,903,611</u>	\$ <u>56,753,611</u>
Total	\$ 100,903,236	\$ 99,253,236

B. Budget Unit: Units Attached for Administrative

Purposes Only	\$	<u>14,028,921</u>
Attached Units Budget:		
Personal Services.....	\$	7,589,155
Regular Operating Expenses	\$	2,535,831
Travel.....	\$	101,300
Motor Vehicle Purchases	\$	29,443
Equipment.....	\$	204,322
Computer Charges.....	\$	163,762
Real Estate Rentals	\$	166,997
Telecommunications	\$	166,746
Per Diem, Fees and Contracts	\$	565,522
Highway Safety Grants	\$	2,425,200
Peace Officers Training Grants	\$	3,955,160
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	17,903,438

State Funds Budgeted.....\$ 14,028,921

Departmental Functional Budgets

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	Total Funds	State Funds
Office of Highway Safety	\$ 3,034,130	\$ 309,613
Georgia Peace Officers Standards and Training	\$ 5,354,735	\$ 5,354,735
Police Academy	\$ 1,142,095	\$ 1,052,095
Fire Academy	\$ 1,163,571	\$ 1,053,571
Georgia Firefighters Standards and Training Council	\$ 457,157	\$ 457,157
Georgia Public Safety Training Facility	\$ <u>6,751,750</u>	\$ <u>5,801,750</u>
Total	\$ 17,903,438	\$ 14,028,921

**Section 25. Public School Employees'
Retirement System.**

Budget Unit: Public School Employees' Retirement System	\$	<u>14,212,500</u>
Payments to Employees' Retirement System.....	\$	575,000
Employer Contributions.....	\$	<u>13,637,500</u>
Total Funds Budgeted.....	\$	<u>14,212,500</u>
State Funds Budgeted.....	\$	14,212,500

Section 26. Public Service Commission.

Budget Unit: Public Service Commission.....	\$	<u>8,324,719</u>
Personal Services.....	\$	7,006,368
Regular Operating Expenses	\$	586,616
Travel.....	\$	225,530
Motor Vehicle Purchases	\$	18,000
Equipment.....	\$	24,970
Computer Charges.....	\$	443,424
Real Estate Rentals	\$	311,408
Telecommunications	\$	149,589
Per Diem, Fees and Contracts	\$	<u>1,565,273</u>
Total Funds Budgeted.....	\$	<u>10,331,178</u>
State Funds Budgeted.....	\$	8,324,719

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 1,867,053	\$ 1,867,053
Transportation	\$ 3,485,713	\$ 1,683,068
Utilities	\$ <u>4,978,412</u>	\$ <u>4,774,598</u>
Total	\$ 10,331,178	\$ 8,324,719

**Section 27. Board of Regents, University
System of Georgia.**

A. Budget Unit: Resident Instruction.....	\$	<u>1,104,587,202</u>
Personal Services:		
Educ., Gen., and Dept. Svcs.....	\$	1,179,837,587
Sponsored Operations.....	\$	204,000,000
Operating Expenses:		
Educ., Gen., and Dept. Svcs.....	\$	295,588,162
Sponsored Operations.....	\$	146,000,000
Special Funding Initiative	\$	20,626,744
Office of Minority Business Enterprise.....	\$	1,234,059

Student Education Enrichment Program.....	\$	346,142
Forestry Research.....	\$	362,508
Research Consortium.....	\$	6,085,000
Capital Outlay.....	\$	0
Total Funds Budgeted.....	\$	1,854,080,202
Departmental Income.....	\$	42,000,000
Sponsored Income.....	\$	350,000,000
Other Funds.....	\$	354,465,700
Indirect DOAS Services Funding.....	\$	3,027,300
State Funds Budgeted.....	\$	1,104,587,202
 B. Budget Unit: Regents Central Office and Other		
Organized Activities.....	\$	168,562,273
Personal Services:		
Educ., Gen., and Dept. Svcs.....	\$	259,868,978
Sponsored Operations.....	\$	69,874,000
Operating Expenses:		
Educ., Gen., and Dept. Svcs.....	\$	127,649,177
Sponsored Operations.....	\$	38,184,000
Fire Ant and Environmental Toxicology		
Research.....	\$	0
Agricultural Research.....	\$	2,242,071
Advanced Technology Development Center.....	\$	1,974,013
Capitation Contracts for Family		
Practice Residency.....	\$	3,864,204
Residency Capitation Grants.....	\$	2,119,378
Student Preceptorships.....	\$	146,400
Mercer Medical School Grant.....	\$	7,000,000
Morehouse School of Medicine Grant.....	\$	5,868,890
Capital Outlay.....	\$	0
Center for Rehabilitation Technology.....	\$	2,467,141
SREB Payments.....	\$	4,426,900
Medical Scholarships.....	\$	1,277,852
Regents Opportunity Grants.....	\$	600,000
Regents Scholarships.....	\$	200,000
Rental Payments to Georgia		
Military College.....	\$	1,122,866
CRT Inc. Contract at		
Georgia Tech Research Institute.....	\$	208,403
Direct Payments to the Georgia Public		
Telecommunications Commission		
for Operations.....	\$	14,688,958
Total Funds Budgeted.....	\$	543,783,231
Departmental Income.....	\$	0
Sponsored Income.....	\$	109,767,000
Other Funds.....	\$	264,898,258
Indirect DOAS Services Funding.....	\$	555,700
State Funds Budgeted.....	\$	168,562,273

**Regents Central Office and Other
Organized Activities**

	Total Funds	State Funds
Marine Resources Extension Center	\$ 1,921,765	\$ 1,303,965
Skidaway Institute of Oceanography	\$ 3,846,849	\$ 1,455,120
Marine Institute	\$ 1,339,544	\$ 939,544
Georgia Tech Research Institute	\$ 116,422,925	\$ 12,963,433
Education Extension Services	\$ 10,695,620	\$ 2,510,528

Agricultural Experiment Station	\$	56,796,905	\$	36,208,252
Cooperative Extension Service	\$	47,424,811	\$	29,612,494
Medical College of Georgia Hospital and Clinics	\$	245,361,694	\$	31,851,680
Veterinary Medicine Experiment Station	\$	2,721,098	\$	2,721,098
Veterinary Medicine Teaching Hospital	\$	2,746,641	\$	512,595
Joint Board of Family Practice	\$	24,215,884	\$	24,215,884
Georgia Radiation Therapy Center	\$	2,920,000	\$	0
Athens and Tifton Veterinary Laboratories	\$	3,000,000	\$	0
Regents Central Office	\$	24,369,495	\$	24,267,680
Total	\$	543,783,231	\$	168,562,273

C. Budget Unit: Georgia Public

Telecommunications Commission	\$	0
Personal Services.....	\$	9,114,428
Operating Expenses	\$	14,325,274
Total Funds Budgeted.....	\$	23,439,702
Other Funds.....	\$	23,439,702
State Funds Budgeted.....	\$	0

D. Budget Unit: Lottery for Education

Equipment, Technology and Construction Trust Fund	\$	16,400,000
Chehaw Education Center	\$	2,000,000
Georgia Public Telecommunications Commission	\$	1,500,000
Georgia Research Alliance	\$	4,338,764
Special Funding Initiatives.....	\$	11,600,000
Fernbank Museum	\$	6,000,000
Total Funds Budgeted.....	\$	41,838,764
Lottery Funds Budgeted.....	\$	41,838,764

Section 28. Department of Revenue.

Budget Unit: Department of Revenue	\$	90,284,689
Personal Services.....	\$	56,382,480
Regular Operating Expenses	\$	5,399,457
Travel.....	\$	1,366,540
Motor Vehicle Purchases	\$	251,386
Equipment.....	\$	421,189
Computer Charges.....	\$	14,870,790
Real Estate Rentals	\$	2,855,447
Telecommunications	\$	3,267,510
Per Diem, Fees and Contracts	\$	1,106,300
County Tax Officials/Retirement and FICA	\$	3,422,795
Grants to Counties/Appraisal Staff.....	\$	0
Motor Vehicle Tags and Decals.....	\$	2,404,350
Postage.....	\$	3,721,810
Total Funds Budgeted.....	\$	95,470,054
Indirect DOAS Services Funding	\$	3,845,000
State Funds Budgeted.....	\$	90,284,689

Departmental Functional Budgets

	Total Funds	State Funds
Departmental Administration	\$ 6,927,600	\$ 6,927,600
Internal Administration	\$ 10,859,824	\$ 10,709,824
Electronic Data Processing	\$ 12,485,029	\$ 11,469,829

Field Services	\$	18,432,078	\$	18,132,078
Income Tax Unit	\$	7,939,713	\$	7,299,713
Motor Vehicle Unit	\$	17,559,122	\$	16,259,122
Central Audit Unit	\$	7,705,474	\$	7,705,474
Property Tax Unit	\$	5,000,418	\$	3,460,053
Sales Tax Unit	\$	4,103,550	\$	3,863,750
State Board of Equalization	\$	43,700	\$	43,700
Taxpayer Accounting	\$	<u>4,413,546</u>	\$	<u>4,413,546</u>
Total	\$	95,470,054	\$	90,284,689

Section 29. Secretary of State.

A. Budget Unit: Secretary of State.....	\$		\$	<u>28,027,177</u>
Personal Services.....	\$		\$	17,470,695
Regular Operating Expenses	\$		\$	3,366,671
Travel.....	\$		\$	242,000
Motor Vehicle Purchases	\$		\$	87,050
Equipment.....	\$		\$	119,190
Computer Charges.....	\$		\$	2,621,110
Real Estate Rentals	\$		\$	2,462,246
Telecommunications	\$		\$	939,859
Per Diem, Fees and Contracts	\$		\$	1,278,356
Election Expenses	\$		\$	485,000
Total Funds Budgeted.....	\$		\$	29,072,177
State Funds Budgeted.....	\$		\$	28,027,177

Departmental Functional Budgets

	Total Funds	State Funds
Internal Administration	\$ 3,783,446	\$ 3,753,446
Archives and Records	\$ 4,574,728	\$ 4,499,728
Business Services and Regulation	\$ 4,652,752	\$ 3,882,752
Elections and Campaign Disclosure	\$ 4,302,279	\$ 4,282,279
Drugs and Narcotics	\$ 1,098,820	\$ 1,098,820
State Ethics Commission	\$ 374,189	\$ 374,189
State Examining Boards	\$ 10,191,318	\$ 10,041,318
Holocaust Commission	\$ <u>94,645</u>	\$ <u>94,645</u>
Total	\$ 29,072,177	\$ 28,027,177

B. Budget Unit: Real Estate Commission	\$		\$	<u>2,149,663</u>
Personal Services.....	\$		\$	1,266,704
Regular Operating Expenses	\$		\$	157,100
Travel.....	\$		\$	15,000
Motor Vehicle Purchases	\$		\$	23,000
Equipment.....	\$		\$	10,631
Computer Charges.....	\$		\$	335,622
Real Estate Rentals	\$		\$	165,300
Telecommunications	\$		\$	41,556
Per Diem, Fees and Contracts	\$		\$	134,750
Total Funds Budgeted.....	\$		\$	2,149,663
State Funds Budgeted.....	\$		\$	2,149,663

Departmental Functional Budgets

	State Funds	Cost of Operations
Real Estate Commission	\$ 2,149,663	\$ 2,189,663

Section 30. Soil and Water Conservation Commission.

Budget Unit: Soil and Water Conservation	
Commission.....	\$ 2,090,118
Personal Services.....	\$ 1,118,045
Regular Operating Expenses	\$ 209,454
Travel.....	\$ 43,268
Motor Vehicle Purchases	\$ 25,322
Equipment.....	\$ 10,970
Computer Charges.....	\$ 12,045
Real Estate Rentals	\$ 91,563
Telecommunications	\$ 20,773
Per Diem, Fees and Contracts	\$ 797,015
County Conservation Grants	\$ 297,000
Total Funds Budgeted.....	\$ 2,625,455
State Funds Budgeted.....	\$ 2,090,118

Section 31. Student Finance Commission.

A. Budget Unit: Student Finance Commission.....	\$ 32,718,917
Personal Services.....	\$ 4,851,895
Regular Operating Expenses	\$ 597,250
Travel.....	\$ 81,800
Motor Vehicle Purchases	\$ 0
Equipment.....	\$ 16,500
Computer Charges.....	\$ 219,180
Real Estate Rentals	\$ 45,600
Telecommunications	\$ 234,275
Per Diem, Fees and Contracts	\$ 42,757
Payment of Interest and Fees.....	\$ 0
Guaranteed Educational Loans.....	\$ 4,076,000
Tuition Equalization Grants	\$ 25,452,487
Student Incentive Grants.....	\$ 2,216,321
Law Enforcement Personnel Dependents' Grants	\$ 64,000
North Georgia College ROTC Grants.....	\$ 321,875
Osteopathic Medical Loans	\$ 100,000
Georgia Military Scholarship Grants	\$ 730,000
Paul Douglas Teacher Scholarship Loans.....	\$ 0
Total Funds Budgeted.....	\$ 39,049,940
State Funds Budgeted.....	\$ 32,718,917

Departmental Functional Budgets

	Total Funds	State Funds
Internal Administration	\$ 5,547,664	\$ 0
Higher Education Assistance Corporation	\$ 0	\$ 0
Georgia Student Finance Authority	\$ 32,960,683	\$ 32,177,324
Georgia Nonpublic Postsecondary Education Commission	\$ 541,593	\$ 541,593
Total	\$ 39,049,940	\$ 32,718,917

B. Budget Unit: Lottery for Education.....	\$ 159,413,161
HOPE Financial Aid Tuition	\$ 79,274,984
HOPE Financial Aid Books.....	\$ 21,277,807
HOPE Financial Aid Fees.....	\$ 14,498,583
Tuition Equalization Grants	\$ 34,620,387
Georgia Military College Scholarship	\$ 567,000
LEPD Scholarship	\$ 235,600
Teacher Scholarships.....	\$ 10,000,000
Promise Scholarships.....	\$ 3,000,000

Total Funds Budgeted.....	\$	159,413,161
Lottery Funds Budgeted.....	\$	159,413,161

Section 32: Teachers' Retirement System.

Budget Unit: Teachers' Retirement System	\$	<u>4,130,000</u>
Personal Services.....	\$	4,358,505
Regular Operating Expenses	\$	423,500
Travel.....	\$	20,500
Motor Vehicle Purchases	\$	0
Equipment.....	\$	8,150
Computer Charges.....	\$	877,791
Real Estate Rentals	\$	469,750
Telecommunications	\$	146,000
Per Diem, Fees and Contracts	\$	371,000
Retirement System Members.....	\$	3,750,000
Floor Fund for Local Retirement Systems	\$	<u>380,000</u>
Total Funds Budgeted.....	\$	10,805,196
State Funds Budgeted.....	\$	4,130,000

Section 33. Department of Technical and Adult Education.

A. Budget Unit: Department of Technical and Adult Education.....	\$	<u>173,253,913</u>
Personal Services.....	\$	4,160,025
Regular Operating Expenses	\$	409,948
Travel.....	\$	142,500
Motor Vehicle Purchases	\$	0
Equipment.....	\$	33,544
Computer Charges.....	\$	740,554
Real Estate Rentals	\$	379,524
Telecommunications	\$	107,099
Per Diem, Fees and Contracts	\$	692,530
Personal Services-Institutions.....	\$	134,601,513
Operating Expenses-Institutions.....	\$	35,257,952
Capital Outlay	\$	0
Quick Start Program	\$	8,124,563
Area School Program.....	\$	19,948,909
Regents Program	\$	2,883,554
Adult Literacy Grants	\$	<u>18,600,476</u>
Total Funds Budgeted.....	\$	226,082,691
State Funds Budgeted.....	\$	173,253,913

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 6,665,724	\$ 4,595,738
Institutional Programs	\$ <u>219,416,967</u>	\$ <u>168,658,175</u>
Total	\$ 226,082,691	\$ 173,253,913

B. Budget Unit: Lottery for Education.....	\$	<u>53,553,349</u>
Computer Laboratories and Satellite		
Dishes-Adult Literacy.....	\$	1,000,000
Capital Outlay Technical		
Institute Satellite Facilities	\$	25,903,349
Equipment-Technical Institutes	\$	21,355,000
Repairs and Renovations		
Technical Institutes	\$	<u>5,295,000</u>
Total Funds Budgeted.....	\$	53,553,349

Lottery Funds Budgeted.....\$ 53,553,349

Section 34. Department of Transportation.

Budget Unit: Department of Transportation.....\$	542,692,310
Personal Services.....\$	254,019,293
Regular Operating Expenses.....\$	57,020,469
Travel.....\$	1,970,840
Motor Vehicle Purchases.....\$	2,000,000
Equipment.....\$	6,377,626
Computer Charges.....\$	3,929,287
Real Estate Rentals.....\$	1,337,073
Telecommunications.....\$	2,743,320
Per Diem, Fees and Contracts.....\$	41,559,264
Capital Outlay.....\$	780,007,661
Capital Outlay Airport Approach Aid and Operational Improvements.....\$	1,024,100
Capital Outlay Airport Development.....\$	1,267,500
Mass Transit Grants.....\$	9,933,053
Harbor Maintenance/Intra-Coastal Waterways Maintenance and Operations.....\$	700,000
Contracts with the Georgia Rail Passenger Authority.....\$	250,000
Total Funds Budgeted.....\$	1,164,139,486
State Funds Budgeted.....\$	542,692,310

Departmental Functional Budgets

Motor Fuel Tax Budget	Total Funds	State Funds
Planning and Construction	\$ 866,381,838	\$ 267,321,604
Maintenance and Betterments	\$ 241,935,601	\$ 230,011,616
Facilities and Equipment	\$ 14,076,201	\$ 13,516,201
Administration	\$ 24,775,579	\$ 24,150,579
Total	\$ 1,147,169,219	\$ 535,000,000

General Funds Budget

Planning and Construction	\$ 0	\$ 0
Air Transportation	\$ 1,986,014	\$ 1,599,014
Inter-Modal Transfer Facilities	\$ 14,284,253	\$ 5,393,296
Harbor/Intra-Coastal Waterways Activities	\$ 700,000	\$ 700,000
Total	\$ 16,970,267	\$ 7,692,310

Section 35. Department of Veterans Service.

Budget Unit: Department of Veterans Service.....\$	21,072,915
Personal Services.....\$	4,949,529
Regular Operating Expenses.....\$	147,282
Travel.....\$	80,629
Motor Vehicle Purchases.....\$	0
Equipment.....\$	114,855
Computer Charges.....\$	10,881
Real Estate Rentals.....\$	248,700
Telecommunications.....\$	62,200
Per Diem, Fees and Contracts.....\$	7,078,093
Operating Expense/Payments to Central State Hospital.....\$	8,187,345
Operating Expense/Payments to Medical College of Georgia.....\$	7,251,022
Regular Operating Expenses for Projects and	

Insurance	\$	<u>649,947</u>
Total Funds Budgeted.....	\$	28,780,483
State Funds Budgeted.....	\$	21,072,915

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Departmental Functional Budgets

	Total Funds		State Funds
Veterans Assistance	\$ 12,597,669	\$	12,326,169
Veterans Home and Nursing Facility Milledgeville	\$ 8,528,945	\$	3,429,071
Veterans Nursing Home-Augusta	\$ <u>7,653,869</u>	\$	<u>5,317,675</u>
Total	\$ 28,780,483	\$	21,072,915

Section 36. Workers' Compensation Board.

Budget Unit: Workers' Compensation Board	\$	<u>10,452,009</u>
Personal Services.....	\$	8,415,916
Regular Operating Expenses	\$	372,074
Travel.....	\$	76,840
Motor Vehicle Purchases	\$	0
Equipment.....	\$	17,252
Computer Charges.....	\$	247,479
Real Estate Rentals	\$	1,079,835
Telecommunications	\$	207,613
Per Diem, Fees and Contracts	\$	225,000
Payments to State Treasury.....	\$	0
Total Funds Budgeted.....	\$	<u>10,642,009</u>
State Funds Budgeted.....	\$	10,452,009

**Section 37. State of Georgia General
Obligation Debt Sinking Fund.**

A. Budget Unit: State of Georgia General Obligation Debt Sinking Fund			
State General Funds (Issued).....	\$	373,061,561	
Motor Fuel Tax Funds (Issued)	\$	<u>35,000,000</u>	
	\$	408,061,561	
B. Budget Unit: State of Georgia General Obligation Debt Sinking Fund			
State General Funds (New).....	\$	5,072,815	
Motor Fuel Tax Funds (New).....	\$	0	
	\$	5,072,815	

Section 38. Provisions Relative to Section 3, Judicial Branch. The appropriations in Section 3 (Judicial) of this Act are for the cost of operating the Supreme Court of the State of Georgia, including salaries and retirement contributions for Justices and the employees of the Court, including the cost of purchasing and distributing the reports (decisions) of the appellate courts to the Judges, District Attorneys, Clerks, and others as required by Code Section 50-18-31, and including Georgia's pro rata share for the operation of the National Center for State Courts; cost of operating the Court of Appeals of the State of Georgia, including salaries and retirement contributions for judges and employees of the Court; cost of operating the Superior Courts of the State of Georgia, including the payment of Judges' salaries, the payment of mileage authorized by law and such other salaries and expenses as may be authorized by law; for the payment of salaries, mileage and other expenses as may be authorized by law for District Attorneys, Assistant District Attorneys and District Attorneys Emeritus; for the cost of staffing and operating the Prosecuting Attorneys' Council created by Code Section 15-18-40, the Sentence Review Panel created by Code Section 17-10-6, the Council of Superior Court Judges, and the Judicial Administrative Districts created by Code Section 15-5-2, for the latter of which funds shall be allocated to the ten administrative districts by the Chairman of the Judicial

Council; cost of operating the Council of Juvenile Court Judges created by Code Section 15-11-4; cost of staffing and operating the Institute of Continuing Judicial Education and the Georgia Magistrate Courts Training Council created by Code Section 15-10-132; cost of operating the Judicial Council of the State of Georgia, the Administrative Office of the Courts, the Board of Court Reporting of the Judicial Council, the Georgia Courts Automation Commission and the Office of Dispute Resolution, and for payments to the Council of Magistrate Court Judges, the Council of Probate Court Judges and the Council of State Court Judges.

Section 39. Provisions Relative to Section 8, Department of Community Affairs. Provided, that the funds appropriated herein to the Georgia Environmental Facilities Authority for loans shall be available for nominal or no interest loans to counties, municipalities, local water or sewer authorities, boards or political subdivisions created by the General Assembly or pursuant to the Constitution and laws of the state for emergency-type water and sewer projects.

Provided, that from the appropriation made above for "Local Assistance Grants", specific, mandatory appropriations pursuant to O.C.G.A. 50-8-8(a) are made as follows:

Recipient	Purpose	Amount
Clayton County	Recreational Equipment in Clayton County	\$ 25,000
DeKalb County	Construct Flagpole and Purchase Supplies for United Keetoowah Band	\$ 5,000
DeKalb County	Operation of "Hot Zone Policing"	\$ 10,000
Appling County	Expenses Related to Capital Murder Trials	\$ 25,000
City of Ashburn	Construction of Sports Facilities	\$ 25,000
Cobb County	Preservation of the Hardy Pace House	\$ 20,000
Athens/Clarke County	Operating Funds for the Safe Campus Now Program	\$ 40,000
Bibb County	Operation of the Bibb County Community Action Agency	\$ 5,000
Haralson County	Equip/Operate Haralson County Recreational Facilities	\$ 15,000
City of Atlanta	Renovate and Equip the Jerico Road Project in Atlanta	\$ 30,000
City of Atlanta	Renovations to a Health Clinic	\$ 40,000
City of Augusta	Land Purchase at Historical Ezekiel Harris House	\$ 50,000
Bacon County	Renovate and Equip the Historic Courthouse	\$ 25,000
City of Barnesville	Extension of Waterlines	\$ 12,500
City of Augusta	Operation of the Augusta Task Force for the Homeless	\$ 15,000
Berrien County	Construction of Lecture Hall	\$ 50,000
Brantley County	Purchase Fire and Rescue Equipment	\$ 15,000
Brooks County	Repairs and Additions to Brooks County Livestock Arena	\$ 50,000
City of Broxton	Renovation to the Fire	

	Department and Community Center	\$	10,000
Butts County	Equipment and Lighting at Recreational Fields	\$	25,000
City of Byromville	Upgrade Water Mains	\$	20,000
City of Calhoun	Renovation and Restoration of Historic Railroad Depot	\$	25,000
City of Camilla	Renovations and Repairs to Facilities	\$	35,000
Candler County	Construction of a softball complex	\$	25,000
Candler County	Expansion of Visitors Center	\$	10,000
City of Centerville	Construction of Fire Station	\$	50,000
Charlton County	Purchase Fire and Rescue Equipment		15,000
Chatham County	Replant Trees Between Bryanwood and Talahi Island on Route 80	\$	10,000
Clinch County Board of Education	Construction of a Multi-purpose Building	\$	10,000
Clayton County	Clayton County Board of Education Prevention Plus Program	\$	25,000
City of Cochran	Renovations to the Fire Station	\$	25,000
Gwinnett County Board of Education	Lights and Handicapped Access for the Collins Hill High School Athletic Fields	\$	50,000
City of Columbus	Operate the Liberty Theatre Cultural Center	\$	75,000
City of Columbus	Renovations to the Springer Opera House	\$	50,000
City of Commerce	Renovations to the Civic Center	\$	35,000
Crawford County Board of Education	Heating and Plumbing System Repairs for Education Gymnasium	\$	5,000
City of Columbus	Operation of the Columbus Tourism Network	\$	25,000
City of Columbus	Operation of the Play and Learn Together Program	\$	25,000
Crawford County	Improvements at the Crawford County Industrial Authority Park	\$	50,000
Crisp County	Equipment for Crisp County Board of Education Middle School Laboratory	\$	25,000
Crisp County Board of Education	Lighting for Crisp County High School Softball Field	\$	15,000
DeKalb County	Training at DeKalb United Child Care Association	\$	25,000
City of Fort Oglethorpe	Construction of a Historical Museum	\$	10,000
City of Franklin Springs	Renovations to Sedimentation Pool	\$	25,000
Franklin County	Design and construct Franklin		

	County/Hart County Airport	\$	25,000
Fulton County Board of Education	Classrooms for Fulton County Board of Education	\$	60,000
Fulton County	Operation of Center for Renewal of Democracy	\$	25,000
City of Garden City	Improvements to Gymnasium and Stadium	\$	8,000
City of Girard	Renovations to Gymnasium	\$	15,000
City of Grayson	Equipment Furnishings for Community Senior Center	\$	25,000
Greene County	Purchase and Installation of chain link fence for Greene County Airport	\$	40,000
Henry County Board of Education	Construction of a Fine Arts Building	\$	12,500
Houston County	Operation of the Museum of Aviation	\$	175,000
Houston County Board of Education	Athletic Field Fencing for Houston County High School	\$	10,000
Jackson County	Erection of Monument	\$	2,500
Jasper County Board of Education	Renovation of Elementary School Restroom and Rose Bowl Field	\$	40,000
Jeff Davis County	Administrative Cost and Legal Fees for Jeff Davis Hospital Authority	\$	15,000
Jeff Davis County	Renovations to Jeff Davis County Extension Service and Annex and Law Enforcement Center	\$	15,000
Jenkins County	Asbestos Removal from Jenkins County Development Authority Facility	\$	50,000
City of Kite	Renovations to Heating System for Community Center	\$	4,250
Chatham County	Renovation/Restoration of the Beach Institute Building	\$	20,000
City of LaGrange	Purchase Equipment for City of LaGrange/Troup County Recreation Commission	\$	10,000
City of Lake City	Improvements to Park and Recreation Facilities	\$	20,000
Lamar County	Plan/Construct Livestock Pavillion and Arena	\$	12,500
Lanier County Board of Education	Renovations and Heating, Ventilation and Air Conditioning Addition for Facility	\$	10,000
Long County	Purchase of Patrol Car	\$	18,000
Lincoln County	Parking Lot and Boatdock Construction and Renovation at Elijah Clark State Park	\$	25,000
City of Lincolnton	Correction to Flood Control Problem	\$	12,000
City of Lula	Renovations to Old City Hall Building	\$	20,000
City of Lula	Paving for Driveways		

	at Two Cemeteries	\$	10,000
Lumpkin County	Construction of Animal Shelter	\$	10,000
City of Lyerly	Upgrade Water System	\$	30,000
Macon County	Purchase equipment for Macon County Local Emergency Planning Commission	\$	10,500
Madison County	Provide for Infrastructure Study of Water and Sewer Systems	\$	30,000
Meriwether County	Renovate Old Greenville Railroad Depot	\$	10,000
Meriwether County	Creation of Recreation Department	\$	10,000
City of Monroe	Renovations to Monroe Area Comprehensive High School Athletic Track	\$	15,000
Muscogee County	Equipment and Operating Expenses for Columbus Community Center	\$	20,000
Muscogee County	Operation of Combined Communities of Southeast Columbus	\$	20,000
Muscogee County	Operation of MEN of Action Mentoring Program	\$	10,000
City of Dalton	Operating Expenses and Fire Code Renovations at Northwest Georgia Girl's Home	\$	40,000
Oconee Regional Library	Renovations to Oconee Regional Library Facility	\$	25,000
City of Odum	Repairs and Equipment for Fire Department Facility	\$	10,000
Oglethorpe County Board of Education	Extension of Waterline to New Oglethorpe County Elementary School	\$	12,000
City of Milledgeville	Restorations to Old Governor's Mansion	\$	75,000
Peach County	Provide Heating and Air Conditioning System for Peach County Development Authority Facility	\$	15,000
Cobb County Board of Education	Provide External Security Lighting for Pebblebrook High School	\$	30,000
City of Columbus	Operating Expenses for BRIDGE Program	\$	15,000
Houston County	Perry-Houston County Airport Authority Terminal and Hanger Improvements	\$	50,000
Pierce County	Purchase Fire and Rescue Equipment	\$	15,000
Pulaski County	Establish a Recreation Facility	\$	10,000
Putnam County	Repairs and Renovations to Putnam County Recreation Department Gymnasium	\$	15,000

Rabun County	Renovations of Rabun County Gymnasium	\$	75,000
City of Rentz	Repairs to Sewer System	\$	10,000
City of Savannah	Construction of Community Center	\$	20,000
DeKalb County	Purchase 36-passenger Bus for Senior Connections	\$	62,000
Gwinnett County Board of Education	Construct Athletic Stadium at Shiloh High School in Gwinnett County	\$	25,000
Cobb County Board of Education	Repairs and Renovation at South Cobb High School	\$	35,000
Gwinnett County Board of Education	Recreation Equipment for Suwanee and Lanier High Schools	\$	30,000
Emanuel County	Construct and Renovate Recreation Complex at Swainsboro/Emanuel County Recreation Authority	\$	40,000
Talbot County Board of Education	Construct Central High School Greenhouse in Talbot County	\$	45,000
Telfair County	Production Costs for a Historical Drama	\$	5,000
Telfair County	Operating Expenses for Sheriff's Office	\$	18,000
Towns County	Production Costs for Reach of Song Drama	\$	20,000
Twiggs County Board of Education	Lights and Bleachers for Twiggs County High School Football Field	\$	50,000
City of Tybee Island	Painting of the Historic Tybee Lighthouse	\$	15,000
Lowndes County Board of Education	Repairs to Valdosta City School System Facilities	\$	15,000
City of Vidalia	Create basketball area for Recreation Department	\$	45,000
Ware County Board of Education	Equipment Purchases for Ware County School System	\$	6,000
Ware County	Promotion Expenses for Waycross-Ware County Chamber Tourist Division	\$	5,000
Wayne County	Equipment and Renovations to River Park	\$	5,000
Wayne County	Repairs and Construction to Recreation Facility	\$	10,000
City of Waynesboro	Acquiring and Renovating Human Development Centers	\$	15,000
Webster County	Heating and Cooling Equipment for Webster County Agriculture Education Center	\$	25,000
City of Willacoochee	Construction of a new city hall	\$	30,000
City of Fitzgerald	Construction of Airport	\$	50,000
Clayton County	Shrubbery, Trees and Concrete		

City of Bowersville	Pipes and Containers	\$	15,000
	Equipment for Repairs	\$	10,000
	to Water System		
Gwinnett County Board	Improvements to Duluth High	\$	30,000
of Education	School Baseball Field		
City of East Dublin	Improve City of East	\$	50,000
	Dublin Water System		
City of Eastman	Recreation Equipment	\$	25,000
Echols County Board	Enhancements to Echols		
of Education	County Board of		
	Education Campuses	\$	6,000
Emanuel County	Construction and Renovation	\$	17,500
	at Varner 4-H Center		
Fannin County	Purchase an Equipped	\$	15,000
	Rescue Vehicle		
City of Pelham	Improvements to Water	\$	35,000
	and Sewer System		
City of Atlanta	Operation of Public Access		
	and Teacher Preparation		
	Programs at Clark Atlanta		
	University	\$	250,000
City of Tallapoosa	Equip/Operate	\$	15,000
	Recreational Facilities		
City of Bremen	Equip/Operate	\$	15,000
	Recreational Facilities		
City of Cave Spring	Improvements for Rolator Park	\$	40,000
Fulton County	Operation of Fulton		
	County Drug Program	\$	48,000
Dade County	Renovation to Middle School	\$	20,000
	Gymnasium		
Fulton County	Improvements to Fulton		
	Industrial Boulevard at		
	Fulton County Airport		
	Brown Field	\$	50,000
Twiggs County	Lights and Bleachers for		
Board of Education	Twiggs County High School		
	Football Field	\$	50,000
Gwinnett County	Roof Repairs at Creative	\$	50,000
	Enterprises		
Hall County	Operation of Temporary	\$	5,000
	Welcome Center		
Richmond County	Lights for Richmond County	\$	20,000
	Little League Field		
Richmond County	Operation of the Richmond	\$	10,000
	County Boxing Club		
Cobb County	Expansion of the Marietta/Cobb		
	YMCA Battered Women's		
	Shelter	\$	20,000
City of Rockmart	Renovation of Rockmart	\$	50,000
	Recreation Complex		
City of Aragon	Equipment/Operations of	\$	10,000
	Recreational Facilities		
City of Cedartown	Equipment/Operation of	\$	15,000
	Recreational Facilities		
Coweta County	Construction of Youth	\$	35,000
	Athletic Complex		
Treutlen County	Construction of Recreation		

Hancock County	Field House	\$	35,000
	Equipment for Volunteer		
	Fire Department	\$	10,000
City of Social Circle	Renovation of Gunter Hall		
	in Social Circle	\$	15,000
DeKalb County	Repairs to Pine Lake Dike	\$	20,000
DeKalb County	Operation of the Soapstone		
	Arts Center	\$	20,000
DeKalb County	Operate the South DeKalb		
	Business Incubator	\$	20,000
DeKalb County	Lighting for East		
	Lake Neighbors	\$	20,000
Screvens County Board	For Technology Equipment		
of Education	at the Screvens County		
	School System	\$	25,000
Jenkins County Board	Recreational Equipment for		
of Education	the Jenkins County		
	School System	\$	7,000
City of Plains	Fire Equipment for the		
	City of Plains	\$	10,000
Peach County	To Purchase Welcome		
	Signs for Peach County	\$	8,145
City of Montezuma	Paving for Blanks		
	Civic Complex	\$	50,000
Chatham County	Operation of Good Touch/Bad		
	Touch Program	\$	20,000
Chatham County	Operation of Chatham County		
	Rape Crisis Center	\$	30,000
Chatham County	Renovation/Construction		
	of the Savannah Lucas		
	Theatre	\$	35,000
McIntosh County Board	Construction of Bleachers		
of Education	for McIntosh County School		
	System	\$	35,000
Long County	Purchase of Land for		
	Long County Park	\$	25,000
City of Greenville	Construction of Greenville		
	Railroad Depot	\$	50,000
Hart County	Operation of Hart		
	County Parks	\$	25,000
Franklin County	Purchase of Land for		
	Victoria Bryant Park	\$	25,000
City of Cave Springs	Operation of Crossroads		
	Program for Georgia School		
	for the Deaf	\$	50,000
Dawson County	Improvements to Lodge		
	at Amicalola Falls	\$	50,000
Lumpkin County	Construction Veterans		
	Park and Monument	\$	15,000
Lumpkin County Board	Equipment Purchases for		
of Education	Lumpkin County High		
	School	\$	15,000
Bleckley County	Construction/Renovation		
	of Courthouse	\$	50,000
City of Pelham	For Lighting at the		
	Pelham Livestock Complex	\$	15,000
City of Ellijay	Renovation/Construction		

	for Vocational Transitions, Inc.	\$	15,000
Fannin County	Purchase Rescue Equipment	\$	30,000
City of Douglas	To Construct Softball/ Soccer Complex	\$	75,000
Coffee County	For Computer Programming at the Coffee County Health Department	\$	75,000
City of Atlanta	Litter Abatement	\$	50,000
Clayton County	Improvements to Rex Athletic Field	\$	15,000
Pulaski County	Establish a Recreation Facility in Pulaski County	\$	50,000
City of Riverdale	Improvements to Riverdale Recreational Facilities	\$	15,000
City of Morrow	Improvements to Morrow Recreational Facilities	\$	15,000
City of Forest Park	Park Improvements in Forest Park	\$	15,000
DeKalb County	Operation of the Mentoring Program	\$	25,000
DeKalb County	Operation of the Winning Circle Program	\$	25,000
City of Americus	Operation of Cultural Arts Program	\$	25,000
City of Albany	Accessible Van for Slater King Adult Day Center	\$	30,000
Quitman County	Renovations for the Quitman County Courthouse	\$	25,000
DeKalb County	Equipment for Initiative for Children and Families	\$	15,000
Lowndes County Board of Education	Vocational Equipment for Lowndes County High School	\$	10,000
City of Valdosta	To Construct Valdosta Historic Monument	\$	20,000
City of Augusta	Operation of Augusta Mini-Theatre	\$	30,000
Burke County	Operation of Burke County Historic Society	\$	25,000
Glynn County	To Provide for Project SHARE	\$	20,000
Fannin County	For Operation of Georgia Mental Health Services	\$	37,440
Irwin County	Construction of FFA Livestock Show Barn	\$	25,000
Seminole County Board of Education	Construction of Greenhouse for Seminole High School	\$	40,000
DeKalb County	Equipment/Operation of Fernbank Museum	\$	75,000
City of Milledgeville	Historical Museum Operations	\$	10,000
DeKalb County	Operation of Juvenile Court Truancy Program	\$	40,000
City of Chamblee	Law Enforcement Radio Equipment	\$	7,500
Augusta/Richmond County	Operation of Community-Based Organizations	\$	50,000

Section 40. Provisions Relative to Section 11, State Board of Education Department of Education. The formula calculation for Quality Basic Education funding assumes a base unit cost of \$1,734.13. In addition, all local school system allotments for Quality Basic Education shall be made in accordance with funds appropriated by this Act.

Provided, that of the above appropriation relative to 13% incentive grants to local school systems for implementing middle grades programs, such grants shall be made to local school systems for only those schools containing grades seven and eight or grades six, seven and eight which provide a minimum of 85 minutes of common preparation time during the student instructional day to each interdisciplinary team of teachers responsible for instruction in language arts, mathematics, science and social studies, and which meet criteria and standards prescribed by the State Board of Education for middle school programs.

Section 41. Provisions Relative to Section 16, Department of Human Resources. The Department of Human Resources is authorized to calculate all Aid to Families with Dependent Children benefit payments utilizing a factor of 66.0% of the standards of need; such AFDC payments shall be made from the date of certification and not from the date of application; and the following maximum benefits and maximum standards of need shall apply:

Number in Asst. Group	Standards of Need	Maximum Monthly Amount
1	\$ 235	\$ 155
2	356	235
3	424	280
4	500	330
5	573	378
6	621	410
7	672	444
8	713	470
9	751	496
10	804	530
11	860	568

Provided, the Department of Human Resources is authorized to transfer funds between the Personal Services object class and the Per Diem, Fees and Contracts subobject class at each of the MH/MR/SA institutions as needed to insure coverage for physician, nursing, physical therapy, and speech and hearing therapy services. Such transfers shall not require prior budgetary approval.

Section 42. Provisions Relative to Section 21, Department of Medical Assistance. There is hereby appropriated to the Department of Medical Assistance a specific sum of money equal to all the moneys contributed to the Indigent Care Trust Fund created pursuant to Article 6 of Chapter 8 of Title 31. The sum of money is appropriated for all of those purposes for which such moneys may be appropriated pursuant to Article 6, and may be used to match federal funds which are available for such purposes.

Provided, that of the above appropriation relating to Medicaid Benefits, \$100,000 is designated for the Independent Care program for personal assistance and support.

Provided, the Department shall exclude pharmacy services in the HMO pilot, and allow acute care hospitals statewide to contract with Medicaid for services on a non-risk capitated rate.

Provided, that the Department shall implement a clinically based, automated prospective drug utilization review program.

Section 43. Provisions Relative to Section 22, Merit System of Personnel Administration. The Department is authorized to assess no more than \$172.95 per merit system budgeted position for the cost of departmental operations.

It is the intent of this General Assembly that the employer contribution rate for the state employees health benefit plan for SFY 1997 shall not exceed 12.5%.

It is the intent of this General Assembly that the employer contribution rate for the teachers health benefit plan for SFY 1997 shall not exceed 8.66%.

It is the intent of the General Assembly that the State Personnel Board implement pharmacy program modifications to establish reimbursement for independent pharmacy claims at the lower of: the State Merit System base as of January 1, 1996 pricing arrangement; the pharmacy provider's usual and customary charge; or the lowest marketplace pricing (other third party contract) accepted by the pharmacy provider.

Section 44. Provisions Relative to Section 23, Department of Natural Resources. Provided, that to the extent State Parks and Historic Sites receipts are realized in excess of the amount of such funds contemplated in this Act, the Office of Planning and Budget is authorized to use up to 50 percent of the excess receipts to supplant State funds and the balance may be amended into the budget of the Parks, Recreation and Historic Sites Division for the most critical needs of the Division. This provision shall not apply to revenues collected from a state parks parking pass implemented by the Department.

It is the intent of the General Assembly that the Department of Natural Resources do a feasibility study with existing funds to develop a natural park and/or wilderness area along the Ocmulgee River.

Section 45 Provisions Relative to Section 33 Department of Technical and Adult Education. To provide authorization for the conversion of Atlanta Area Technical Institute and Savannah Regional Technical Institute to State operated institutions.

Section 46 Provisions Relative to Section 34, Department of Transportation. For this and all future general appropriations acts, it is the intent of this General Assembly that the following provisions apply:

a.) In order to meet the requirements for projects on the Interstate System, the Office of Planning and Budget is hereby authorized and directed to give advanced budgetary authorization for letting and execution of Interstate Highway Contracts not to exceed the amount of Motor Fuel Tax Revenues actually paid into the Fiscal Division of the Department of Administrative Services.

b.) Objects for activities financed by Motor Fuel Tax Funds may be adjusted for additional appropriations or balances brought forward from previous years with prior approval by the Office of Planning and Budget.

c.) Interstate rehabilitation funds may be used for four-laning and passing lanes. Funds appropriated for on-system resurfacing, four-laning and passing lanes may be used to match additional Federal aid.

d.) The Fiscal Officers of the State are hereby directed as of July 1st of each fiscal year to determine the collection of Motor Fuel Tax in the immediately preceding year less refunds, rebates and collection costs and enter this amount as being the appropriation payable in lieu of the Motor Fuel Tax Funds appropriated in Section 34 of this Bill, in the event such collections, less refunds, rebates and collection costs, exceed such Motor Fuel Tax Appropriation.

e.) Functions financed with General Fund appropriations shall be accounted for separately and shall be in addition to appropriations of Motor Fuel Tax revenues required under Article III, Section IX, Paragraph VI, Subsection (b) of the State Constitution.

f.) Bus rental income may be retained to operate, maintain and upgrade department-owned buses, and air transportation service income may be retained to maintain and upgrade the quality of air transportation equipment.

g.) Income derived from the sale of intermodal aircraft may be retained to finance the expansion of the state aircraft facility at Charlie Brown Airport.

In order to aid the Department in the discharge of its powers and duties pursuant to Section 32-2-2 of the Official Code of Georgia Annotated, and in compliance with Section 32-2-41 (b)(1), O.C.G.A., the Department is authorized to transfer position counts between budget functions provided that the Department's total position count shall not exceed the maximum number of annual positions assigned by law.

It is the express intent of this General Assembly, by this Act, that the use of motor fuel funds for the purpose of providing annual debt service on existing or new general obligation debt, for road purposes, issued by the State of Georgia, is for the sole and specific purpose of addressing the State's special need appropriation.

Section 47. In addition to all other appropriations for the State fiscal year ending June 30, 1997, there is hereby appropriated \$3,600,000 for the purpose of providing funds for the operation of regional farmers' markets in the Department of Agriculture; and there is hereby appropriated \$400,000 for the purpose of providing funds for the Weights and Measures, Warehouse Auditing Programs, Animal Protection Program and Feed Division; there is hereby appropriated \$9,468,000 for the purpose of providing operating funds for the State physical health laboratories (\$120,000 Budget Unit "A") and for State mental health/mental retardation institutions (\$9,348,000 Budget Unit "B") in the Department of Human Resources; and there is hereby appropriated \$10,000,000 for the purpose of providing funds for the operation of the Employment Service and Unemployment Insurance Programs in the Department of Labor. The Office of Planning and Budget is hereby authorized to transfer funds from this section to the appropriate departmental budgets in amounts equal to the departmental remittances to the Fiscal Division of the Department of Administrative Services from agency fund collections.

Section 48. In addition to all other appropriations for the State fiscal year ending June 30, 1997, there is hereby appropriated \$12,245,000 to the Office of the Governor for transfer to budget units with appropriate powers for providing housing contracts, food service contracts, overtime payments, training and other expenses related to security operations by those State agencies for the 1996 Olympic Games. The Office of Planning and Budget is hereby authorized and directed to transfer funds from this Section to appropriate budget units for the purpose of making such payments.

Section 49. To the extent to which Federal funds become available in amounts in excess of those contemplated in this Appropriations Act, such excess Federal funds shall be applied as follows, whenever feasible:

First, to supplant State funds which have been appropriated to supplant Federal funds, which such supplanted State funds shall thereupon be removed from the annual operating budgets; and

Second, to further supplant State funds to the extent necessary to maintain the effective matching ratio experienced in the immediately preceding fiscal year, which such supplanted State funds shall thereupon be removed from the annual operating budgets.

The Office of Planning and Budget shall utilize its budgetary and fiscal authority so as to accomplish the above stated intent to the greatest degree feasible. At the end of this fiscal year, said Office of Planning and Budget shall provide written notice to the members of the Appropriations Committees of the Senate and House of Representatives of the instances of noncompliance with the stated intent of this Section.

A nonprofit contractor, as defined in Chapter 20 of Title 50, which contracts to receive any public funds appropriated in this Act shall comply with all provisions of Chapter 20 of Title 50 and shall, in addition, deposit copies of each filing required by Chapter 20 of Title 50 with the chairmen of the House and Senate Appropriations Committees and with the Legislative Budget Office, at the same time as the filings required under Chapter 20 of Title 50. Any nonprofit entity which receives a grant of any public funds appropriated in this Act without entering into a contractual arrangement shall likewise, as a condition of such grant, comply with the provisions of Chapter 20 of Title 50 in the same manner as a state contractor and shall likewise file copies of required filings with the chairmen of the House and Senate Appropriations Committees.

Section 50. Each agency for which an appropriation is authorized herein shall maintain financial records in such a fashion as to enable the State Auditor to readily determine expenditures as contemplated in this Appropriations Act.

Section 51. In addition to all other appropriations, there is hereby appropriated as needed, a specific sum of money equal to each refund authorized by law, which is required

to make refund of taxes and other monies collected in error, farmer gasoline tax refund and any other refunds specifically authorized by law.

Section 52. No State appropriations authorized under this Act shall be used to continue programs currently funded entirely with Federal funds.

Section 53. In accordance with the requirements of Article IX, Section VI, Paragraph 1a of the Constitution of the State of Georgia, as amended, there is hereby appropriated payable to each department, agency, or institution of the State sums sufficient to satisfy the payments required to be made in each year, under existing lease contracts between any department, agency, or institution of the State, and any authority created and activated at the time of the effective date of the aforesaid constitutional provision, as amended, or appropriated for the State fiscal year addressed within this Act. If for any reason any of the sums herein provided under any other provision of this Act are insufficient to make the required payments in full, there shall be taken from other funds appropriated to the department, agency or institution involved, an amount sufficient to satisfy such deficiency in full and the lease payment constitutes a first charge on all such appropriations.

Section 54. (a.) All expenditures and appropriations made and authorized under this Act shall be according to the programs and activities as specified in the Governor's recommendations contained in the Budget Report submitted to the General Assembly at the 1996 Regular Session, except as provided, however, the Director of the Budget is authorized to make internal transfers within a budget unit between objects, programs and activities subject to the conditions that no funds whatsoever shall be transferred for use in initiating or commencing any new program or activity not currently having an appropriation of State funds, nor which would require operating funds or capital outlay funds beyond the fiscal year to which this Appropriation Act applies; and provided, further, that no funds whatsoever shall be transferred between object classes without the prior approval of at least eleven members of the Fiscal Affairs Subcommittees in a meeting called to consider said transfers. This Section shall apply to all funds of each budget unit from whatever source derived. The State Auditor shall make an annual report to the Appropriations Committees of the Senate and House of Representatives of all instances revealed in his audit in which the expenditures by object class of any department, bureau, board, commission, institution or other agency of this State are in violation of this Section or in violation of any amendments properly approved by the Director of the Budget.

(b.) (1.) For purposes of this Section, the term "common object classes" shall include only Personal Services, Regular Operating Expenses, Travel, Motor Vehicle Equipment Purchases, Postage, Equipment Purchases, Computer Charges, Real Estate Rentals and Telecommunications.

(b.) (2.) For each Budget Unit's common object classes in this Act, the appropriations shall be as follows: Expenditures of no more than 102% of the stated amount for each common object class are authorized. However, the total expenditure for the group may not exceed the sum of the stated amounts for the separate object classes of the group.

(b.) (3.) It is the further intent of the General Assembly that this principle shall be applied as well when common object class amounts are properly amended in the administration of the annual operating budget.

Section 55. Wherever in this Act the terms "Budget Unit Object Classes" or "Combined Object Classes For Section" are used, it shall mean that the object classification following such term shall apply to the total expenditures within the Budget Unit or combination of budget units within a designated section, respectively, and shall supersede the object classification shown in the Governor's Budget Report.

For budget units within the Legislative Branch, all transfers shall require prior approval of at least eight members of the Legislative Services Committee in a meeting of such Committee, except that no approval shall be required for transfers within the Senate Functional Budget or the House Functional Budget.

Section 56. There is hereby appropriated a specific sum of Federal grant funds, said specific sum being equal to the total of the Federal grant funds available in excess

of the amounts of such funds appropriated in the foregoing sections of this Act, for the purpose of supplanting appropriated State funds, which State funds shall thereupon be unavailable for expenditure unless re-appropriated by the Georgia General Assembly. This provision shall not apply to project grant funds not appropriated in this Act.

Section 57. Provisions Relative to Section 37, State of Georgia General Obligation Debt Sinking Fund. The debt-service amounts listed below are hereby appropriated for debt service on new issues of general obligation bonds, the principal amount of which shall not exceed those listed thereby, to be used for projects and purposes listed thereby.

	Principal Amount	Debt Service
A.) Maturities not to exceed sixty months.		
Purchase of facilities at Georgia Southern University	\$ 3,240,000	\$ 748,440
B.) Maturities not to exceed two hundred forty months.		
Renovation of the #2 Peachtree Building	\$ 10,000,000	\$ 925,000
Renovation of the Trinity-Washington Building	10,000,000	925,000
Repair, plaster, repaint and refinish areas of the State Capitol	4,000,000	370,000
Purchase land adjacent to the World Congress Center	3,500,000	323,750
Four laning of highways	15,000,000	1,387,500
Construction of the Sports Hall of Fame	1,700,000	157,250
Purchase and rehabilitation of existing and abandoned rail lines	2,150,000	198,875
Planning phase of the Gateway Information Welcome Center	400,000	37,000

Section 58. Salary Adjustments. In addition to all other appropriations, there is hereby appropriated \$309,882,998 for the following purposes 1.) To provide a cost of living increase of 4% for employees of the Judicial, Legislative and Executive branches to be awarded on October 1, 1996 (proposed salary adjustments are in conformance with the implementation of the Georgia Gain pay for performance system for Executive branch employees).

2.) To provide for an increase of 4% for each state official (excluding members of the General Assembly) whose salary is set by Act 755 (H.B. 262) of the 1978 General Assembly, as amended, as authorized in said act, Code Section 45-7-4 effective October 1, 1996. 3.) To provide for an increase of 2% for members of the General Assembly effective October 1, 1996. 4.) To provide for a 6% increase in the state base salary on the teacher salary schedule for the State Board of Education effective September 1, 1996. 5.) To provide for a 4% increase for bus drivers and lunchroom workers effective July 1, 1996. 6.) To provide for a 6% salary increase for teachers with the Department of Technical and Adult Education effective September 1, 1996. 7.) To provide a 6% funding level for merit increases for Regents faculty and support personnel to be awarded on July 1, 1996 for non-academic personnel and on September 1, 1996 for academic personnel. 8.) To provide a 5% salary increase for incumbents in the Correctional Officer job class effective October 1, 1996.

Section 59. TOTAL STATE FUND APPROPRIATIONS

State Fiscal Year 1997

\$ 11,324,027,653

Section 60. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 61. All laws and parts of laws in conflict with this Act are repealed.

Representative Coleman of the 142nd moved that the House disagree to the Senate substitute to HB 1265.

The motion prevailed.

The following Resolution of the House was read:

HR 1234. By Representatives Murphy of the 18th, Lee of the 94th, Walker of the 141st, Connell of the 115th, Stephenson of the 25th and others

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that, notwithstanding the provisions of HR 822, the General Assembly shall not adjourn on Friday, March 15, 1996.

BE IT FURTHER RESOLVED that the General Assembly shall instead meet in regular session on Saturday, March 16, 1996, which shall be the final day of the 1996 regular session of the General Assembly and that the General Assembly shall adjourn sine die on Saturday, March 16, 1996, at 12:00 Midnight or at such earlier hour as may be provided by subsequent resolution of the General Assembly.

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

Allen	N Crews	Y Irvin	Y Parrish	N Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
N Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Barnes	Y Dixon, H	N Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	Y Randall	Teague
Bordeaux	Y Epps	N Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	N Tillman
Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	N Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	N Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	N Sauder	Y Walker, L
Y Bunn	N Grindley	N Mann	Scoggins	N Walker, R.L
Y Burkhalter	Y Hanner	Martin	Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	N Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	N Mills	Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
N Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	N Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 125, nays 27.

The Resolution was adopted.

Representative Poston of the 3rd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

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

Mr. Speaker:

The Senate insists on its substitute to the following bill of the House:

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st, Baker of the 70th, Bordeaux of the 151st and others:

A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

The Senate has disagreed to the House amendment to the following bill of the Senate:

SB 351. By Senators Ray of the 19th and Gillis of the 20th:

A bill to amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants.

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

SR 570. By Senator Hill of the 4th:

A resolution designating a certain portion of U.S. Highway 280 as the Aden Massey Highway.

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:

Allen	Bunn	Y Dix	Henson	Y Lee
Y Anderson	Y Burkhalter	Y Dixon, H	Y Holland	Y Lewis
Y Ashe	Y Byrd	E Dixon, S	Y Holmes	Y Lifsey
Y Bailey	Y Campbell	Y Dobbs	Y Howard	Y Lord
Y Baker	Y Canty	Ehrhart	Y Hudson	Y Lucas
Y Bannister	Y Carter	Y Epps	Y Hugley	Maddox
Y Barfoot	Y Chambless	Y Evans	Y Irvin	Y Mann
Y Barger	Y Channell	Y Falls	Y James	Y Martin
Y Barnard	Y Childers	Y Felton	Y Jamieson	Y McBee
Y Barnes	Y Coker	Floyd	Y Jenkins	Y McCall
Y Bates	Y Coleman, B	Y Godbee	Y Johnson, G	Y McClinton
Y Benefield	Coleman, T	Y Golden	Y Johnson, J	Y McKinney
Y Birdsong	Y Connell	Goodwin	Y Johnston	Y Mills
Y Bordeaux	Y Crawford	Greene	Y Jones	Y Mobley, B
Y Bostick	Y Crews	Y Grindley	Y Joyce	Y Mobley, J
Y Breedlove	Y Culbreth	Y Hanner	Kaye	Y Mosley
Y Brooks, D	Y Cummings	Y Harbin	Y Kinnamon	Y Mueller
Y Brooks, T	Y Davis, G	Y Harris	Y Klein	Y O'Neal
Y Brown, J	Y Davis, M	Y Heard	Y Ladd	Y Orrock
Y Brush	Y Day	Y Heckstall	Y Lakly	Y Parham
Y Buck	DeLoach, B	Y Hegstrom	Y Lane	Y Parrish
Y Buckner	DeLoach, G	Y Hembree	Y Lawrence	Y Parsons

Y Pelote	Y Reichert	Y Smith, C	Y Stanley, P	Y Walker, R.L
Y Perry	Y Roberts	Smith, C.W	Y Stephenson	Wall
Y Pinholster	Y Rogers	Y Smith, L	Y Streat	Y Watson
Y Polak	Y Royal	Smith, P	Y Taylor	Y Watts
Y Ponder	Y Sanders	E Smith, T	Teague	Y Westmoreland
Porter	Y Sauder	Y Smith, V	Y Teper	Y Whitaker
Poston	Scoggins	Y Smith, W	Y Thomas	Y White
E Powell	Shanahan	Y Smyre	Y Tillman	Y Wiles
Y Purcell, A	Y Shaw	Y Snelling	Y Titus	Williams, B
Y Purcell, B	Sherrill	Y Snow	Towery	Y Williams, J
Y Randall	Y Shipp	Y Stallings	Y Trense	Y Williams, R
E Randolph	Y Simpson	Y Stancil, F	Turnquest	Y Woods
Ray	Y Sinkfield	Y Stancil, S	Y Twiggs	Y Yates
Y Reaves	Y Skipper	Y Stanley, L	Walker, L	Murphy, Spkr

On the adoption of the Resolution, the ayes were 138, nays 0.

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

Representative Poston of the 3rd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SR 506. By Senator Farrow of the 54th:

A resolution honoring Mr.W W "Bill" Fincher, Jr., and designating a portion of State Highway 225 as the "Bill Fincher, Jr., Highway"

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:

Allen	Y Crews	Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	DeLoach, G	Y Jones	Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Y Lucas	Sanders	Y Twiggs
Y Buckner	Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 139, nays 0.

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

Representatives Burkhalter of the 41st and Poston of the 3rd stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

SR 507. By Senator Farrow of the 54th:

A resolution honoring Mr. Charles A. Pannell, Sr., and designating a portion of State Highway 225 as the "Charles A. Pannell, Sr., Highway"

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:

Allen	Y Crews	Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Y Lucas	Sanders	Y Twiggs
Y Buckner	Greene	Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L.
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W.	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	E Smith, T	Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 142, nays 0.

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

Representative Poston of the 3rd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SB 698. By Senator Starr of the 44th:

A bill to amend Code Section 47-1-12 of the Official Code of Georgia Annotated, relating to investment and reinvestment of local retirement funds, so as to provide that local retirement systems shall be allowed to invest up to 60 percent of their retirement assets in equities.

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:

Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 153, nays 0.

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

Representative Poston of the 3rd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SB 550. By Senators Taylor of the 12th, Brown of the 26th and Middleton of the 50th:

A bill to amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedure of the Department of Administrative Services, to give the department the authority to delegate to medical facilities under the jurisdiction of the Board of Regents for the University System of Georgia the ability to purchase medical equipment and supplies necessary for medical teaching purposes.

The following Committee substitute was read:

A BILL

To amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedure of the Department of

Administrative Services, to give the department the authority to delegate to medical facilities under the jurisdiction of the Board of Regents for the University System of Georgia the ability to purchase medical equipment and supplies necessary for medical teaching purposes and to enter into agreements with other states and their political subdivisions; to remove the department's authority to permit state agencies to make purchases in amounts less than \$100.00; to raise the minimum dollar amount required for competitive sealed bidding of contracts from those exceeding \$10,000.00 to those exceeding \$100,000.00; to raise the minimum dollar amount for soliciting bids by newspaper advertisements from those exceeding \$50,000.00 to those exceeding \$250,000.00; to change the time within which such bids shall be advertised; to raise the minimum dollar amount for required solicitation of bids by mail from those exceeding \$10,000.00 to those exceeding \$100,000.00; to raise the minimum dollar amount for noncompetitive bidding for supplies, materials, or equipment not on state contracts or through statutorily required sources from \$500.00 to \$2,500.00; to raise the maximum amount state entities may be authorized to expend on purchases in their behalf from \$5,000.00 to \$100,000.00; to authorize the department to permit agencies to use procurement cards to electronically pay and monitor payments; to provide for rules and regulations; to raise the minimum amount for construction or public works contracts to be conducted by the department from those exceeding \$500.00 to those exceeding \$100,000.00, subject to department review and approval; to delete the requirement for Georgia Correctional Industries Administration purchases to receive approval from the department as to competitive quality and price; to provide for reporting of certification criteria; to repeal provisions requiring the attachment of delivery receipts and purchase orders to paid invoices; to provide that it is unlawful for any person to make purchases or sell through the department for individual ownership; 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.

This Act shall be known and may be cited as the "Purchasing Reform Act of 1996."

SECTION 2.

The General Assembly declares and finds that many of the laws establishing guidelines and requirements for the purchasing of supplies, materials, and equipment by and for state departments and agencies were developed decades earlier and prior to the increase in available sources of supply and the expansion of technology. It is the intent of the General Assembly that these laws be amended to reflect these changes in order to provide greater flexibility for state agencies to make their purchases and to eliminate unnecessary bureaucracy which can result in purchase delays and increased administrative costs.

SECTION 3.

Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedures of the Department of Administrative Services, is amended by striking Code Section 50-5-51, relating to the power, authority, and duty of the department, in its entirety and inserting a new Code Section 50-5-51 to read as follows:

"50-5-51.

The Department of Administrative Services shall have the power and authority and it shall be the department's duty, subject to this part:

- (1) To canvass all sources of supply and to contract for the lease, rental, purchase, or other acquisition of all supplies, materials, services other than professional and personal employment services, and equipment required by the state government or any of its departments, institutions, or agencies under competitive bidding in the manner and subject to the conditions provided for in this article;
- (2) To establish and enforce standard specifications which shall apply to all supplies, materials, and equipment purchased or to be purchased for the use of the state government for any of its departments, institutions, or agencies;

- (3) To contract for all telephones, telegraph, electric light power, postal, and any and all other contractual purchases and needs of the state government or any of its departments, institutions, or agencies; or in lieu of such contract to authorize any department, ~~institution, or agency to~~ purchase or contract for any or all such services;
- (4) To have general supervision of all storerooms and stores operated by the state government or any of its departments, institutions, or agencies; to provide for transfer or exchange to or between all state departments, institutions, and agencies or to sell all supplies, materials, and equipment which are surplus, obsolete, or unused; and to maintain inventories of all fixed property and of all movable equipment, supplies, and materials belonging to the state government or any of its departments, institutions, or agencies;
- (5) To make provision for and to contract for all state printing, including all printing, binding, paper stock, and supplies or materials in connection with the same, except as ~~hereinafter~~ provided in this part. For the purpose of obtaining bids on printing, it shall have the power to divide the printing into various classes and to provide stipulations and specifications therefore and advertise, receive bids, and contract separately for the various classes;
- (6) To procure all fidelity bonds covering state officials and employees required by law or administrative directive to give such bonds; and, in order to provide the bonds at a minimum expense to the state, the bonds may be procured under a master policy or policies providing insurance agreements on a group or blanket coverage basis with or without deductibles or excess coverage over the state's retention as determined by the commissioner. Fidelity bonds covering state officials and employees which are procured pursuant to this paragraph shall expressly provide that all state officials and employees who are required by law to be bonded be named in the fidelity bond as insureds or beneficiaries under the terms of the fidelity bond. Inclusion of any state official, officer, or employee required by law or administrative directive to be specifically bonded in a master fidelity bond under the terms of this part shall satisfy any statutory requirement that the official, officer, or employee be bonded. Fidelity bonds procured pursuant to this paragraph shall also expressly provide for indemnification, out of the proceeds of the fidelity bonds, of all state officials and employees for any liability or expense of any nature resulting from a claim on the state official's or employee's bonds which is due to or as a result of an act of a subordinate of the state official or employee. In order to finance the continuing liability established with other agencies of state government, the commissioner is authorized to retain all moneys paid to the department as premiums on policies of insurance, all moneys received as interest, and all moneys received from other sources to set up and maintain a reserve for the payment of such liability and the expenses necessary to administer properly the insurance program. The commissioner shall invest the moneys in the same manner as other such moneys in his or her possession; ~~and~~
- (7) To establish and operate the state agency for surplus property for the purpose of distributing surplus properties made available by the federal government under Pub. L. 152, 81st Congress, as amended, to institutions, organizations, agencies, and others as may be eligible to receive such surplus properties pursuant to applicable provisions of federal law. The commissioner may enter into or authorize the aforesaid state agency for surplus property to enter into cooperative agreements with the federal government for the use of surplus properties by the state agency. The commissioner is authorized to enter into contracts with other state, local, or federal agencies, or with other persons with respect to the construction, operation, maintenance, leasing, or rental of a facility for use by the state agency. Further, the commission may acquire real or personal property for such purposes. All personnel; personal property, including records, office equipment, supplies, contracts, books, papers, documents, maps, appropriations, accounts within and outside the state treasury, funds, and vehicles; and all other similar property under the control of the State Board of Education and used for the direct support and operation of the state agency for surplus property are transferred to the Department of Administrative Services. Each state officer or employee affected under this paragraph shall be entitled to all rights which he or she

possessed as a state officer or employee before July 1, 1978, including all rights of rank or grade, rights to vacation, sick pay and leave, rights under any retirement or personnel plan, and any other rights under law or administrative policy. This paragraph ~~is not intended to create~~ any new rights for any state officer or employee but to continue only those rights in effect before July 1, 1978;

(8) To delegate, in the department's discretion, to medical facilities under the jurisdiction of the Board of Regents for the University System of Georgia the ability to purchase medical equipment and medical supplies necessary for medical teaching purposes; and

(9) To enter into agreements with other states and their political subdivisions to effectuate the purposes and policies of this chapter."

SECTION 4.

Said part is further amended by striking Code Section 50-5-58, relating to cases where purchases through the department are not mandatory, in its entirety and inserting in its place a new Code Section 50-5-58 to read as follows:

"50-5-58.

(a) Unless otherwise ordered by the Department of Administrative Services, the purchase of supplies, materials, equipment, and services, other than professional and personal employment services, through the Department of Administrative Services shall not be mandatory in the following cases:

(1) Technical instruments and supplies and technical books and other printed matter on technical subjects; also manuscripts, maps, books, pamphlets, and periodicals for the use of the State Library or any other library in the state supported by state funds; also services;

(2) Livestock for slaughter and perishable articles such as fresh vegetables, fresh meat, fish and oysters, butter, eggs, poultry, and milk. No other article shall be considered perishable within the meaning of this clause unless so classified by the Department of Administrative Services; and

(3) Emergency supplies of drugs, chemicals and sundries, dental supplies, and equipment.

(b) In the purchasing of emergency supplies under paragraph (3) of subsection (a) of this Code section, it shall be the duty of the department making such purchases to report same to the Department of Administrative Services, giving the circumstances necessitating the purchases.

(c) Nothing in this part shall be construed to give the Department of Administrative Services any supervision over the selection or purchase of school textbooks, which is vested by law in the Department of Education.

~~(d) The Department of Administrative Services is authorized to permit departments, institutions, and agencies of state government to purchase supplies, material, and equipment on confirmation if these individual purchases do not exceed \$100.00 and if these supplies, materials, and equipment are not under contract or purchased on a continuing basis. The Department of Administrative Services may regulate the dollar limit of these individual purchases by official memorandum at any amount not to exceed \$100.00. The commissioner of administrative services shall promulgate the rules and regulations necessary to carry out the intent of this subsection. Nothing in this subsection shall apply to or affect the laws, rules, and regulations governing emergency purchases."~~

SECTION 5.

Said part is further amended by striking subsection (a) of Code Section 50-5-67, relating to competitive bidding procedure, in its entirety and inserting in its place a new subsection (a) to read as follows:

"(a) Except as otherwise provided in this Code section, contracts exceeding ~~\$10,000.00~~ ~~\$100,000.00~~ shall be awarded by competitive sealed bidding. If the total requirement of any given commodity will involve an expenditure in excess of ~~\$50,000.00~~ ~~\$250,000.00~~, sealed bids shall be solicited by advertisement in a newspaper of state-wide circulation at least once and at least 15 ~~working~~ calendar days prior to the date fixed for opening

of the bids and awarding of the contract. Other methods of advertisements, however, may be adopted by the Department of Administrative Services when such other methods are deemed more advantageous for the particular item to be purchased. In any event, it shall ~~be the duty of the~~ Department of Administrative Services to solicit bids directly by mail from reputable owners of supplies in all cases where the total requirement will exceed ~~\$10,000.00~~ \$100,000.00. When it appears that the use of the competitive sealed bidding is either not practicable or not advantageous to the state, a contract may be entered into by competitive sealed proposals, subject to the following conditions:

- (1) This method of solicitation shall only be used after a written determination by the Department of Administrative Services that the use of competitive sealed bidding is not practicable or is not advantageous to the state;
- (2) Proposals shall be solicited through a request for proposals;
- (3) Adequate public notice of the request for proposals shall be given in the same manner as provided for competitive sealed bidding;
- (4) Proposals shall be opened in the same manner as competitive sealed bids. A register of proposals shall be prepared and made available for public inspection;
- (5) The request for proposals shall state the relative importance of price and other evaluation factors;
- (6) As provided in the request for proposals and under regulations to be developed by the Department of Administrative Services, discussions may be conducted with reasonable offerors who submit proposals determined to be reasonably susceptible of being selected for award, for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals; and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any information derived from proposals submitted by competing offerors; and
- (7) The award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the state, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made."

SECTION 6.

Said part is further amended by striking Code Section 50-5-69, relating to purchases without competitive bidding, in its entirety and inserting in its place the following:

"50-5-69.

(a) If the needed supplies, materials, or equipment can reasonably be expected to be acquired for less than ~~\$500.00~~ \$2,500.00 and are not available on state contracts or through statutorily required sources, the purchase may be effectuated without competitive bidding. The commissioner of administrative services may by rule and regulation authorize the various state departments, agencies, and instrumentalities to make purchases in their behalf which do not exceed ~~\$5,000.00~~ \$100,000.00 and may provide the circumstances and conditions under which such purchases may be effected.

(b) The Department of Administrative Services is authorized to permit departments, institutions, and agencies of state government to utilize a procurement card that will electronically pay and monitor payments by state institutions pursuant to subsection (a) of this Code section subject to approval of the State Depository Board pursuant to the State Depository Board's authority to prescribe cash management policies and procedures for state agencies under Code Section 50-17-51. All purchases made through procurement card shall be included on a monthly summary report to be prepared by each state department, institution, and agency in a form to be approved by the Department of Administrative Services.

(c) The commissioner of administrative services shall promulgate rules and regulations necessary to carry out the intent of this Code section.

(d) Nothing in this Code section shall apply to or affect the laws, rules, and regulations governing emergency purchases."

www.libtool.com.cn **SECTION 7.**

Said part is further amended by striking Code Section 50-5-72, relating to construction and public works contracts conducted by the department, in its entirety and inserting in its place the a new Code Section 50-5-72 to read as follows:

"50-5-72.

Notwithstanding any other provision of this part or any other law dealing with the subject matter contained in this Code section to the contrary, all construction or public works contracts, exceeding a total expenditure of ~~\$500,000~~ \$100,000.00, of any department, board, bureau, commission, office, or agency of the state government, except as provided in this Code section, shall be conducted and negotiated by the Department of Administrative Services in accordance with this part; provided, however, that any expenditure of less than \$100,000.00 shall still be subject to review and approval by the Department of Administrative Services, which may approve noncompetitive expenditures of up to \$100,000.00. All advertising costs incurred in connection with such contracts shall be borne by and paid from the funds appropriated to and available to the department, board, bureau, commission, office, or agency of the state government for which the contract is negotiated. The commissioner of administrative services is authorized and directed to promulgate such rules and regulations as shall carry out the additional duties and responsibilities placed upon the department by this Code section. Nothing contained in this Code section shall apply to or affect the Department of Transportation, the several public authorities of this state, including the Stone Mountain Memorial Association and the Board of Regents of the University System of Georgia, or the expenditure of money credited to the account of this state in the Unemployment Trust Fund by the Secretary of the Treasury of the United States pursuant to Section 903 of the Social Security Act and appropriated as provided in Code Section 34-8-85. No contract in existence on March 18, 1964, shall be affected by this Code section and such contract may continue to be utilized."

SECTION 8.

Said part is further amended by striking Code Section 50-5-73, relating to goods and services to be obtained from correctional industries when certified as available, in its entirety and inserting in its place a new Code Section 50-5-73 to read as follows:

"50-5-73.

(a) All services provided or goods, wares, or merchandise produced wholly or in part by the Georgia Correctional Industries Administration and needed by the departments, institutions, and agencies of the state and its political subdivisions supported wholly or in part by public funds shall be obtained from the Georgia Correctional Industries Administration where such services, goods, wares, or merchandise have been certified in writing by the commissioner of corrections ~~with the advice and consent of the Department of Administrative Services~~ as available and of competitive quality and price. Where not certified as available from the Georgia Correctional Industries Administration, services, goods, wares, or merchandise shall be obtained from other agencies or activities of the state which are legally authorized to engage in the provision of such and have certified the availability with the advice and consent of the Department of Administrative Services.

(b) The Georgia Correctional Industries Administration and the commissioner of corrections shall report to the Department of Administrative Services the certification criteria, including but not limited to cost, delivery schedules, and availability within 15 days of notice of certification.

(c) The Georgia Correctional Industries Administration shall notify the Department of Administrative Services of any changes to certified products or services available pursuant to this Code section within 15 days of any such changes."

SECTION 9.

Said part is further amended by striking Code Section 50-5-77, relating to the attachment of delivery receipts and purchase orders to paid invoices, which reads as follows:

“50-5-77. www.libtool.com.cn

To each and every invoice paid by any state agency or department there shall be attached the delivery receipt and also a copy of the purchase order issued by the Department of Administrative Services. It shall be the duty of the state auditor to disallow, as an illegal payment, any payments that do not have the receipts and purchase orders attached to the invoice paid. It shall also be the duty of the state auditor to point out these items in the annual audit of each agency or department of the state.”,

and inserting in lieu thereof the following:

“Reserved.”

SECTION 10.

Said part is further amended by striking Code Section 50-5-80, relating to making it unlawful to make purchases or sell through the department for individual ownership, in its entirety and inserting in its place a new Code Section 50-5-80 to read as follows:

“50-5-80.

(a) As used in this Code section, the term ‘person’ includes natural persons, firms, partnerships, corporations, or associations.

(b) It shall be unlawful for any employee or official of the state or any other person to purchase, directly or indirectly, through the Department of Administrative Services, or through any agency, department, board, or bureau of the state, any article, material, merchandise, ware, commodity, or other thing of value for the personal or individual ownership of himself or herself or other person or persons. All articles, materials, merchandise, wares, commodities, or other things of value purchased, directly or indirectly, by or through the Department of Administrative Services or by or through any agency, department, board, or bureau of the state shall be and remain the property of the state until sold or disposed of by the state in accordance with the laws governing the disposition or sale of other state property.

(c) It shall be unlawful for any person knowingly to sell or deliver any article, material, merchandise, ware, commodity, or other thing of value to any person, directly or indirectly, by or through the Department of Administrative Services or by or through any department, agency, board, or bureau of the state for the individual and personal ownership of such person or other person or persons except that property of the state may be sold or otherwise disposed of in accordance with the laws governing the sale or other disposition of state property.

(d) Any person who violates any provision of this Code section shall be guilty of a misdemeanor.”

SECTION 11.

This Act shall become effective on July 1, 1996.

SECTION 12.

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

The following amendment was read:

Representatives Powell of the 23rd, McCall of the 90th and DeLoach 172nd move to amend the Committee substitute to SB 550 by adding between lines 29 and 30 on page 8 the following:

“(b)(1) The Department of Administrative Services shall establish and maintain through printed and electronic media and shall sell a publication entitled the ‘Georgia Procurement Register,’ which shall list all procurement or purchase orders for goods, services, and supplies in excess of \$2,500.00 by the various state departments, agencies, and instrumentalities as provided in paragraph (2) of this subsection.

(2) At least 15 to 30 calendar days prior to the fixed date of purchase of any goods, materials, or supplies by a state department, agency, or instrumentality which can reasonably be expected to exceed \$2,500.00, such department, agency, or instrumentality shall, in a manner to be prescribed by the commissioner of administrative services, submit to the Department of Administrative Services notice of such entity's impending purchase. Such notice shall include all relevant information regarding such purchase, including the name, address, and phone number of a contact person within the purchasing entity.

(3) Upon receipt of each notice from a purchasing entity as provided in paragraph (2) of this Code section, the Department of Administrative Services shall cause such information to be listed on the 'Georgia Procurement Register' created under paragraph (1) of this subsection. Such register shall be made available electronically to any subscriber to the electronic network or by purchase of a printed publication."

By redesignating subsection (b) on line 30 of page 8 as subsection (c).

By redesignating subsection (c) on line 1 and subsection (d) on line 4 of page 9 as subsections (d) and (e), respectively.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
N Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
N Bates	E Dixon, S	Y Kinnamon	N Purcell, A	Y Streat
N Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
N Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
N Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	N Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	N Rogers	Y Trense
Y Brush	N Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
N Buckner	Y Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	N Hanner	N Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	N McBee	N Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	N Orrick	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 142, nays 24.

The amendment was adopted.

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:

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Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClintan	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	E Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 165, nays 0.

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

SB 549. By Senators Griffin of the 25th, Tysinger of the 41st, Pollard of the 24th and others:

A bill to amend Article 9 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to Georgia Military College, so as to change the provisions relating to the composition of the Board of Trustees of the Georgia Military College; to change the provisions relating to terms of board members; to change the date for determining the applicability of the provisions relating to prior trusts.

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 Allen	Y Barnes	Y Brown, J	Y Carter	Y Crews
Y Anderson	Y Bates	Y Brush	Chambless	Y Culbreth
Y Ashe	Y Benefield	Y Buck	Y Channell	Y Cummings
Y Bailey	Y Birdsong	Y Buckner	Y Childers	Y Davis, G
Y Baker	Y Bordeaux	Y Bunn	Y Coker	Y Davis, M
Y Bannister	Y Bostick	Y Burkhalter	Y Coleman, B	Y Day
Y Barfoot	Y Breedlove	Y Byrd	Y Coleman, T	Y DeLoach, B
Y Bargeron	Y Brooks, D	Y Campbell	Y Connell	Y DeLoach, G
Y Barnard	Y Brooks, T	Y Canty	Y Crawford	Y Dix

Y Dixon, H	Y Irvin	Y McKinney	Y Rogers	Y Stephenson
E Dixon, S	Y James	Y Mills	Y Royal	Y Streat
Y Dobbs	Y Jamieson	Y Mobley, B	Y Sanders	Y Taylor
Y Ehrhart	Y Jenkins	Y Mobley, J	Y Sauder	Y Teague
Y Epps	Y Johnson, G	Y Mosley	Y Scoggins	Y Teper
Y Evans	Y Johnson, J	Y Mueller	Y Shanahan	Y Thomas
Y Falls	Y Johnston	Y O'Neal	Y Shaw	Y Tillman
Y Felton	Y Jones	Y Orrock	Y Sherrill	Y Titus
Y Floyd	Y Joyce	Y Parham	Y Shipp	Y Towery
Y Godbee	Y Kaye	Y Parrish	Y Simpson	Y Trense
Y Golden	Y Kinnamon	Y Parsons	Y Sinkfield	Y Turnquest
Y Goodwin	Y Klein	Y Pelote	Y Skipper	Y Twiggs
Y Greene	Y Ladd	Y Perry	Y Smith, C	Y Walker, L
Y Grindley	Y Lakly	Y Pinholster	Y Smith, C.W.	Y Walker, R.L.
Y Hanner	Y Lane	Y Polak	Y Smith, L	Y Wall
Y Harbin	Y Lawrence	Y Ponder	Y Smith, P	Y Watson
Y Harris	Y Lee	Y Porter	E Smith, T	Y Watts
Y Heard	Y Lewis	Y Poston	Y Smith, V	Y Westmoreland
Y Heckstall	Y Lifsey	E Powell	Y Smith, W	Y Whitaker
Y Hegstrom	Y Lord	Y Purcell, A	Y Smyre	Y White
Y Hembree	Y Lucas	Y Purcell, B	Y Snelling	Y Wiles
Y Henson	Y Maddox	Y Randall	Y Snow	Y Williams, B
Y Holland	Y Mann	E Randolph	Y Stallings	Y Williams, J
Y Holmes	Y Martin	Y Ray	Y Stancil, F	Y Williams, R
Y Howard	Y McBee	Y Reaves	Y Stancil, S	Y Woods
Y Hudson	Y McCall	Y Reichert	Y Stanley, L	Y Yates
Y Hugley	Y McClinton	Y Roberts	Y Stanley, P	Y Murphy, Spkr

On the passage of the Bill, the ayes were 156, nays 0.

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

SB 737. By Senators Gillis of the 20th, Dean of the 31st, Broun of the 46th and others:

A bill to amend Code Section 50-12-45 of the Official Code of Georgia Annotated, relating to the power of the Georgia State Games Commission to authorize a direct-support organization to assist in the operation of the Georgia State Games, so as to authorize the Georgia State Games Commission to incorporate one or more nonprofit corporations.

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:

Allen	Y Campbell	Evans	Y Jenkins	E Mills
Y Anderson	Y Canty	Y Falls	Y Johnson, G	Y Mobley, B
Y Ashe	Y Carter	Y Felton	Y Johnson, J	Y Mobley, J
Y Bailey	Y Chambless	Y Floyd	Y Johnston	Y Mosley
Y Baker	Y Channell	Y Godbee	Y Jones	Y Mueller
Y Bannister	Y Childers	Y Golden	Y Joyce	Y O'Neal
Y Barfoot	Y Coker	Y Goodwin	Y Kaye	Y Orrock
Y Bargerone	Y Coleman, B	Y Greene	Y Kinnamon	Y Parham
Y Barnard	Y Coleman, T	Y Grindley	Y Klein	Y Parrish
Y Barnes	Y Connell	Y Hanner	Y Ladd	Y Parsons
Y Bates	Y Crawford	Y Harbin	Y Lakly	Y Pelote
Y Benefield	Y Crews	Y Harris	Y Lane	Y Perry
Y Birdsong	Y Culbreth	Y Heard	Y Lawrence	Y Pinholster
Y Bordeaux	Y Cummings	Y Heckstall	Y Lee	Y Polak
Y Bostick	Y Davis, G	Y Hegstrom	Y Lewis	Y Ponder
Y Breedlove	Y Davis, M	Y Hembree	Y Lifsey	Y Porter
Y Brooks, D	Y Day	Y Henson	Y Lord	Y Poston
Y Brooks, T	Y DeLoach, B	Y Holland	Y Lucas	E Powell
Y Brown, J	Y DeLoach, G	Y Holmes	Y Maddox	Y Purcell, A
Y Brush	Y Dix	Y Howard	Y Mann	Y Purcell, B
Y Buck	Y Dixon, H	Y Hudson	Y Martin	Y Randall
Y Buckner	E Dixon, S	Y Hugley	Y McBee	E Randolph
Y Bunn	Y Dobbs	Y Irvin	Y McBee	Y Ray
Y Burkhalter	Y Ehrhart	Y James	Y McCall	Y Reaves
Y Byrd	Y Epps	Y Jamieson	Y McClinton	Y Reichert
			Y McKinney	

Y Roberts	Y Sinkfield	Y Snow	Y Thomas	Y Watts
Y Rogers	Skipper	Y Stallings	Y Tillman	Y Westmoreland
Y Royal	Y Smith, C	Y Stancil, F	Y Titus	Y Whitaker
Y Sanders	Y Smith, C.W	Y Stancil, S	Y Towery	Y White
Y Sauder	Y Smith, L	Y Stanley, L	Y Trense	Y Wiles
Scoggins	Y Smith, P	Y Stanley, P	Turnquest	Y Williams, B
Y Shanahan	E Smith, T	Y Stephenson	Y Twiggs	Y Williams, J
Y Shaw	Y Smith, V	Y Streat	Y Walker, L	Y Williams, R
Sherrill	Y Smith, W	Y Taylor	Y Walker, R.L	Y Woods
Y Shipp	Y Smyre	Teague	Y Wall	Y Yates
Y Simpson	Y Snelling	Y Teper	Y Watson	Murphy, Spkr

On the passage of the Bill, the ayes were 153, nays 0.

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

SB 667. By Senator Cheeks of the 23rd:

A bill to amend Code Section 21-5-30 of the Official Code of Georgia Annotated, relating to contributions made to a candidate or campaign committee or for recall of a public officer, so as to change the provisions relating to persons acting on behalf of a public utility corporation regulated by the Public Service Commission; to provide for an exception.

Representative Kaye of the 37th moved to reconsider the previous question.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roherts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Canty	Y Heard	N McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chamhless	Y Hegstrom	E Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 156, nays 3.

The motion prevailed.

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 Allen	Y Crews	Y Irvin	Y Parrish	N Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	N Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
N Barnes	Dixon, H	N Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	N Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
N Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	N Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	N Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	N Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	N McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	E Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Wiles
Y Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 138, nays 24.

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

The Speaker announced the House in recess until 1:45 o'clock this afternoon.

AFTERNOON SESSION

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The Speaker called the House to order.

Representative Sinkfield of the 57th District, Chairman of the Committee on Children and Youth, submitted the following report:

Mr. Speaker:

Your Committee on Children and Youth 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 654 Do Pass

Respectfully submitted,
/s/ Sinkfield of the 57th
Chairman

Representative Lee of the 94th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

Your Committee on Rules has had under consideration the following Bill and Resolution of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HR 1145 Do Pass
SB 584 Do Pass

Respectfully submitted,
/s/ Lee of the 94th
Chairman

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

Mr. Speaker:

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

HB 1338. By Representative Williams of the 114th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to enact the "Patient Protection Act"

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

SB 587. By Senators Dean of the 31st, Marable of the 52nd, Ray of the 19th and others:

A bill to amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to define certain terms; to authorize certain county correctional facilities to obtain certain information from inmates relating to medical insurance; to provide for the provision and payment of medical treatment for inmates; to provide that certain state and county correctional facilities may deduct from inmate accounts.

The following Committee substitute was read and adopted:

A BILL

To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to define certain terms; to authorize certain county correctional facilities to obtain certain information from inmates relating to medical insurance; to provide for the provision and payment of medical treatment for inmates; to provide that certain state and county correctional facilities may deduct from inmate accounts payments for certain damages and medical costs; to provide an exception; to provide that such facilities may charge a certain fee for managing inmate accounts; to provide for construction; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by striking in its entirety paragraph (1) of subsection (a) of Code Section 42-4-50, relating to definitions relative to medical services for inmates, and inserting in lieu thereof the following:

“(1) ‘Detention facility’ means a municipal or county jail; ~~workcamp, or other municipal or county detention facility~~ used for the detention of persons charged with or convicted of either a felony, a misdemeanor, or a municipal offense.”

SECTION 2.

Said title is further amended by striking in its entirety paragraph (1) of subsection (a) of Code Section 42-4-70, relating to definitions relative to deductions from inmate accounts for expenses, and inserting in lieu thereof the following:

“(1) ‘Detention facility’ means a municipal or county jail; ~~workcamp, or other municipal or county detention facility~~ used for the detention of persons charged with or convicted of either a felony, a misdemeanor, or a municipal offense.”

SECTION 3.

Said title is further amended by inserting immediately following Code Section 42-5-53 three new Code sections to read as follows:

“42-5-54.

(a) As used in this Code section, the term:

(1) ‘Detention facility’ means a county correctional institution, workcamp, or other county detention facility used for the detention of persons convicted of a felony or a misdemeanor.

(2) ‘Inmate’ means a person who is detained in a detention facility by reason of being convicted of a felony or a misdemeanor and who is insured under existing individual health insurance, group health insurance, or prepaid medical care coverage or is eligible for benefits under Article 7 of Chapter 4 of Title 49, the ‘Georgia Medical Assistance Act of 1977.’ Such term does not include any sentenced inmate who is the responsibility of the Department of Corrections.

(3) ‘Officer in charge’ means the warden, captain, or superintendent having the supervision of any detention facility.

(b) The officer in charge or his or her designee may require an inmate to furnish the following information:

- (1) The existence of any health insurance, group health plan, or prepaid medical care coverage under which the inmate is insured;
- (2) The eligibility for benefits to which the inmate is entitled under Article 7 of Chapter 4 of Title 49, the 'Georgia Medical Assistance Act of 1977';
- (3) The name and address of the third-party payor; and
- (4) The policy or other identifying number.

(c) The officer in charge will provide a sick, injured, or disabled inmate access to medical services and may arrange for the inmate's health insurance carrier to pay the health care provider for the medical services rendered.

(d) The liability for payment for medical care described under subsection (b) of this Code section may not be construed as requiring payment by any person or entity, except by an inmate personally or by his or her carrier through coverage or benefits described under paragraph (1) of subsection (b) of this Code section or by or at the direction of the Department of Medical Assistance pursuant to paragraph (2) of such subsection.

(e) Nothing in this Code section shall be construed to relieve the governing authority, governmental unit, subdivision, or agency having the physical custody of an inmate from its responsibility to pay for any medical and hospital care rendered to such inmate regardless of whether such individual has been convicted of a crime.

42-5-55.

(a) As used in this Code section, the term:

- (1) 'Detention facility' means a state or county correctional institution, workcamp, or other state or county detention facility used for the detention of persons convicted of a felony or a misdemeanor.
- (2) 'Inmate' means a person who is detained in a detention facility by reason of being convicted of a felony or a misdemeanor.
- (3) 'Medical treatment' means each visit initiated by the inmate to an institutional physician; physician's extender, including a physician's assistant or a nurse practitioner; registered nurse; licensed practical nurse; medical assistant; dentist; dental hygienist; optometrist; or psychiatrist for examination or treatment.
- (4) 'Officer in charge' means the warden, captain, or superintendent having the supervision of any detention facility.

(b) The commissioner or, in the case of a county facility, the officer in charge may establish by rules or regulations criteria for a reasonable deduction from money credited to the account of an inmate to:

- (1) Repay the costs of:
 - (A) Public property willfully damaged or destroyed by the inmate during his or her incarceration;
 - (B) Medical treatment for injuries inflicted by the inmate upon himself or herself or others;
 - (C) Searching for and apprehending the inmate when he or she escapes or attempts to escape; such costs to be limited to those extraordinary costs incurred as a consequence of the escape; or
 - (D) Quelling any riot or other disturbance in which the inmate is unlawfully involved.

(2) Defray the costs paid by the state or county for medical treatment for an inmate when the request for medical treatment has been initiated by the inmate.

(c) The provisions of paragraph (2) of subsection (b) of this Code section shall in no way relieve the governmental unit, agency, or subdivision having physical custody of an inmate from furnishing him or her with needed medical treatment.

(d) Notwithstanding any other provisions of this Code section, the deductions from money credited to the account of an inmate as authorized under subsection (b) of this Code section shall not be made whenever the balance in the inmate's account is \$10.00 or less.

(e) The officer in charge of any detention facility is authorized to charge a fee for establishing and managing inmate money accounts. Such fee shall not exceed \$1.00 per month."

SECTION 4.

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 Allen	Y Crews	Y Irvin	Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Jamieson	Pelote	Y Snelling
Bailey	Y Davis, G	Y Jenkins	Y Perry	Snow
Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Stallings
Y Bannister	Y Day	Y Johnson, J	Polak	Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	DeLoach, G	Jones	Porter	Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Stanley, P
Y Barnes	Dixon, H	Kaye	E Powell	Y Stephenson
Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrbart	Y Ladd	Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Brooks, D	Y Felton	Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Bunn	Y Grindley	Y Mann	Scoggins	Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	Y McCall	Sherrill	Y Watts
Canty	Heard	McClinton	Y Shipp	Y Westmoreland
Carter	Heckstall	McKinney	Y Simpson	Whitaker
Chambless	Y Hegstrom	E Mills	Sinkfield	White
Y Channell	Hembree	Mobley, B	Y Skipper	Y Wiles
Childers	Henson	Y Mobley, J	Y Smith, C	E Williams, B
Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Mueller	Smith, L	Y Williams, R
Coleman, T	Howard	Y O'Neal	Y Smith, P	Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 105, nays 0.

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

SB 395. By Senators Isakson of the 21st, Tanksley of the 32nd, Clay of the 37th and others:

A bill to amend Code Section 30-5-4 of the Official Code of Georgia Annotated, relating to reporting the need for protective services for disabled adults, so as to change which persons must make certain reports; to provide for reporting the need for protective services for elderly adults.

The following Committee substitute was read:

A BILL

To amend Code Section 30-5-4 of the Official Code of Georgia Annotated, relating to reporting the need for protective services for disabled adults, so as to change which persons must make certain reports; to provide for reporting the need for protective services for certain persons; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 30-5-4 of the Official Code of Georgia Annotated, relating to reporting the need for protective services for disabled adults, is amended by striking paragraph (1) of subsection (a) thereof and inserting in lieu thereof the following:

“(a)(1) Any physician, osteopath, intern, resident, other hospital or medical personnel, dentist, psychologist, podiatrist, nursing personnel, social work personnel, day-care personnel, or law enforcement personnel having reasonable cause to believe that a disabled adult or elder person has had a physical injury or injuries inflicted upon ~~him~~ such disabled adult or elder person, other than by accidental means, ~~by a caretaker~~ or has been neglected or exploited ~~by a caretaker~~ shall report or cause reports to be made in accordance with the provisions of this Code section. Any employee of a financial institution, as defined in Code Section 7-1-4, having reasonable cause to believe that a disabled adult or elder person has been exploited shall report or cause reports to be made in accordance with the provisions of this Code section. When ; provided, however, that, when the person having a reasonable cause to believe that a disabled adult or elder person is in need of protective services performs services as a member of the staff of a hospital, social agency, financial institution, or similar facility, ~~he~~ such person shall notify the person in charge of the facility and such person or ~~his~~ that person's designee shall report or cause reports to be made in accordance with the provisions of this Code section.”

SECTION 2.

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

The following amendment was read and adopted:

Representative Watts of the 26th moves to amend the Committee substitute to SB 395 by adding “to provide for a definition;” immediately following the semicolon on line 4 of page 1.

By adding immediately following “(1)” on line 14 of page 1 the following:

“As used in this paragraph, the term ‘elder person’ means a person 60 years of age or over.”

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:

Y Allen	Y Brooks, T	Y Connell	Y Falls	Y Holmes
Y Anderson	Y Brown, J	Y Crawford	Y Felton	Y Howard
Y Ashe	Y Brush	Y Crews	Y Floyd	Y Hudson
Y Bailey	Y Buck	Y Culbreth	Godbee	Y Hugley
Y Baker	Y Buckner	Y Cummings	Y Golden	Y Irvin
Y Bannister	Y Bunn	Y Davis, G	Goodwin	Y James
Y Barfoot	Y Burkhalter	Y Davis, M	Y Greene	Y Jamieson
Y Bargerone	Y Byrd	Y Day	Y Grindley	Y Jenkins
Y Barnard	Y Campbell	Y DeLoach, B	Y Hanner	Y Johnson, G
Y Barnes	Y Canty	DeLoach, G	Y Harbin	Y Johnson, J
Y Bates	Y Carter	Y Dix	Y Harris	Y Johnston
Y Benefield	Y Chambless	Dixon, H	Y Heard	Y Jones
Y Birdsong	Y Channell	E Dixon, S	Heckstall	Y Joyce
Y Bordeaux	Y Childers	Dobbs	Y Hegstrom	Y Kaye
Y Bostick	Y Coker	Y Ehrhart	Y Hembree	Y Kinnamon
Y Breedlove	Y Coleman, B	Y Epps	Y Henson	Y Klein
Y Brooks, D	Y Coleman, T	Y Evans	Y Holland	Y Ladd

Y Lakly	Y Mueller	Reaves	Smith, T	Y Towery
Y Lane	Y O'Neal	Y Reichert	Y Smith, V	Y Trense
Y Lawrence	Y Orrock	Roberts	Y Smith, W	Turnquest
Y Lee	Y Parham	Y Rogers	Smyre	Twiggs
Y Lewis	Y Parrish	Y Royal	Y Snelling	Walker, L
Y Lifsey	Y Parsons	Y Sanders	Y Snow	Y Walker, R.L
Y Lord	Y Pelote	Y Sauder	Y Stallings	Y Wall
Y Lucas	Y Perry	Scoggins	Y Stancil, F	Y Watson
Y Maddox	Y Pinholster	Y Shanahan	Y Stancil, S	Y Watts
Y Mann	Polak	Y Shaw	Stanley, L	Y Westmoreland
Y Martin	Y Ponder	Sherrill	Stanley, P	Whitaker
Y McBee	Porter	Y Shipp	Y Stephenson	White
Y McCall	Poston	Y Simpson	Streat	Y Wiles
Y McClinton	E Powell	Y Sinkfield	Y Taylor	E Williams, B
McKinney	Y Purcell, A	Y Skipper	Y Teague	Y Williams, J
E Mills	Y Purcell, B	Y Smith, C	Y Teper	Y Williams, R
Mobley, B	Randall	Y Smith, C.W	Y Thomas	Y Woods
Y Mobley, J	E Randolph	Y Smith, L	Y Tillman	Y Yates
Y Mosley	Ray	Y Smith, P	Y Titus	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 137, nays 0.

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

SB 591. By Senators Thompson of the 33rd, Starr of the 44th and Kemp of the 3rd:

A bill to amend Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weight of vehicles and loads, so as to change the weight limitation on vehicles hauling solid waste and recovered materials.

The following Committee substitute was read:

A BILL

To amend Code Section 32-6-26 of the Official Code of Georgia Annotated, relating to weight of vehicles and loads, so as to change certain provisions relating to maximum loads on tandem axles; to change certain provisions relating to exceeding weight limitations on certain vehicles operating on public roads which are not national highways; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 32-6-26 of the Official Code of Georgia Annotated, relating to weight of vehicles and loads, is amended by striking subparagraph (c)(1)(A) and inserting in lieu thereof the following:

“(c)(1)(A) On all highways within this state which are not national highways, the maximum total gross weight authorized for any vehicle and load shall not exceed 80,000 pounds; the maximum load authorized on any single axle shall be as provided in subsection (b) of this Code section; the maximum load on any tandem axle shall be ~~37,340~~ 40,680 pounds; and subject to subparagraph (B) and subparagraph (C) of this paragraph, the maximum total gross weight authorized for any vehicle and load shall be the maximum load authorized on any single axle multiplied by the number of axles with which the vehicle is equipped.”

SECTION 2.

Said Code section is further amended by striking in its entirety subsection (g) and inserting in lieu thereof a new subsection (g) to read as follows:

“(g)(1) The weight limitations provided for in this Code section, except the limitation in subsections (f) and (h) of this Code section, may be exceeded on any public road within this state which is not a national highway, or when making a pickup or delivery

on any public road of a county road system, without a permit when the load on any single axle does not exceed 23,000 pounds and the maximum total gross weight of the vehicle and load does not exceed 80,000 pounds when:

- (A) ~~Hauling forest products~~ from the forest where cut to the owner's place of business, plant, plantation, or residence;
 - (B) Hauling live poultry or cotton from a farm to a processing plant;
 - (C) Hauling feed from a feed mill to a farm; ~~or~~
 - (D) Hauling granite, either block or sawed for further processing, from the quarry to a processing plant located in the same or an adjoining county; or
 - (E) Hauling solid waste or recovered materials from points of generation to a solid waste handling facility or other processing facility.
- (2) Any vehicle carrying a load as authorized in this subsection at night shall be equipped with lights clearly visible for a distance of not less than 300 feet from the front and rear of the vehicle."

SECTION 3.

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

SECTION 4.

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

The following amendments were read and adopted:

Representatives Jamieson of the 22nd, Streat of the 167th, Parham of the 122nd and Parrish of the 144th move to amend the Committee substitute to SB 591 by striking lines 1, 2, and 3 of page 1 and inserting in their place the following:

"To amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to create the Council on Rural Transportation and Economic Development; to provide for its powers, duties, and authority; to provide for the development and implementation of a strategic plan relative to the transportation needs of rural Georgia; to provide for the membership, powers, duties, and operation of the council; to authorize the appropriation of funds to the council and the provision of state funds to the council; to authorize the expenditure of funds by the council; to provide for the provision of services to the council; to provide for related matters; to provide for automatic repeal; to change certain provisions relating to maximum loads"

By striking lines 10 through 14 of page 1 and inserting in their place the following:

"SECTION 1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended by adding a new Code section immediately following Code Section 32-4-22, to be designated Code Section 32-4-23, to read as follows:

'32-4-23.

(a) There is created the Council on Rural Transportation and Economic Development to be composed of 15 members. Three members shall be appointed by the Governor. Three members shall be members of the Senate to be appointed by the President of the Senate. Three members shall be members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Six members shall be ex officio members: the commissioner of transportation, the commissioner of industry, trade, and tourism, the commissioner of community affairs, the Commissioner of Labor, the commissioner of natural resources, and the commissioner of technical and adult education. The Governor shall designate a member of the council to call the initial meeting at which the council shall elect one of their members to serve as the chairperson who shall call all meetings of the council and set the agenda.

(b) The council shall undertake a comprehensive study of the needs of rural Georgia relative to the state Developmental Highway System, shall develop a strategic plan for meeting those transportation needs, and shall support the implementation and completion of ~~the plan by the~~ Department of Transportation. Without limiting the generality of the foregoing, such study and plan shall specifically address the composite network of highways that shall be included in the state Developmental Highway System, a timetable for the completion of each link in the highway system, and the sources and level of funding necessary to implement the highway system proposed. The council shall be headquartered in a rural community to be designated by a majority vote of the council. The council may issue interim reports of its study and findings as deemed appropriate and shall issue at least one report of its study and findings prior to January 15, 1997.

(c) The General Assembly is authorized to appropriate funds to the council for the purposes of this Code section. In addition, any officer, agency, or department of the state may make available to the council for purposes of this Code section funds appropriated or available to such officer, agency, or department. Any funds so appropriated or made available to the council may be expended by the council in such manner as may be determined by the council. The council is attached to the Department of Community Affairs for budgetary and administrative purposes only. The council is authorized to contract for and engage the services of experts, consultants, and staff as may be deemed appropriate for the purposes of this Code section. The council may also request the provision of services for the purposes of this Code section by any officer, agency, or department of state government, and all officers, agencies, and departments of state government shall cooperate with the council and provide services so requested to the maximum extent possible.

(d) The council may conduct such meetings and public hearings at such places and times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this Code section.

(e) The legislative members of the council and any members of the council who are not state officers or employees shall receive the allowances authorized for legislative members of interim legislative committees. The funds necessary to pay such allowances to legislative members and private members shall come from the funds appropriated to the House of Representatives for members of the House, from funds appropriated to the Senate for members of the Senate, and from legislative funds for ancillary services in the case of private members of the council.

(f) Any members of the council who are state officers or employees shall receive no additional compensation for service on the council but may be reimbursed by their respective employing agency for expenses incurred in service on the council.

(g) The council shall stand abolished and this Code section shall stand repealed in its entirety on March 31, 1997.'

SECTION 2.

Said title is further amended by striking subparagraph (c)(1)(A) of Code Section 32-6-26, relating to weight of vehicles and loads, and inserting in lieu thereof the following:"

By striking lines 27 and 28 of page 1 and inserting in their place the following:

"SECTION 3.

Said title is further amended by striking in its"

By redesignating Sections 3 and 4 on page 2 as Sections 4 and 5, respectively.

Representative Floyd of the 138th moves to amend the Committee substitute to SB 591 by striking lines 1 and 2 of page 1 and inserting in lieu thereof the following:

“To amend Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weights of vehicles and loads,”

By striking line 6 of page 1 and inserting in lieu thereof the following:

“on public roads which are not national highways; to change certain provisions relating to issuance of special permits; to provide”

By striking lines 11 through 13 of page 1 and inserting in lieu thereof the following:

“Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weights of vehicles and loads, is amended by striking subparagraph (c)(1)(A) of Code Section 32-6-26, relating to weight of vehicles and loads, and inserting in”

By striking lines 28 through 30 of page 1 and inserting in lieu thereof the following:

Said article is further amended by striking subsection (g) of Code Section 32-6-26, relating to weight of vehicles and loads, and inserting in lieu thereof the following:”

By inserting between lines 22 and 23 of page 2 the following:

“SECTION 2A.

Said article is further amended by striking paragraph (1) of subsection (c) of Code Section 32-6-28, relating to permits for excess weight and dimensions of vehicles, and inserting in lieu thereof the following:

(1) Annual. Charges for the issuance of annual permits shall be as follows:

(A) For portable buildings and boats and any vehicle or combination of vehicles, up to and including 12 feet wide and 75 feet long..... \$ 100.00

However, a vehicle or combination of vehicles having a trailer or combination of trailers with sidewalls or roof which has transported portable buildings may, after depositing any load, return unloaded to its point of origin even though the unloaded vehicles exceed the 60 foot limitation provided for in Code Section 32-6-24, provided that the unloaded vehicles referred to in this subparagraph may not be operated on the National System of Interstate and Defense Highways;

(B) For heavy equipment:

- (i) Overweight, overlength, or overwidth 100.00
- (ii) Overheight (any equipment)..... 50.00

A tractor and trailer (low boy type) may, after depositing a load referred to in this subparagraph, return to its point of origin even though the tractor and trailer (low boy type) may exceed the 60 foot limitation provided for in Code Section 32-6-24, up to and including 12 feet wide and 75 feet long, provided that the tractor and trailer (low boy type) referred to in this subparagraph may not be operated on the National System of Interstate and Defense Highways;

(C) For loads of concrete pipe, cotton other than on cotton module hauler trucks, and plywood which do not exceed nine feet wide 100.00

Provided that such loads may not be operated on the National System of Interstate and Defense Highways;

(C.1) For loads of cotton on cotton module hauler trucks not exceeding a width of nine feet, an overall length of 52 feet, a height of 13

feet six inches, and a total gross weight of 65,000 pounds, without regard to any axle weight..... 100.00

Provided that such loads may not be operated on the National System of Interstate and Defense Highways;

(D) For mobile homes, modular homes, and sectional houses, and any vehicle or combination of vehicles, up to and including ten feet wide and 75 feet long..... 100.00

However, a vehicle or combination of vehicles having a trailer or combination of trailers with sidewalls or roof which has transported modular homes or sectional houses may, after depositing any load, return unloaded to its point of origin even though the unloaded vehicles exceed the limitations provided for in this article, provided that the unloaded vehicles referred to in this subparagraph may not be operated on the National System of Interstate and Defense Highways;

(E) For mobile homes, modular homes, and sectional houses, and any vehicle or combination of vehicles, from ten feet wide up to and including 12 feet wide and 85 feet long..... 250.00

However, a vehicle or combination of vehicles having a trailer or combination of trailers with sidewalls or roof which has transported modular homes and sectional houses may, after depositing any load, return unloaded to its point of origin even though the unloaded vehicles exceed the limitations provided for in this article, provided that the movements made under the authority of these annual permits shall be authorized only on those routes specified as part of an approved route system; provided, further, that the mobile homes, modular homes, and sectional houses referred to in this subparagraph, regardless of the length of the towing vehicle, shall not exceed a length of 70 feet from the center of the hitch ball cup to the rearmost part of the load; and provided, further, that the unloaded vehicles referred to in this subparagraph may not be operated on the National System of Interstate and Defense Highways;

(F) For the annual permits authorized by paragraph (2) of subsection (b) of Code Section 32-6-24 for vehicles exceeding 75 feet in length..... 100.00

(G) For the annual permits authorized by subsection (a) of Code Section 32-6-24 for trailers which are over 45 feet in length..... 10.00

(H) For loads of round hay bales which do not exceed 11 feet wide..... 100.00

Provided that the annual permit shall specify the route or routes upon which such loads may be operated.

(I) For preengineered and premanufactured wood roof and floor trusses up to and including 12 feet wide..... 100.00”.

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:

- | | | | | |
|------------|-------------|------------|-------------|------------|
| Y Allen | Y Bailey | Y Barfoot | Y Barnes | Y Birdsong |
| Y Anderson | Baker | Y Bargeron | Bates | Bordeaux |
| Y Ashe | Y Bannister | Y Barnard | Y Benefield | Y Bostick |

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	E Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	E Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	E Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Davis, G	Y Irvin	Y O'Neal	Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	E Williams, B
DeLoach, G	Y Johnson, G	Y Parsons	Smith, T	Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
E Dixon, S	Y Jones	Y Pinholster	Smyre	Y Yates
Y Dobbs	Y Joyce	Polak	Y Snelling	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 144, nays 0.

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

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st, Baker of the 70th, Bordeaux of the 151st and others:

A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

Representative Walker of the 141st moved that the House insist on its position in disagreeing to the Senate substitute to HB 1265 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Coleman of the 142nd, Buck of the 135th and Walker of the 141st.

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

SB 623. By Senators Ray of the 19th and Bowen of the 13th:

A bill to amend Article 2 of Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia State Patrol, so as to provide for creation of the Auxiliary Service within the Uniform Division; to provide for appointment of members of the service; to provide for the rank, qualifications, compensation, benefits, authority, and powers of members of the service.

The following amendment was read and adopted:

Representative Twigg of the 8th moves to amend SB 623 as follows:

On page 2 line 22 delete the words

in the State

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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Roberts	Y Towerly
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twigg
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 149, nays 0.

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

SB 588. By Senators Dean of the 31st, Marable of the 52nd, Ray of the 19th and others:

A bill to amend Part 10 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, known as the "Georgia Music Hall of Fame Authority Act," so as to change the provisions relating to the general powers of the Georgia Music Hall of Fame Authority; to authorize such authority to expend available funds for the meals, entertainment, and incidental expenses of bona fide prospects.

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:

Allen	N Crews	N Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
N Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	N Perry	Y Snow
Baker	N Davis, M	Johnson, G	N Pinholster	Y Stallings
N Bannister	N Day	Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargerion	DeLoach, G	Y Jones	Y Porter	Stanley, L
N Barnard	N Dix	N Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dohhs	N Klein	Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	N Lakly	E Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	N Lawrence	Reaves	Y Tillman
N Brooks, D	Y Felton	Y Lee	Y Reichert	N Titus
Y Brooks, T	Y Floyd	N Lewis	Roherts	Towery
N Brown, J	Y Godhee	Lifsey	N Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	N Sauder	Y Walker, L
N Bunn	Y Grindley	N Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harhin	Y McBee	Y Shaw	Y Watson
N Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	N Hemhree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	E Williams, B
N Coker	Holland	Y Mosley	Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 105, nays 41.

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

By unanimous consent, SB 169 was postponed until tomorrow.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 1149. By Representative Mueller of the 152nd:

A bill to amend Chapter 9 of Title 37 of the Official Code of Georgia Annotated, "The Patient Cost of Care Act," so as to provide for certain billing requirements.

The following Senate substitute was read:

A BILL

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To amend Chapter 9 of Title 37 of the Official Code of Georgia Annotated, "The Patient Cost of Care Act," so as to provide for certain billing requirements; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 9 of Title 37 of the Official Code of Georgia Annotated, "The Patient Cost of Care Act," is amended by striking Code Section 37-9-11, relating to billing, and inserting in its place the following:

"37-9-11.

The department shall bill persons liable for cost of care for the amount due on their assessments in the same manner as other debts and accounts. No bill shall be payable unless it contains the dates of service for which the costs billed therein were incurred. The department is authorized to maintain in the name of the department and the State of Georgia any action at law or equity in any court of this state or any other state which may be necessary to collect such sums."

SECTION 2.

Section 1 of this Act shall only become effective when funds are specifically appropriated for purposes of this Act in an Appropriations Act making specific reference to this Act. The remainder of this Act shall become effective upon approval of this Act 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 Mueller of the 152nd moved that the House agree to the Senate substitute to HB 1149.

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

Allen	Y Childers	Y Harbin	Y Lifsey	Randall
Y Anderson	Y Coker	Y Harris	Y Lord	E Randolph
Y Ashe	Y Coleman, B	Y Heard	Y Lucas	Y Ray
Y Bailey	Y Coleman, T	Y Heckstall	Y Maddox	Y Reaves
Y Baker	Y Connell	Y Hegstrom	Y Mann	Y Reichert
Y Bannister	Y Crawford	Y Hembree	Martin	Roberts
Y Barfoot	Y Crews	Y Henson	Y McBee	Y Rogers
Y Bargerone	Y Culbreth	Y Holland	Y McCall	Y Royal
Y Barnard	Y Cummings	Y Holmes	Y McClinton	Y Sanders
Y Barnes	Y Davis, G	Y Howard	McKinney	Y Sauder
Y Bates	Y Davis, M	Y Hudson	E Mills	Y Scoggins
Y Benefield	Y Day	Y Hugley	Y Mobley, B	Y Shanahan
Y Birdsong	Y DeLoach, B	Y Irvin	Y Mobley, J	Y Shaw
Bordeaux	DeLoach, G	Y James	Y Mosley	Sherrill
Y Bostick	Y Dix	Y Jamieson	Y Mueller	Y Shipp
Y Breedlove	Dixon, H	Y Jenkins	Y O'Neal	Y Simpson
Y Brooks, D	E Dixon, S	Y Johnson, G	Y Orrock	Y Sinkfield
Brooks, T	Dobbs	Y Johnson, J	Y Parham	Y Skipper
Y Brown, J	Y Ehrhart	Y Johnston	Y Parrish	Y Smith, C
Brush	Y Epps	Y Jones	Y Parsons	Y Smith, C.W
Y Buck	Y Evans	Y Joyce	Y Pelote	Y Smith, L
Y Buckner	Y Falls	Y Kaye	Perry	Y Smith, P
Y Bunn	Y Felton	Kinnamon	Y Pinholster	Smith, T
Y Burkhalter	Y Floyd	Y Klein	Y Polak	Y Smith, V
Y Byrd	Y Godbee	Y Ladd	Y Ponder	Y Smith, W
Y Campbell	Y Golden	Y Lakly	Y Porter	Y Smyre
Y Canty	Goodwin	Y Lane	E Poston	Y Snelling
Y Carter	Y Greene	Y Lawrence	E Powell	Y Snow
Y Chambliss	Y Grindley	Y Lee	Y Purcell, A	Y Stallings
Y Channell	Y Hanner	Y Lewis	Y Purcell, B	Y Stancell, F

Y Stancil, S	Y Teague	Y Trense	Y Watson	E Williams, B
Y Stanley, L	Y Teper	Turnquest	Y Watts	Y Williams, J
Y Stanley, P	Y Thomas	Twiggs	Y Westmoreland	Y Williams, R
Y Stephenson	Y Tillman	Y Walker, L	Y Whitaker	Y Woods
Y Streat	Y Titus	Y Walker, R.L	Y White	Y Yates
Y Taylor	Y Towery	Y Wall	Y Wiles	Murphy, Spkr

On the motion, the ayes were 155, nays 0.

The motion prevailed.

HB 173. By Representatives McBee of the 88th, Scoggins of the 24th, Heard of the 89th, Stancil of the 91st and Cummings of the 27th:

A bill to amend Code Section 47-21-4 of the Official Code of Georgia Annotated, relating to employee and other contributions under the regents retirement plan, so as to change the employer's contribution.

The following Senate substitute was read:

A BILL

To amend Chapter 21 of Title 47 of the Official Code of Georgia Annotated, relating to the regents retirement plan, so as to change the employer's contribution; to extend the date a certain actuarial study is due; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 21 of Title 47 of the Official Code of Georgia Annotated, relating to the regents retirement plan, is amended by striking in its entirety subsection (b) of Code Section 47-21-4, relating to employee and other contributions under the regents retirement plan, and inserting in lieu thereof the following:

"(b)(1) The University System of Georgia shall contribute to the optional retirement plan on behalf of each participating employee the following:

(1) Prior to January 1, 1997, an amount equal to 4 percent of the participating employee's earnable compensation; and

(2) On and after January 1, 1997, an amount equal to the normal cost contribution determined by the board of trustees in accordance with the provisions of Code Section 47-3-48. The provisions of this subsection are subject to subsequent legislation; provided, however, that such legislation shall not provide for a rate of contribution lower than 4 percent."

SECTION 2.

Said chapter is further amended by striking in its entirety Code Section 47-21-8, relating to an actuarial study by the state auditor, and inserting in lieu thereof the following:

"47-21-8.

By not later than January 1, ~~1996~~ 2000, the state auditor shall have an actuarial study completed to determine what effect the optional retirement plan provided for in this chapter has had on the Teachers Retirement System of Georgia. The results of such study shall be reported to the General Assembly at the ~~1996~~ 2000 regular session."

SECTION 3.

This Act shall become effective on July 1, 1996, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 1996, as required by subsection (a) of Code Section 47-20-50.

SECTION 4.

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

Representative McBee of the 88th moved that the House agree to the Senate substitute to HB 173.

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

Allen	Y Crews	Irvin	Y Parrish	Y Smith, W
Y Anderson	Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Greene	Y Maddox	Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 148, nays 0.

The motion prevailed.

HB 667. By Representatives Buck of the 135th, Royal of the 164th and Culbreth of the 132nd:

A bill to amend Code Section 48-5-48 of the Official Code of Georgia Annotated, relating to homestead exemptions for qualified disabled veterans, so as to authorize the unremarried surviving spouse or minor children of a qualified veteran who was killed in any war or armed conflict to receive such exemption.

The following Senate amendment was read:

Amend HB 667 by striking "aircraft engine parts or components on a factory basis" and inserting in its place "aircraft engines or aircraft engine parts or components" on lines 28 and 29 of page 1.

Representative Buck of the 135th moved that the House agree to the Senate amendment to HB 667.

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

Allen	Y Crews	Irvin	Y Parrish	Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	E Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 150, nays 0.

The motion prevailed.

HB 1475. By Representatives Parrish of the 144th, Byrd of the 170th, McBee of the 88th and Murphy of the 18th:

A bill to amend Article 1 of Chapter 9 of Title 10 of the Official Code of Georgia Annotated, relating to general provisions regarding the Geo. L. Smith II Georgia World Congress Center Authority, so as to provide that the authority shall have the power to determine the purposes, times, and manner in which access to and use of the facilities of the authority shall be permitted.

The following Senate amendment was read:

Amend HB 1475 by striking lines 1 through 8 of page 2 and inserting in lieu thereof the following:

“jurisdiction of the authority under paragraph (3) of subsection (d) of Code Section 10-9-15, and subject to the requirements of Chapter 8 of Title 35, the ‘Georgia Peace Officer Standards and Training Act,’ shall be authorized to serve and execute warrants and to make arrests for violation of ordinances adopted by the authority. For the purposes of exercising the powers and responsibilities of such officers as peace officers under paragraph (8) of Code Section 35-8-2, including their duties and responsibilities with respect to matters occurring within the limits of the facilities of the authority or requests by another law enforcement agency to provide aid and assistance, such officers

shall have the same authority, powers, privileges, and immunities regarding enforcement of laws as law enforcement officers employed by the state. Prosecutions for violations of”

By striking www.libtool.com.cn lines 12 through 16 of page 4 and inserting in lieu thereof the following:

“direct use or grant, the authority may temporarily close to vehicular and pedestrian access public streets and sidewalks within such facilities or limit vehicular and pedestrian traffic thereon and, after agreement with municipalities having jurisdiction, temporarily close to vehicular and pedestrian traffic public streets and sidewalks adjacent to such facilities or limit vehicular and pedestrian traffic thereon.”

Representative Parrish of the 144th moved that the House agree to the Senate amendment to HB 1475.

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

Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClintony	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 152, nays 0.

The motion prevailed.

HB 1211. By Representatives Ray of the 128th, Murphy of the 18th, Purcell of the 147th, Godbee of the 145th, Childers of the 13th and others:

A bill to amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to provide that voluntary pre-kindergarten programs in this state shall provide for toilet facilities which are enclosed and screened for privacy.

The following Senate amendments were read:

SENATE AMENDMENT NO. 1

Amend HB 1211 by striking “and individually” on line 24

And adding after the period on line 25 the following:

“Nothing contained herein shall be construed to require a prekindergarten program to provide separately constructed toilet facilities.”

SENATE AMENDMENT NO. 2

Amend HB 1211 by adding on line 5 immediately following the word and symbol “privacy;” the following:

“to provide for an exception;”

By striking the quotation marks at the end of line 25.

By inserting between lines 25 and 26 the following:

“(c) The provisions of subsection (b) of this Code section shall not apply to any voluntary pre-kindergarten program which provides separate and gender-specific toilet facilities for the children which it serves.”

SENATE AMENDMENT NO. 3

Amend HB 1211 by adding after the “state” on line 22 on p. 1 the words “which receives state funding”

Representative Ray of the 128th moved that the House agree to the Senate amendments to HB 1211.

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

Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Lawrence	Y Reaves	Y Tillman
Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brusb	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Sbipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 150, nays 0.

The motion prevailed.

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Due to a mechanical malfunction, the vote of Representative Bannister of the 77th was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 148. By Representative Dobbs of the 92nd:

A bill to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to provide that certain landfills proposed for reuse shall be subject to provisions relating to major modifications of landfills but shall not be considered vertical expansions; to create the Intergovernmental Solid Waste Coordinating Council and to provide for its membership and duties.

Representative Dobbs of the 92nd moved that the House insist on its position in disagreeing to the Senate substitute to HB 148 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Dobbs of the 92nd, McBee of the 88th and Stephenson of the 25th.

The following Resolution of the House was taken up for the purpose of considering the Senate amendment thereto:

HR 189. By Representatives Howard of the 118th, Murphy of the 18th, Connell of the 115th, Brooks of the 54th, Brown of the 117th and others:

A resolution designating a portion of State Highway 56 as the Michael J. Padgett, Sr., Highway.

The following Senate amendment was read:

Amend HR 189 by striking from lines 1 and 2 and from line 8 of page 1:

"Michael J. Padgett, Sr.",

and inserting in lieu thereof:

"Mike Padgett"

Representative Howard of the 118th moved that the House agree to the Senate amendment to HR 189.

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

Y Allen	Y Bailey	Y Barfoot	Y Barnes	Birdsong
Y Anderson	Y Baker	Y Barger	Y Bates	Y Bordeaux
Y Ashe	Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kave	Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	E Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	E Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	E Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	E Mills	Y Sherrill	Y Waiker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	E Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
E Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the motion, the ayes were 152, nays 0.

The motion prevailed.

Due to a mechanical malfunction, the vote of Representative Bannister of the 77th was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Resolutions of the House were read and adopted:

HR 1235. By Representative McKinney of the 51st:

A resolution honoring Henry Friedman.

HR 1236. By Representative Birdsong of the 123rd:

A resolution expressing regrets at the passing of Thomas Felton Knight.

HR 1237. By Representative Pelote of the 149th:

A resolution commending Ms. Rosabel Pusha Dixon.

HR 1238. By Representatives Mobley of the 69th and Hugley of the 133rd:

A resolution commending the Tau Pi Omega Chapter of Alpha Kappa Alpha Sorority, Inc.

HR 1239. By Representative Ray of the 128th:

A resolution commending James E. Williams.

- HR 1240. By Representative Crawford of the 129th:
A resolution expressing condolences at the passing of Mr. George Edward Trice, Jr.
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- HR 1241. By Representative O'Neal of the 75th:
A resolution commending Sara Fountain.
- HR 1242. By Representative O'Neal of the 75th:
A resolution commending Ethel Purvis.
- HR 1243. By Representative Yates of the 106th:
A resolution commending Lt. Colonel Alan B. Imes.
- HR 1244. By Representative Yates of the 106th:
A resolution commending Mr. M. J. Yates.
- HR 1245. By Representatives Bailey of the 93rd, Hudson of the 156th, Benefield of the 96th and Lee of the 94th:
A resolution commending Jake Dukes.
- HR 1246. By Representatives Bailey of the 93rd, Benefield of the 96th and Lee of the 94th:
A resolution commending Battalion Chief Carmelita Ferrone of the Clayton County Fire Department.
- HR 1247. By Representatives Yates of the 106th and Sanders of the 107th:
A resolution commending Lewis H. Jordan.
- HR 1248. By Representatives Yates of the 106th and Sanders of the 107th:
A resolution commending the Kelsey Avenue Middle School.
- HR 1249. By Representative Smith of the 169th:
A resolution commending Kenneth V. Ivey.
- HR 1250. By Representative Smith of the 169th:
A resolution commending Ronnie E. Jacobs.
- HR 1251. By Representative Smith of the 169th:
A resolution commending Vanessa G. Wilson.
- HR 1252. By Representative Smith of the 169th:
A resolution commending Charles Len Davis.
- HR 1254. By Representative Bailey of the 93rd:
A resolution honoring Brenda Adams.

The following Resolutions of the House were read and referred to the Committee on Rules:

HR 1253. By Representative Greene of the 158th:

A resolution commending the Randolph-Clay High School girls' basketball team and inviting the team and their coach to appear before the House of Representatives.

HR 1255. By Representative Bostick of the 165th:

A resolution recognizing the Tift County High School boys basketball team and inviting the team and its coaches to appear before the House of Representatives.

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

SB 610. By Senators Stokes of the 43rd, Scott of the 36th and Thompson of the 33rd:

A bill to amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to criminal assault and battery, so as to define the offense of family violence battery; to prescribe the punishment for first and subsequent convictions of such offense; to provide for an effective date and applicability.

The following amendment was read and withdrawn:

The Committee on Special Judiciary moves to amend SB 610 by striking in their entirety lines 4 through 10 on page 3 which read as follows:

“that effective date, except that if a prior offense meeting the definition of family violence battery was committed prior to said effective date and a subsequent offense of family violence battery is committed on or after said effective date, then the enhanced felony punishment provisions of this Act shall apply to the subsequent offense.”,

and inserting in lieu thereof the following:

“that effective date.”

The following substitute, offered by Representatives Smyre of the 136th and Williams of the 63rd, was read:

A BILL

To amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to criminal assault and battery, so as to define the offense of family violence battery; to prescribe the punishment for first and subsequent convictions of such offense; to amend Article 3 of Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to the State Commission on Family Violence, so as to provide for additional members; to provide for staggered terms of commission members; to change the length of terms; to authorize the members of the commission to determine the commission's quorum for conducting business; to amend an Act creating the State Commission on Family Violence, approved April 16, 1992 (Ga. L. 1992, p. 1810), so as to change a provision terminating

the commission; 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:
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SECTION 1.

Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to criminal assault and battery, is amended by striking Code Section 16-5-23.1, relating to criminal battery, and inserting in its place a new Code section to read as follows:

“16-5-23.1.

(a) A person commits the offense of battery when he or she intentionally causes substantial physical harm or visible bodily harm to another.

(b) As used in this Code section, the term ‘visible bodily harm’ means bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, or substantial bruises to body parts.

(c) Except as provided in subsections (d), (e), ~~and~~ (f), and (g) of this Code section, a person who commits the offense of battery is guilty of a misdemeanor.

(d) Upon the second conviction for battery against the same victim, the defendant shall be punished by imprisonment for not less than ten days nor more than 12 months, by a fine not to exceed \$1,000.00, or both. The minimum sentence of ten days for a second offense shall not be suspended, probated, deferred, stayed, or withheld; provided, however, that it is within the authority and discretion of the sentencing judge to:

(1) Allow the sentence to be served on weekends by weekend confinement or during the nonworking hours of the defendant. A weekend shall commence and shall end in the discretion of the sentencing judge, and the nonworking hours of the defendant shall be determined in the discretion of the sentencing judge; or

(2) Suspend, probate, defer, stay, or withhold the minimum sentence where there exists clear and convincing evidence that imposition of the minimum sentence would either create an undue hardship upon the defendant or result in a failure of justice.

(e) Upon a third or subsequent conviction for battery against the same victim, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than five years. The minimum sentence provisions contained in subsection (d) of this Code section shall apply to sentences imposed pursuant to this subsection.

(f) If the offense of battery is committed between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household, then such offense shall constitute the offense of family violence battery and shall be punished as follows:

(1) Upon a first conviction of family violence battery, the defendant shall be guilty of and punished for a misdemeanor.

(2) Upon a second or subsequent conviction of family violence battery against the same or another victim, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than five years.

~~(f)~~(g) Any person who commits the offense of battery in a public transit vehicle or station shall, upon conviction thereof, be punished for a misdemeanor of a high and aggravated nature. For purposes of this Code section, ‘public transit vehicle’ has the same meaning as in subsection (c) of Code Section 16-5-20.”

SECTION 2.

Article 3 of Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to the State Commission on Family Violence, is amended by striking in their entirety subsections (a) and (c) of Code Section 19-13-32, relating to the membership of the State Commission on Family Violence, and inserting in lieu thereof the following:

“(a) The State Commission on Family Violence shall consist of ~~36~~ 37 members:

(1) Three ex officio members shall be the director of the Division of Family and Children Services, the director of Women’s Health Services in the division of public health of the Department of Human Resources, and the Attorney General;

- (2) Three members shall be members of the House of Representatives and shall be appointed by the Speaker of the House;
- (3) Three members shall be members of the Senate and shall be appointed by the President of the Senate; ~~cn~~
- (4) The remaining members shall be appointed by the Governor as follows:
- (A) One judge from each judicial administrative district;
 - (B) Three advocates for battered women recommended by groups which have addressed the problem of family violence; ~~and~~
 - (C) One person with expertise and interest regarding family violence involving persons who are 60 years of age or older;
 - (D) One person with expertise and interest regarding family violence involving children; and
 - ~~(C)~~(E) One representative from each of the following:
 - (i) The Administrative Office of the Courts;
 - (ii) The Georgia Peace Officer Standards and Training Council;
 - (iii) The Georgia Association of Chiefs of Police;
 - (iv) The District Attorneys Association of Georgia;
 - (v) The State Board of Pardons and Paroles;
 - (vi) The probation system;
 - (vii) The Georgia Sheriffs' Association;
 - (viii) The Criminal Justice Coordinating Council;
 - (ix) The Solicitors Association of Georgia;
 - (x) The legal aid community;
 - (xi) The academic community;
 - (xii) Men Stopping Violence; and
 - (xiii) A former victim of domestic violence."

"(c) Members serving on July 1, 1996, or persons appointed to complete the unexpired terms of members serving on July 1, 1996, shall complete the terms for which they were appointed. The term of appointment shall be three years for initial successors to members appointed in accordance with the following provisions of subsection (a) of this Code section: paragraph (2) and divisions (ii), (iv), (vi), (viii), (x), and (xii) of subparagraph (E) of paragraph (4). The term of appointment shall be three years for the initial members appointed in accordance with subparagraphs (a)(4)(C) and (a)(4)(D) of this Code section. Initial successors to judicial members appointed to represent even-numbered judicial administrative districts shall be appointed for terms of three years. Two of the initial successors for members appointed in accordance with subparagraph (a)(4)(B) this Code section shall be appointed for terms of three years. The term of appointment shall be two years for initial successors to all other members except those serving ex officio. The letter of appointment shall set out the term for which each member is appointed. Thereafter, each member shall be appointed shall serve for a term of three two years, and no member may serve more than two consecutive terms. All vacancies shall be filled for the unexpired term by an appointee of the original appointing official."

SECTION 3.

Said article is further amended by striking in its entirety subsection (b) of Code Section 19-13-33, relating to the commission's meetings, quorum, and expenses, and inserting in lieu thereof the following:

"(b) A quorum for transacting business shall be a ~~majority of~~ determined by the members of the commission."

SECTION 4.

An Act creating the State Commission on Family Violence, approved April 16, 1992 (Ga. L. 1992, p. 1810), is amended by striking in its entirety Section 2, and inserting in lieu thereof the following:

"SECTION 2.

The commission shall be terminated on January 1, 2002."

SECTION 5.

This Act shall become effective July 1, 1996, and Section 1 of this Act shall apply only with respect to offenses committed on or after that effective date.

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SECTION 6.

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

The following amendment was read:

Representative Klein of the 39th moves to amend the Floor substitute to SB 610 as follows:

P. 3, L. 2 add

“In no event shall this subsection (g) be applicable to reasonable corporal punishment administered by parent to child”

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

N Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	N James	Y Parsons	N Smyre
Y Ashe	Y Cummings	Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	Y Jenkins	Y Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
Y Bergeron	DeLoach, G	N Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	N Stanley, P
Y Barnes	N Dixon, H	Y Kaye	E Powell	N Stephenson
Y Bates	E Dixon, S	Kinnamon	Purcell, A	N Streat
N Benefield	Dobbs	Y Klein	Y Purcell, B	N Taylor
Birdsong	Y Ehrhart	Y Ladd	N Randall	N Teague
N Bordeaux	N Epps	Y Lakly	E Randolph	N Teper
N Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	N Tillman
Y Brooks, D	Y Felton	N Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	N Rogers	Y Trense
Y Brush	Y Golden	Y Lord	N Royal	N Turnquest
N Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	N Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	N Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	N McBee	N Shaw	N Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	N Simpson	Y Whitaker
N Chambless	N Hegstrom	E Mills	N Sinkfield	N White
Y Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
Y Childers	N Henson	Y Mobley, J	N Smith, C	E Williams, B
Y Coker	Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	N Howard	Y O'Neal	Y Smith, P	Y Woods
N Connell	N Hudson	N Orrock	Smith, T	Y Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 97, nays 60.

The amendment was adopted.

The Floor substitute, as amended, was adopted.

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

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

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Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
N Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 155, nays 1.

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

SR 385. By Senator Farrow of the 54th:

A resolution designating the Brigadier General John R. Hullender Highway.

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 Allen	Y Brooks, D	Y Coleman, B	Y Ehrhart	Y Hegstrom
Y Anderson	Y Brooks, T	Y Coleman, T	Y Epps	Y Hembree
Y Ashe	Y Brown, J	Y Connell	Y Evans	Y Henson
Y Bailey	Y Brush	Y Crawford	Y Falls	Y Holland
Y Baker	Y Buck	Y Crews	Y Felton	Y Holmes
Y Bannister	Y Buckner	Y Culbreth	Y Floyd	Y Howard
Y Barfoot	Y Bunn	Y Cummings	Y Godbee	Y Hudson
Y Bargerone	Y Burkhalter	Y Davis, G	Y Golden	Y Hugley
Y Barnard	Y Byrd	Y Davis, M	Y Goodwin	Y Irvin
Y Barnes	Y Campbell	Y Day	Y Greene	Y James
Y Bates	Y Canty	Y DeLoach, B	Y Grindley	Y Jamieson
Y Benefield	Y Carter	DeLoach, G	Y Hanner	Y Jenkins
Y Birdsong	Y Chambliss	Y Dix	Y Harbin	Y Johnson, G
Y Bordeaux	Y Channell	Y Dixon, H	Y Harris	Y Johnson, J
Y Bostick	Y Childers	E Dixon, S	Y Heard	Y Johnston
Y Breedlove	Y Coker	Y Dobbs	Y Heckstall	Y Jones

Joyce	E Mills	Y Randall	Y Smith, L	Y Titus
Y Kaye	Y Mobley, B	E Randolph	Y Smith, P	Y Towery
Kinnamon	Y Mobley, J	Y Ray	Smith, T	Y Trense
Y Klein	Y Mosley	Y Reaves	Y Smith, V	Turnquest
Y Ladd	Y Mueller	Y Reichert	Y Smith, W	Y Twiggs
Y Lakly	Y O'Neal	Roberts	Y Smyre	Y Walker, L
Y Lane	Y Orrock	Y Rogers	Y Snelling	Y Walker, R.L
Y Lawrence	Y Parham	Y Royal	Y Snow	Y Wall
Y Lee	Y Parrish	Y Sanders	Y Stallings	Y Watson
Y Lewis	Y Parsons	Y Sauder	Y Stancil, F	Y Watts
Y Lifsey	Y Pelote	Y Scoggins	Stancil, S	Y Westmoreland
Y Lord	Y Perry	Y Shanahan	Y Stanley, L	Y Whitaker
Lucas	Y Pinholster	Y Shaw	Y Stanley, P	Y White
Y Maddox	Y Polak	Sherrill	Y Stephenson	Y Wiles
Y Mann	Y Ponder	Y Shipp	Y Streat	E Williams, B
Y Martin	Y Porter	Y Simpson	Y Taylor	Y Williams, J
Y McBee	Y Poston	Y Sinkfield	Y Teague	Y Williams, R
Y McCall	E Powell	Y Skipper	Y Teper	Y Woods
Y McClinton	Y Purcell, A	Y Smith, C	Y Thomas	Y Yates
McKinney	Purcell, B	Y Smith, C.W	Y Tillman	Murphy, Spkr

On the adoption of the Resolution, the ayes were 157, nays 0.

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

SB 671. By Senator Thomas of the 10th:

A bill to amend Article 3 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated, relating to physical examination of state employees, so as to change provisions relating to medical and physical fitness requirements for state employees and prospective state employees; to eliminate references to the State Employees' Health Service of the Department of Human Resources.

The following amendment was read and adopted:

The Committee on State Planning and Community Affairs moves to amend SB 671 by adding on line 14 of page 1 immediately following the word and symbol "department;" the following:

"to provide for reasonable accommodation by the employing agent under certain circumstances pursuant to the Americans with Disabilities Act, 42 U.S.C. Sec. 12101 et seq.;"

By adding on line 5 of page 5 immediately following the word and symbol "employment." the following:

"However, if a condition exists which would impair the fulfillment of the prescribed duties, the medical practitioner shall identify such condition, the employing agency shall provide reasonable accommodation to the extent required by the Americans with Disabilities Act, 42 U.S.C. Sec. 12101 et seq., and the medical practitioner shall certify that the prospective employee, with the accommodation, meets the standards of medical and physical fitness for the position."

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

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

Y Allen	Bannister	Y Bates	Y Breedlove	Y Buck
Y Anderson	Y Barfoot	Y Benefield	Y Brooks, D	Y Buckner
Y Ashe	Y Bargeron	Birdsong	Y Brooks, T	Y Bunn
Y Bailey	Y Barnard	Y Bordeaux	Y Brown, J	Y Burkhalter
Y Baker	Y Barnes	Y Bostick	Y Brush	Y Byrd

Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	Y Stancil, F
Y Canty	Y Greene	Y Lee	Y Purcell, B	Y Stancil, S
Y Carter	Y Grindley	Y Lewis	Y Randall	Y Stanley, L
Y Chambliss	Y Hanner	Y Lifsey	E Randolph	Y Stanley, P
Y Channell	Y Harbin	Y Lord	Y Ray	Y Stephenson
Y Childers	Y Harris	Y Lucas	Y Reaves	Y Streat
Y Coker	Y Heard	Y Maddox	Y Reichert	Y Taylor
Y Coleman, B	Y Heckstall	Y Mann	Y Roberts	Y Teague
Y Coleman, T	Y Hegstrom	Y Martin	Y Rogers	Y Teper
Y Connell	Y Hembree	Y McBee	Y Royal	Y Thomas
Y Crawford	Y Henson	Y McCall	Y Sanders	Y Tillman
Y Crews	Y Holland	Y McClinton	Y Sauder	Y Titus
Y Culbreth	Y Holmes	Y McKinney	Y Scoggins	Y Towery
Y Cummings	Y Howard	E Mills	Y Shanahan	Y Trense
Y Davis, G	Y Hudson	Y Mobley, B	Y Shaw	Y Turnquest
Y Davis, M	Y Hugley	Y Mobley, J	Y Sherrill	Y Twiggs
Y Day	Y Irvin	Y Mosley	Y Shipp	Y Walker, L
Y DeLoach, B	Y James	Y Mueller	Y Simpson	Y Walker, R.L
Y DeLoach, G	Y Jamieson	Y O'Neal	Y Sinkfield	Y Wall
Y Dix	Y Jenkins	Y Orrock	Y Skipper	Y Watson
Y Dixon, H	Y Johnson, G	Y Parham	Y Smith, C	Y Watts
E Dixon, S	Y Johnson, J	Y Parrish	Y Smith, C.W	Y Westmoreland
Y Dobbs	Y Johnston	Y Parsons	Y Smith, L	Y Whitaker
Y Ehrhart	Y Jones	Y Pelote	Y Smith, P	Y White
Y Epps	Y Joyce	Y Perry	Y Smith, T	Y Wiles
Y Evans	Y Kaye	Y Pinholster	Y Smith, V	E Williams, B
Y Falls	Y Kinnamon	Y Polak	Y Smith, W	Y Williams, J
Y Felton	Y Klein	Y Ponder	Y Smyre	Y Williams, R
Y Floyd	Y Ladd	Y Porter	Y Snelling	Y Woods
Y Godbee	Y Lakly	Y Poston	Y Snow	Y Yates
Y Golden	Y Lane	E Powell	Y Stallings	Y Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 153, nays 0.

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

Due to a mechanical malfunction, the vote of Representative Bannister of the 77th was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

The following Committee substitute was read:

A BILL

To amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions; to provide that licenses issued by other states which authorize the carrying of handguns will be recognized according to the terms thereof but only while a licenseholder is not a resident of Georgia; to provide that such licenses may be issued to nonresidents domiciled in this state; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, is amended by striking in its entirety

Code Section 16-11-126, relating to carrying a concealed weapon, and inserting in lieu thereof a new Code Section 16-11-126 to read as follows:

“16-11-126. www.libtool.com.cn

(a) A person commits the offense of carrying a concealed weapon when ~~he~~ such person knowingly has or carries about his or her person, unless in an open manner and fully exposed to view, any bludgeon, metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon or instrument of like character outside of his or her home, motor vehicle, or place of business, except as permitted under this Code section.

(b) Upon conviction of the offense of carrying a concealed weapon, a person shall be punished as follows:

(1) For the first offense, he or she shall be guilty of a misdemeanor; and

(2) For the second offense, and for any subsequent offense, he or she shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one year and not more than five years.

(c) This Code section shall not permit, outside of his or her home, motor vehicle, or place of business, the concealed carrying of a pistol, revolver, or concealable firearm by any person unless ~~he~~ that person has on his or her person a valid license issued under Code Section 16-11-129 and the pistol, revolver, or firearm may only be carried in a shoulder ~~or~~ holster, waist belt holster, any other holster, hipgrip, or any other similar device, in which event the weapon may be concealed by the person's clothing, or a handbag, purse, attache case, briefcase, or other closed container. Carrying on the person in a concealed manner other than as provided in this subsection shall not be permitted and shall be a violation of this Code section.

(d) This Code section shall not forbid the transportation of any firearm by a person who is not among those enumerated as ineligible for a license under Code Section 16-11-129, provided the firearm is enclosed in a case, unloaded, and separated from its ammunition. This Code section shall not forbid the transportation of a loaded firearm in any private passenger motor vehicle in an open manner and fully exposed to view or in the glove compartment of the vehicle.

(e) On and after October 1, 1996, licenses issued by other states which authorize the carrying of handguns will be recognized according to the terms thereof but only while a licenseholder is not a resident of Georgia; provided, however, that such licenseholder shall carry the handgun in compliance with the laws of this state.”

SECTION 2.

Said part is further amended by adding at the end of Code Section 16-11-128, relating to the crime of carrying a pistol without a license, a new subsection (c) to read as follows:

“(c) On and after October 1, 1996, licenses issued by other states which authorize the carrying of handguns will be recognized according to the terms thereof but only while a licenseholder is not a resident of Georgia; provided, however, that such licenseholder shall carry the handgun in compliance with the laws of this state.”

SECTION 3.

Said part is further amended by striking in its entirety subsection (a) of Code Section 16-11-129, relating to licenses to carry pistols or revolvers, and inserting in lieu thereof the following:

“(a) Application for license; term. The judge of the probate court of each county may, on application under oath and on payment of a fee of \$15.00, issue a license valid for a period of five years to any person who is a resident of that county or who is a nonresident member of the armed forces domiciled in that county at the time of such application, which license shall authorize that person to carry any pistol or revolver in any county of this state notwithstanding any change in that person's county or state of residence. Applicants shall submit the application for a license to the judge of the probate court on forms prescribed and furnished free of charge to persons wishing to apply for the license. Forms shall be designed to elicit information from the applicant pertinent to his or her eligibility under this Code section but shall not require nonpertinent or

irrelevant data such as serial numbers or other identification capable of being used as a de facto registration of firearms owned by the applicant. The Department of Public Safety shall furnish application forms and license forms required by this Code section. The forms shall be furnished to each judge of each probate court within the state at no cost."

SECTION 4.

Said part is further amended by striking in its entirety paragraph (3) of subsection (c) of said Code section and inserting in lieu thereof the following:

"(3) Applications for renewal of licenses issued under this Code section shall be made to the judge of the probate court of the county in which the applicant resides or is domiciled at the time of making the renewal application. In the case of an applicant for a renewal of a license, the judge of the probate court may, in his or her discretion, direct that the local county law enforcement agency request a search of the criminal history file and wanted persons file of the Georgia Crime Information Center by computer access from that county in lieu of transmitting the application and forms."

SECTION 5.

Said part is further amended by striking in its entirety subsection (f) of said Code section and inserting in lieu thereof the following:

"(f) License specifications. Licenses issued as prescribed in this Code section shall be printed on durable but lightweight card stock, and the completed card shall be laminated in plastic to improve its wearing qualities and to inhibit alterations. Measurements shall be 3 ¹/₄ inches long; and 2 ¹/₄ inches wide. Each shall be serially numbered within the county of issuance and shall bear the full name, actual residence address in this state, birth date, weight, height, color of eyes, sex, and a clear print of the right index finger of the licensee. If the right index fingerprint cannot be secured for any reason, the print of another finger may be used but shall be marked to identify the finger from which the print is taken. The license shall show the date of issuance, the expiration date, and the probate court in which issued; and shall be signed by the licensee and bear the signature or facsimile thereof of the judge. The seal of the court shall be placed on the face before the license is laminated. The reverse side of the license shall have imprinted thereon in its entirety Code Section 16-11-127."

SECTION 6.

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

The following amendment was read:

Representative Davis of the 48th moves to amend the Committee substitute to SB 678 as follows:

By adding after the word "state" on line 11, page 1, the following:

"to provide for a firearms training course;"

And by adding a new Section 6. to read as follows:

Section 6.

"As a condition to the obtaining of a license as set forth in Section 3. (a), applicant will furnish evidence that the applicant has successfully completed the firearms safety training course as is presently administered by the Georgia Department of Natural Resources."

And by renumbering Section 6. as Section 7.

Pursuant to Rule 134, Representative Woods of the 32nd was excused from voting on the Davis amendment to SB 678.

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

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N Allen	N Crews	N Irvin	N Parrish	N Smith, W
N Anderson	N Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	N Cummings	N Jamieson	Y Pelote	N Snelling
N Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
N Baker	N Davis, M	N Johnson, G	N Pinholster	N Stallings
N Bannister	N Day	N Johnson, J	Y Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargeron	DeLoach, G	N Jones	N Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	N Poston	Y Stanley, P
N Barnes	N Dixon, H	N Kaye	E Powell	N Stephenson
N Bates	E Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	Y Dobbs	N Klein	Y Purcell, B	Y Taylor
N Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
N Bordeaux	Y Epps	N Lakly	E Randolph	Y Teper
N Bostick	N Evans	N Lane	N Ray	N Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	N Tillman
Y Brooks, D	N Felton	N Lee	N Reichert	N Titus
Y Brooks, T	N Floyd	N Lewis	Y Roberts	N Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	Y Turnquest
N Buck	N Goodwin	Lucas	N Sanders	N Twiggs
Y Buckner	N Greene	N Maddox	N Sauder	N Walker, L
N Bunn	N Grindley	N Mann	Y Scoggins	N Walker, R.L
N Burkhalter	N Hanner	Y Martin	N Shanahan	N Wall
N Byrd	N Harbin	Y McBee	N Shaw	N Watson
Y Campbell	N Harris	N McCall	Sherrill	N Watts
Y Canty	Y Heard	McClinton	N Shipp	N Westmoreland
N Carter	Y Heckstall	Y McKinney	Y Simpson	N Whitaker
N Chambless	Y Hegstrom	E Mills	Y Sinkfield	White
N Channell	N Hembree	Y Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	E Williams, B
N Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	N Smith, L	N Williams, R
N Coleman, T	Y Howard	N O'Neal	N Smith, P	Woods
N Connell	N Hudson	Orrock	N Smith, T	N Yates
N Crawford	Y Hugley	N Parham	N Smith, V	Murphy, Splr

On the adoption of the amendment, the ayes were 35, nays 129.

The amendment was lost.

The following amendment was read:

Representative Joyce of the 1st, et al. move to amend the Committee substitute to SB 678 by striking lines 12 through 20 of page 2 and inserting in lieu thereof the following:

“16-11 129 and the pistol, revolver, or firearm may ~~only~~ be carried in a shoulder ~~or holster~~, waist belt holster, any other holster, hipgrip, or in any other similar device manner, in which event the weapon may be concealed by the person's clothing, or a handbag, purse, attache case, briefcase, or other closed container. Carrying on the person in a concealed manner other than as provided in this subsection shall not be permitted and shall be a violation of this Code section.”

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

N Allen	N Barnes	Y Brown, J	Y Carter	N Crews
N Anderson	N Bates	Y Brush	N Chambless	N Culbreth
N Ashe	N Benefield	N Buck	N Channell	Y Cummings
N Bailey	N Birdsong	Buckner	N Childers	N Davis, G
N Baker	N Bordeaux	Y Bunn	N Coker	Y Davis, M
Y Bannister	N Bostick	N Burkhalter	N Coleman, B	Y Day
N Barfoot	N Breedlove	N Byrd	N Coleman, T	Y DeLoach, B
N Bargeron	N Brooks, D	N Campbell	N Connell	DeLoach, G
Y Barnard	N Brooks, T	N Canty	N Crawford	Y Dix

N Dixon, H	N Irvin	N McKinney	N Rogers	N Stephenson
E Dixon, S	N James	E Mills	N Royal	N Streat
N Dobbs	N Jamieson	N Mobley, B	Y Sanders	N Taylor
Y Ehrhart	N Jenkins	N Mobley, J	N Sauder	N Teague
N Epps	Y Johnson, G	N Mosley	N Scoggins	N Teper
Y Evans	N Johnson, J	N Mueller	N Shanahan	N Thomas
Y Falls	N Johnston	N O'Neal	Y Shaw	N Tillman
N Felton	N Jones	N Orrock	N Sherrill	Y Titus
Floyd	Y Joyce	N Parham	N Shipp	N Towery
N Godbee	Y Kaye	N Parrish	N Simpson	N Trense
N Golden	N Kinnamon	N Parsons	N Sinkfield	N Turnquest
Y Goodwin	N Klein	N Pelote	N Skipper	N Twiggs
N Greene	Y Ladd	N Perry	N Smith, C	N Walker, L
N Grindley	Y Lakly	N Pinholster	Y Smith, C.W	Y Walker, R.L
N Hanner	N Lane	N Polak	N Smith, L	Y Wall
N Harbin	Y Lawrence	N Ponder	N Smith, P	N Watson
N Harris	N Lee	N Porter	Y Smith, T	N Watts
N Heard	Y Lewis	N Poston	Y Smith, V	Y Westmoreland
N Heckstall	N Lifsey	E Powell	N Smith, W	N Whitaker
N Hegstrom	N Lord	N Purcell, A	N Smyre	N White
Y Hembree	Lucas	Y Purcell, B	N Snelling	Y Wiles
N Henson	Y Maddox	N Randall	N Snow	E Williams, B
N Holland	Y Mann	E Randolph	N Stallings	N Williams, J
N Holmes	N Martin	Y Ray	N Stancil, F	N Williams, R
N Howard	N McBee	N Reaves	N Stancil, S	Y Woods
N Hudson	N McCall	N Reichert	N Stanley, L	Y Yates
N Hugley	McClinton	N Roberts	N Stanley, P	Murphy, Spkr

On the adoption of the amendment, the ayes were 39, nays 128.

The amendment was lost.

The following amendment was read:

Representative Holmes of the 53rd moves to amend the Committee substitute to SB 678 by striking lines 7 through 11 on page 1 and inserting in lieu thereof the following:

“that a person carrying a weapon must notify law enforcement officers under certain circumstances; to provide that such licenses may be issued to nonresidents domiciled in this state; to provide that under certain conditions, a license to carry a weapon may be endorsed to permit carrying a concealed weapon; to repeal”

By striking lines 12 through 16 on page 2 and inserting in lieu thereof the following:

“16-11-129, and if the person has a license endorsement granted pursuant to subsection (j) of Code Section 16-11-129, the weapon may be concealed by the person's clothing or may be carried in a the pistol, revolver, or firearm may only be carried in a shoulder or waist belt holder, hip grip, or any similar device, handbag, purse, attache case, briefcase, or”

By adding quotation marks to the end of line 29 of page 2 and striking lines 30 through 42 on page 2 and lines 1 through 4 on page 3.

By redesignating Sections 3 through 5 as Sections 2 through 4, respectively.

By inserting immediately following line 28 on page 4 the following”

“SECTION 5.

Said part is amended by inserting at the end of said Code section the following:

“(j) Any person who is issued a license pursuant to the provisions of subsection (a) of this Code section shall, upon making a showing of necessity satisfactory to the issuing judge, have such license endorsed to permit him or her to carry a handgun in such a manner that it is concealed by clothing or carried in a handbag, purse, attache case, briefcase, or other closed container. Any person carrying a concealed handgun pursuant to an endorsement issued pursuant to this subsection shall immediately notify a law enforcement officer who approaches or addresses the licensee in the line of duty.”

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

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N Allen	N Crews	Y Irvin	N Parrish	N Smith, W
Y Anderson	N Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	N Cummings	N Jamieson	Y Pelote	N Snelling
N Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	N Stallings
N Bannister	N Day	N Johnson, J	Y Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargeron	DeLoach, G	Jones	N Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	N Poston	Y Stanley, P
N Barnes	N Dixon, H	N Kaye	E Powell	N Stephenson
N Bates	E Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	N Klein	Purcell, B	Y Taylor
Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
N Bordeaux	Y Epps	N Lakly	E Randolph	Y Teper
N Bostick	N Evans	N Lane	N Ray	N Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	Y Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
Y Brooks, T	N Floyd	N Lewis	Y Roberts	N Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	Y Turnquest
N Buck	N Goodwin	Lucas	N Sanders	N Twiggs
Buckner	N Greene	N Maddox	N Sauder	N Walker, L
N Bunn	N Grindley	N Mann	N Scoggins	N Walker, R.L
N Burkhalter	N Hanner	Y Martin	N Shanahan	N Wall
N Byrd	N Harbin	Y McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	Sherrill	N Watts
Y Canty	Y Heard	McClinton	N Shipp	N Westmoreland
N Carter	N Heckstall	Y McKinney	N Simpson	Whitaker
N Chambliss	Y Hegstrom	E Mills	Y Sinkfield	Y White
N Channell	N Hembree	Y Mobley, B	N Skipper	N Wiles
N Childers	Y Henson	N Mobley, J	Y Smith, C	E Williams, B
N Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	N Smith, L	N Williams, R
N Coleman, T	Y Howard	N O'Neal	N Smith, P	N Woods
N Connell	N Hudson	Y Orrock	N Smith, T	N Yates
N Crawford	Y Hugley	N Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 35, nays 130.

The amendment was lost.

The following amendment was read:

Representatives Jenkins of the 110th and Twiggs of the 8th move to amend the Committee substitute to SB 678 by striking lines 30 through 35 on page 2 and inserting in lieu thereof the following:

“(e) On and after October 1, 1996, a person licensed to carry a handgun in any state whose laws recognize and give effect within such state to a license issued pursuant to this part shall be authorized to carry a handgun in this state, but only while the licensee is not a resident of this state; provided, however, that such licenseholder shall carry the handgun in compliance with the laws of this state.””

By striking lines 41 and 42 on page 2 and 1 through 4 on page 3 and inserting in lieu thereof the following:

“(c) On and after October 1, 1996, a person licensed to carry a handgun in any state whose laws recognize and give effect within such state to a license issued pursuant to this part shall be authorized to carry a handgun in this state, but only while the licensee is not a resident of this state; provided, however, that such licenseholder shall carry the handgun in compliance with the laws of this state.””

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

N Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	Y Smyre
N Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	N Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	N Teague
N Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	N Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	N Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
N Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	N Hegstrom	E Mills	N Sinkfield	N White
Y Channell	Y Hembree	N Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Moeley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	N Howard	N O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 142, nays 25.

The amendment was adopted.

The following amendment was read:

Representative Teper of the 61st moves to amend the Committee substitute to SB 678 by inserting on line 6 on page 1, following the word "firearm", the following:

"or knife"

By inserting on line 17 on page 2, following the word and symbol "container.", the following:

"This Code section shall not prohibit a person from carrying any legal knife on his or her person in such a manner that the knife is concealed by the person's clothing if the knife is sheathed, folded into, or encased by the handle."

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

N Allen	N Birdsong	N Byrd	N Crews	N Ehrhart
N Anderson	N Bordeaux	N Campbell	N Culbreth	Y Epps
N Ashe	Y Bostick	N Canty	Y Cummings	N Evans
Y Bailey	N Breedlove	N Carter	Y Davis, G	N Falls
N Baker	N Brooks, D	N Chambless	N Davis, M	N Felton
N Bannister	Y Brooks, T	Y Channell	N Day	N Floyd
N Barfoot	Y Brown, J	N Childers	N DeLoach, B	Godbee
Y Bargeron	N Brush	N Coker	DeLoach, G	N Golden
N Barnard	N Buck	N Coleman, B	N Dix	N Goodwin
N Barnes	Y Buckner	N Coleman, T	Y Dixon, H	N Greene
N Bates	N Bunn	N Connell	E Dixon, S	N Grindley
N Benefield	N Burkhalter	N Crawford	N Dobbs	N Hanner

N Harbin	N Ladd	N Parrish	N Shaw	Y Teague
N Harris	N Lakly	N Parsons	Sherrill	Y Teper
Y Heard	N Lane	Y Pelote	N Shipp	N Thomas
N Heckstall	Y Lawrence	N Perry	N Simpson	Y Tillman
Y Hegstrom	N Lee	N Pinholster	Y Sinkfield	N Titus
N Hembree	N Lewis	Y Polak	N Skipper	N Towery
N Henson	N Lifsey	N Ponder	Y Smith, C	N Trense
Y Holland	N Lord	N Porter	N Smith, C.W	Y Turnquest
N Holmes	Lucas	Y Poston	N Smith, L	N Twiggs
Y Howard	N Maddox	E Powell	N Smith, P	N Walker, L
N Hudson	N Mann	N Purcell, A	Y Smith, T	N Walker, R.L
N Hugley	N Martin	Y Purcell, B	N Smith, V	Y Wall
N Irvin	N McBee	Y Randall	N Smith, W	N Watson
N James	Y McCall	E Randolph	N Smyre	N Watts
N Jamieson	McClinton	N Ray	N Snelling	N Westmoreland
N Jenkins	N McKinney	N Reaves	N Snow	N Whitaker
N Johnson, G	E Mills	N Reichert	N Stallings	N White
N Johnson, J	Y Mobley, B	N Roberts	N Stancil, F	N Wiles
N Johnston	N Mobley, J	Y Rogers	N Stancil, S	E Williams, B
N Jones	N Mosley	N Royal	N Stanley, L	N Williams, J
N Joyce	N Mueller	N Sanders	N Stanley, P	N Williams, R
N Kaye	Y O'Neal	N Sauder	N Stephenson	N Woods
N Kinnamon	N Orrock	N Scoggins	N Streat	N Yates
N Klein	N Parham	N Shanahan	N Taylor	Murphy, Spkr

On the adoption of the amendment, the ayes were 33, nays 136.

The amendment was lost.

The following amendment was read:

Representatives Joyce of the 1st, Johnson of the 97th, Kaye of the 37th, Lakly of the 105th and Westmoreland of the 104th move to amend the Committee substitute to SB 678 by striking lines 3 through 11 of page 1 and inserting in lieu thereof the following:

“carrying and possession of firearms and weapons, so as to repeal the laws relating to carrying a concealed weapon; the laws relating to carrying deadly weapons to or at public gatherings; the laws relating to carrying weapons at school functions or on school property; the laws relating to carrying a pistol without a license; the laws relating to licenses to carry a pistol or revolver and temporary renewal permits; the laws relating to carrying weapons within school safety zones, at school functions, or on school property; and the laws relating to exemptions from such provisions as contained in Code Sections 16-11-126 through 16-11-128; to provide that no person shall have or carry on or about his or her person, openly or concealed, with the intent to unlawfully injure another person or commit a crime of violence, any bludgeon, metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other weapon of like character; to prohibit a person from intentionally having or carrying on or about his or her person, openly or concealed, certain weapons within or upon certain property of any correctional institution or mental health facility under certain circumstances or within any publicly funded elementary or secondary school or upon the grounds thereof during certain periods; to provide for exceptions; to provide for reasonable rules and the adoption thereof; to provide for penalties; to amend Code Section 43-38-10 of the Official Code of Georgia Annotated, relating to permits for persons who are licensed or registered under the ‘Georgia Private Detective and Security Agencies Act’ to carry firearms, so as to change the provisions relating to exemption of persons issued a permit from the provisions of certain laws; to provide for the destruction of certain records and documents and certifications relating thereto; to provide for time limits; to provide for severability; to provide an effective date; to repeal”

By striking line 17 of page 1 through line 28 of page 4 and inserting in lieu thereof the following:

“and possession of firearms, is amended by striking Code Sections 16-11-126 through 16-11-130, which read as follows:

'16-11-126.

(a) A person commits the offense of carrying a concealed weapon when he knowingly has or carries about his person, unless in an open manner and fully exposed to view, any bludgeon, metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon or instrument of like character outside of his home or place of business, except as permitted under this Code section.

(b) Upon conviction of the offense of carrying a concealed weapon, a person shall be punished as follows:

(1) For the first offense, he shall be guilty of a misdemeanor;

(2) For the second offense, and for any subsequent offense, he shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one year and not more than five years.

(c) This Code section shall not permit, outside of his home, motor vehicle, or place of business, the carrying of a pistol, revolver, or concealable firearm by any person unless he has on his person a valid license issued under Code Section 16-11-129 and the pistol, revolver, or firearm may only be carried in a shoulder or waist belt holster, hipgrip, or any other similar device, handbag, purse, attache case, briefcase, or other closed container. Carrying on the person in a concealed manner other than as provided in this subsection shall not be permitted and shall be a violation of this Code section.

(d) This Code section shall not forbid the transportation of any firearm by a person who is not among those enumerated as ineligible for a license under Code Section 16-11-129, provided the firearm is enclosed in a case, unloaded, and separated from its ammunition. This Code section shall not forbid the transportation of a loaded firearm in any private passenger motor vehicle in an open manner and fully exposed to view or in the glove compartment of the vehicle.

16-11-127.

(a) Except as provided in Code Section 16-11-127.1, a person is guilty of a misdemeanor when he carries to or while at a public gathering any explosive compound, firearm, or knife designed for the purpose of offense and defense.

(b) For the purpose of this Code section, "public gathering" shall include, but shall not be limited to, athletic or sporting events, churches or church functions, political rallies or functions, publicly owned or operated buildings, or establishments at which alcoholic beverages are sold for consumption on the premises.

(c) This Code section shall not apply to competitors participating in organized sport shooting events. Law enforcement officers, peace officers retired from state or federal law enforcement agencies, judges, magistrates, solicitors, and district attorneys may carry pistols in publicly owned or operated buildings.

16-11-127.1.

(a) As used in this Code section, the term:

(1) "School safety zone" means in, on, or within 1,000 feet of any real property owned by or leased to any public or private elementary school, secondary school, or school board and used for elementary or secondary education and in, on, or within 1,000 feet of the campus of any public or private technical school, vocational school, college, university, or institution of postsecondary education.

(2) "Weapon" means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of three or more inches, straight-edge

razor, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106.

(b) Except as otherwise provided in subsection (c) of this Code section, it shall be unlawful for any person to carry to or to possess or have under such person's control while within a school safety zone or at a school building, school function, or school property or on a bus or other transportation furnished by the school any weapon or explosive compound, other than fireworks the possession of which is regulated by Chapter 10 of Title 25. Any person who violates this subsection shall be guilty of a felony and, upon conviction thereof, be punished by a fine of not more than \$10,000.00, by imprisonment for not less than two nor more than ten years, or both. A juvenile who violates this subsection shall be subject to the provisions of Code Section 15-11-37.

(c) The provisions of this Code section shall not apply to:

- (1) Baseball bats, hockey sticks, or other sports equipment possessed by competitors for legitimate athletic purposes;
- (2) Participants in organized sport shooting events or firearm training courses;
- (3) Persons participating in military training programs conducted by or on behalf of the armed forces of the United States or the Georgia Department of Defense;
- (4) Persons participating in law enforcement training conducted by a police academy certified by the Peace Officer Standards and Training Council or by a law enforcement agency of the state or the United States or any political subdivision thereof;
- (5) The following persons, when acting in the performance of their official duties or when en route to or from their official duties:
 - (A) A peace officer as defined by Code Section 35-8-2;
 - (B) A law enforcement officer of the United States government;
 - (C) A prosecuting attorney of this state or of the United States;
 - (D) An employee of the Georgia Department of Corrections or a correctional facility operated by a political subdivision of this state or the United States who is authorized by the head of such correctional agency or facility to carry a firearm;
 - (E) A person employed as a campus police officer or school security officer who is authorized to carry a weapon in accordance with Chapter 8 of Title 20; and
 - (F) Medical examiners, coroners, and their investigators who are employed by the state or any political subdivision thereof;
- (6) A person who has been authorized in writing by a duly authorized official of the school to have in such person's possession or use as part of any activity being conducted at a school building, school property, or school function a weapon which would otherwise be prohibited by this Code section. Such authorization shall specify the weapon or weapons which have been authorized and the time period during which the authorization is valid;
- (7) A person who is licensed in accordance with Code Section 16-11-129 or issued a permit pursuant to Code Section 43-38-10, when such person carries or picks up a student at a school building, school function, or school property or on a bus or other

transportation furnished by the school or any weapon legally kept within a vehicle in transit through a designated school zone by any person other than a student;

(8) A weapon which is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle which is being used by an adult over 21 years of age to bring to or pick up a student at a school building, school function, or school property or on a bus or other transportation furnished by the school, or when such vehicle is used to transport someone to an activity being conducted on school property which has been authorized by a duly authorized official of the school; provided, however, that this exception shall not apply to a student attending such school;

(9) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract;

(10) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;

(11) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;

(12) Probation supervisors employed by and under the authority of the Department of Corrections pursuant to Article 2 of Chapter 8 of Title 42, known as the "State-wide Probation Act," when specifically designated and authorized in writing by the director of the Division of Probation;

(13) Public safety directors of municipal corporations;

(14) State and federal trial and appellate judges;

(15) United States attorneys and assistant United States attorneys;

(16) Clerks of the superior courts; or

(17) Teachers and other school personnel who are otherwise authorized to possess or carry weapons, provided that any such weapon is in a locked compartment of a motor vehicle or one which is in a locked container in or a locked firearms rack which is on a motor vehicle.

(d)(1) This Code section shall not prohibit any person who resides or works in a business or is in the ordinary course transacting lawful business or any person who is a visitor of such resident located within a school safety zone from carrying, possessing, or having under such person's control a weapon within a school safety zone; provided, however, it shall be unlawful for any such person to carry, possess, or have under such person's control while at a school building or school function or on school property, a school bus, or other transportation furnished by the school any weapon or explosive compound, other than fireworks the possession of which is regulated by Chapter 10 of Title 25.

(2) Any person who violates this subsection shall be subject to the penalties specified in subsection (b) of this Code section.

(3) This subsection shall not be construed to waive or alter any legal requirement for possession of weapons or firearms otherwise required by law.

(e) It shall be no defense to a prosecution for a violation of this Code section that:

(1) School was or was not in session at the time of the offense;

(2) The real property was being used for other purposes besides school purposes at the time of the offense; or

(3) The offense took place on a school vehicle.

(f) In a prosecution under this Code section, a map produced or reproduced by any municipal or county agency or department for the purpose of depicting the location and boundaries of the area on or within 1,000 feet of the real property of a school board or a private or public elementary or secondary school that is used for school purposes or within 1,000 feet of any campus of any public or private technical school, vocational school, college, university, or institution of postsecondary education, or a true copy of the map, shall, if certified as a true copy by the custodian of the record, be admissible and shall constitute prima-facie evidence of the location and boundaries of the area, if the governing body of the municipality or county has approved the map as an official record of the location and boundaries of the area. A map approved under this Code section may be revised from time to time by the governing body of the municipality or county. The original of every map approved or revised under this subsection or a true copy of such original map shall be filed with the municipality or county and shall be maintained as an official record of the municipality or county. This subsection shall not preclude the prosecution from introducing or relying upon any other evidence or testimony to establish any element of this offense. This subsection shall not preclude the use or admissibility of a map or diagram other than the one which has been approved by the municipality or county.

(g) A county school board may adopt regulations requiring the posting of signs designating the areas within 1,000 feet of school boards and private or public elementary and secondary schools as "Weapon-free and Violence-free School Safety Zones."

16-11-128.

(a) A person commits the offense of carrying a pistol without a license when he has or carries on or about his person, outside of his home, motor vehicle, or place of business, any pistol or revolver without having on his person a valid license issued by the judge of the probate court of the county in which he resides, provided that no permit shall be required for persons with a valid hunting or fishing license on their person or for persons not required by law to have hunting licenses who are engaged in legal hunting, fishing, or sport shooting when the persons have the permission of the owner of the land on which the activities are being conducted; provided, further, that the pistol or revolver, whenever loaded, shall be carried only in an open and fully exposed manner.

(b) Upon conviction of the offense of carrying a pistol without a license, a person shall be punished as follows:

(1) For the first offense, he shall be guilty of a misdemeanor; and

(2) For the second offense, and for any subsequent offense, he is guilty of a felony, and, upon conviction thereof, shall be imprisoned for not less than one year nor more than five years.

16-11-129.

(a) Application for license; term. The judge of the probate court of each county may, on application under oath and on payment of a fee of \$15.00, issue a license valid for a period of five years to any person who is a resident of that county at the time of such application, which license shall authorize that person to carry any pistol or revolver in any county of this state notwithstanding any change in that person's county of residence. Applicants shall submit the application for a license to the judge of the probate court on forms prescribed and furnished free of charge to persons wishing to apply for the license. Forms shall be designed to elicit information from the applicant pertinent to his eligibility under this Code section but shall not require nonpertinent or irrelevant data such as serial numbers or other identification capable of being used as a de facto registration of firearms owned by the applicant. The Department of Public Safety shall furnish application forms and license forms required by this Code section. The forms shall be furnished to each judge of each probate court within the state at no cost.

(b)Licensing exceptions. No license shall be granted to:

(1) Any person under 21 years of age;

(2) Any person who is a fugitive from justice or against whom proceedings are pending for any felony, forcible misdemeanor, or violation of Code Section 16-11-126, 16-11-127, or 16-11-128 until such time as the proceedings are adjudicated;

(3) Any person who has been convicted of a felony by a court of this state or any other state; by a court of the United States including its territories, possessions, and dominions; or by a court of any foreign nation and has not been pardoned for such felony by the President of the United States, the State Board of Pardons and Paroles, or the person or agency empowered to grant pardons under the constitution or laws of such state or nation or any person who has been convicted of a forcible misdemeanor and has not been free of all restraint or supervision in connection therewith for at least five years or any person who has been convicted of a violation of Code Section 16-11-126, 16-11-127, or 16-11-128 and has not been free of all restraint or supervision in connection therewith for at least three years, immediately preceding the date of the application;

(4) Any individual who has been hospitalized as an inpatient in any mental hospital or alcohol or drug treatment center within five years of the date of his application. The probate judge may require any applicant to sign a waiver authorizing any mental hospital or treatment center to inform the judge whether or not the applicant has been an inpatient in any such facility in the last five years and authorizing the superintendent of such facility to make to the judge a recommendation regarding whether a license to carry a pistol or revolver should be issued. The judge shall keep any such hospitalization or treatment information confidential. It shall be at the discretion of the probate judge, considering the circumstances surrounding the hospitalization and the recommendation of the superintendent of the hospital or treatment center where the individual was a patient, to issue the license; or

(5)(A) Any person, the provisions of paragraph (3) of this subsection notwithstanding, who has been convicted of an offense arising out of the unlawful manufacture, distribution, possession, or use of a controlled substance or other dangerous drug.

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

(i) "Controlled substance" means any drug, substance, or immediate precursor included in the definition of controlled substances in paragraph (4) of Code Section 16-13-21.

(ii) "Convicted" means a plea of guilty, a finding of guilt by a court of competent jurisdiction, the acceptance of a plea of nolo contendere, or the affording of first offender treatment by a court of competent jurisdiction irrespective of the pendency or availability of an appeal or an application for collateral relief.

(iii) "Dangerous drug" means any drug defined as such in Code Section 16-13-71.

(c)Fingerprinting.

(1) Following completion of the application, the judge of the probate court shall require the applicant to proceed to an appropriate law enforcement agency in the county with the completed application. The appropriate local law enforcement agency in each county shall then make two sets of classifiable fingerprints of the applicant for a license to carry a pistol or revolver, place the fingerprint required by subsection (f) of this Code section on a blank license form which has been furnished to the law enforcement agency by the judge of the probate court, and place the name of the applicant on the blank license form. The law enforcement agency shall be entitled to a fee of \$5.00 from the applicant for its services in connection with the application.

(2) In the case of each applicant who is applying for a license under this Code section for the first time, the judge of the probate court shall direct the law enforcement agency to transmit one set of the applicant's fingerprints to the Georgia Crime Information Center for a search of the Federal Bureau of Investigation records and an appropriate report. In such cases, the applicant shall submit an additional fee in an amount established by the Georgia Bureau of Investigation but not to exceed \$30.00 for a search of records of the Federal Bureau of Investigation and an appropriate report, payable in such form as the judge may direct, to cover the cost of the records search.

(3) Applications for renewal of licenses issued under this Code section shall be made to the judge of the probate court of the county in which the applicant resides at the time of making the renewal application. In the case of an applicant for a renewal of a license, the judge of the probate court may, in his discretion, direct that the local county law enforcement agency request a search of the criminal history file and wanted persons file of the Georgia Crime Information Center by computer access from that county in lieu of transmitting the application and forms.

(d) Investigation of applicant; issuance of license. Each law enforcement agency, upon receiving such applications and obtaining such fingerprints, shall promptly conduct a thorough search of its records and records to which it has access and shall notify the judge of the probate court within 50 days, by telephone and in writing, of any findings relating to the applicant which may bear on his eligibility for a license under the terms of this Code section. When no derogatory information is found on the applicant bearing on his eligibility to obtain a license, a report shall not be required. The law enforcement agency shall return the application and the blank license form with the fingerprint thereon directly to the judge of the probate court within such time period. Not later than 60 days after the date of the application the judge of the probate court shall issue the applicant a license to carry any pistol or revolver if no facts establishing ineligibility have been reported and if the judge determines the applicant has met all the qualifications, is of good moral character, and has complied with all the requirements contained in this Code section.

(e) Revocation, loss, or damage to license. If, at any time during the period for which the license was issued, the judge of the probate court of the county in which the license was issued shall learn or have brought to his attention in any manner any reasonable ground to believe the licensee is not eligible to retain the license, the judge may, after notice and hearing, revoke the license of the person upon adjudication of falsification of application, mental incompetency, chronic alcohol or narcotic usage, conviction of any felony or forcible misdemeanor, or for violation of Code Section 16-11-126, 16-11-127, or 16-11-128. It shall be unlawful for any person to possess a license which has been revoked, and any person found in possession of any such revoked license, except in the performance of his official duties, shall be guilty of a misdemeanor. It shall be required that any license holder under this Code section have in his possession his valid license whenever he is carrying a pistol or revolver under the authority granted by this Code section, and his failure to do so shall be prima-facie evidence of a violation of Code Section 16-11-128. Loss of any license issued in accordance with this Code section or damage to the license in any manner which shall render it illegible shall be reported to the judge of the probate court of the county in which it was issued within 48 hours of the time the loss or damage becomes known to the license holder. The judge of the probate court shall thereupon issue a replacement for and shall take custody of and destroy a damaged license; and in any case in which a license has been lost, he shall issue a cancellation order and notify by telephone and in writing each of the law enforcement agencies whose records were checked before issuance of the original license. A fee of \$3.00 shall be charged by the judge for such services.

(f) License specifications. Licenses issued as prescribed in this Code section shall be printed on durable but lightweight card stock, and the completed card shall be

laminated in plastic to improve its wearing qualities and to inhibit alterations. Measurements shall be $3\frac{1}{4}$ inches long, and $2\frac{1}{4}$ inches wide. Each shall be serially numbered within the county of issuance and shall bear the full name, actual residence address, birth date, weight, height, color of eyes, sex, and a clear print of the right index finger of the licensee. If the right index fingerprint cannot be secured for any reason, the print of another finger may be used but shall be marked to identify the finger from which the print is taken. The license shall show the date of issuance, the expiration date, the probate court in which issued, and shall be signed by the licensee and bear the signature or facsimile thereof of the judge. The seal of the court shall be placed on the face before the license is laminated. The reverse side of the license shall have imprinted thereon in its entirety Code Section 16-11-127.

(g) Alteration or counterfeiting of license; penalty. A person who deliberately alters or counterfeits such a license card commits a felony and, upon conviction thereof, shall be punished by imprisonment for a period of not less than one nor more than five years.

(h) Licenses for former law enforcement officers. Any person who has served as a law enforcement officer for at least ten of the 12 years immediately preceding the retirement of such person as a law enforcement officer shall be entitled to be issued a license as provided for in this Code section without the payment of any of the fees provided for in this Code section. Such person must comply with all the other provisions of this Code section relative to the issuance of such licenses. As used in this subsection, the term "law enforcement officer" means any peace officer who is employed by the United States government or by the State of Georgia or any political subdivision thereof and who is required by the terms of his employment, whether by election or appointment, to give his full time to the preservation of public order or the protection of life and property or the prevention of crime. Such term shall include sheriffs, deputy sheriffs, and conservation rangers.

(i) Temporary renewal licenses.

(1) Any person who holds a license under this Code section to carry a pistol or revolver may, at the time he applies for a renewal of the license, also apply for a temporary renewal license if less than 90 days remain before expiration of the license he then holds or if his previous license has expired within the last 30 days.

(2) Unless the judge of the probate court knows or is made aware of any fact which would make the applicant ineligible for a five-year renewal license, the judge shall at the time of application issue a temporary renewal license to the applicant.

(3) Such a temporary renewal license shall be in the form of a paper receipt indicating the date on which the court received the renewal application and shall show the name, address, sex, age, and race of the applicant and that the temporary renewal license expires 90 days from the date of issue.

(4) During its period of validity the temporary renewal permit, if carried on or about the holder's person together with the holder's previous license, shall be valid in the same manner and for the same purposes as a five-year license.

(5) A \$1.00 fee shall be charged by the probate court for issuance of a temporary renewal license.

(6) A temporary renewal license may be revoked in the same manner as a five-year license.

16-11-130.

(a) Code Sections 16-11-126 through 16-11-128 shall not apply to or affect any of the following persons if such persons are employed in the offices listed below or when authorized by federal or state law, regulations, or order:

(1) Peace officers;

(2) Wardens, superintendents, and keepers of correctional institutions, jails, or other institutions for the detention of persons accused or convicted of an offense;

(3) Persons in the military service of the state or of the United States;

(4) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract;

(5) District attorneys, investigators employed by and assigned to a district attorney's office, and assistant district attorneys;

(5.1) State court solicitors; investigators employed by and assigned to a state court solicitor's office; assistant state court solicitors; the corresponding personnel of any city court expressly continued in existence as a city court pursuant to Article VI, Section X, Paragraph I, subparagraph (5) of the Constitution; and the corresponding personnel of any civil court expressly continued as a civil court pursuant to said provision of the Constitution;

(6) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;

(7) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;

(8) Chief probation officers, probation officers, intensive probation officers, and surveillance officers employed by and under the authority of the Department of Corrections pursuant to Article 2 of Chapter 8 of Title 42, known as the "State-wide Probation Act," when specifically designated and authorized in writing by the director of Division of Probation;

(9) Public safety directors of municipal corporations;

(10) State and federal trial and appellate judges;

(11) United States Attorneys and Assistant United States Attorneys;

(12) County medical examiners and coroners and their sworn officers employed by county government; and

(13) Clerks of the superior courts.

(b) Code Sections 16-11-126 through 16-11-128 shall not apply to or affect persons who at the time of their retirement from service with the Department of Corrections were chief probation officers, probation officers, intensive probation officers, or surveillance officers, when specifically designated and authorized in writing by the director of Division of Probation.

(c) A prosecution based upon a violation of Code Section 16-11-126, 16-11-127, or 16-11-128 need not negative any exemptions.'

and inserting in lieu thereof the following:

'16-11-126.

(a) No person shall have or carry on or about his or her person, openly or concealed, with the intent to unlawfully injure another person or commit a crime of violence, any bludgeon, metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon of like character.

(b) Upon conviction of a violation of subsection (a) of this Code section:

(1) For the first offense, a person shall be guilty of a misdemeanor; and

(2) For the second offense and for any subsequent offense a person shall be guilty of a felony and shall be imprisoned for not less than one year and not more than five years.

16-11-127. www.libtool.com.cn

(a) Except as provided in this Code section, no person shall intentionally have or carry on or about his or her person, openly or concealed, any bludgeon, metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon of like character under any of the following circumstances:

(1) Within any correctional institution or mental health facility operated by this state or political subdivision thereof, or upon the grounds or lands owned or leased for the use of such institution or facility, without the approval of the director or head of the institution or facility; or

(2) Within any publicly funded elementary or secondary school, or upon the grounds owned or leased for the use of such school, during regular school hours, unless such person is an employee of, or otherwise duly authorized to do so by, the local board of education.

(b) The provisions of subsection (a) of this Code section shall not apply to:

(1) Officers, agents, or employees of any state or political subdivision thereof or the United States, when such persons are acting in the course of their duties; or

(2) Any person in a motor vehicle on school grounds who is present to pick up or drop off a student or for any other lawful purpose.

(c) Any person violating subsection (a) of this Code section shall be guilty of a misdemeanor.

(d) Nothing in this Code section shall be construed to limit the power of any duly constituted legislative body, board, commission, authority, court, tribunal, or jury of this state or political subdivision thereof to establish reasonable rules for conduct within its chambers.

16-11-127.1.

Reserved.

16-11-128.

Reserved.

16-11-129.

Reserved.

16-11-130.

Reserved.'

SECTION 2.

Code Section 43-38-10 of the Official Code of Georgia Annotated, relating to permits for persons who are licensed or registered under the 'Georgia Private Detective and Security Agencies Act' to carry firearms, is amended by striking subsection (f) of said Code section, which reads as follows:

'(f) An individual issued a permit in accordance with this Code section shall be exempt from the following laws of this state:

(1) Code Section 16-11-126, relating to carrying a concealed weapon;

(2) Code Section 16-11-127, relating to carrying deadly weapons at public gatherings;

(3) Code Section 16-11-128, relating to carrying a pistol without a license; and

(4) Code Section 16-11-129, relating to licenses to carry pistols and revolvers generally.’,

and inserting in lieu thereof a new subsection (f) to read as follows:

‘(f) An individual issued a permit in accordance with this Code section shall be exempt from Code Section 16-11-127, relating to the prohibition of dangerous weapons in schools, correctional institutions, and mental health facilities.’

SECTION 3.

(a) Not later than 30 days following the effective date of this Act, the probate judge of each county shall destroy all applications for pistol licenses formerly received pursuant to Code Section 16-11-129, and any copies of such licenses formerly issued pursuant to Code Section 16-11-129, and any records in any form created of the information contained in such applications or licenses, and certify to the director of the Georgia Bureau of Investigation the destruction of all such applications, copies, or records, and render a written account of their disposition as a matter of public record.

(b) Not later than 30 days following the effective date of this Act, the sheriff or chief officer of the appropriate law enforcement agency of each county shall destroy all copies of applications for pistol licenses formerly received pursuant to Code Section 16-11-129, and any records in any form created of the information contained in such applications, and certify to the director of the Georgia Bureau of Investigation the destruction of all such copies or records, and render a written account of their disposition as a matter of public record.

(c) Not later than 60 days following the effective date of this Act, the director of the Georgia Bureau of Investigation shall destroy all copies of pistol licenses and applications for such licenses formerly received pursuant to Code Section 16-11-129, and any records in any form created of the information contained in such applications or licenses, and certify to the Governor the destruction of all such copies or records, and render a written account of their disposition as a matter of public record.

SECTION 4.

The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, that declaration shall not affect that part which remains.

SECTION 5.

This Act shall become effective on July 1, 1996.”

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

Y Allen	N Breedlove	N Childers	N Dixon, H	N Harbin
N Anderson	N Brooks, D	N Coker	E Dixon, S	N Harris
N Ashe	N Brooks, T	N Coleman, B	N Dobbs	N Heard
N Bailey	Y Brown, J	N Coleman, T	N Ehrhart	N Heckstall
N Baker	N Brush	N Connell	N Epps	N Hegstrom
Y Bannister	N Buck	N Crawford	Y Evans	Y Hembree
N Barfoot	N Buckner	N Crews	Y Falls	N Henson
N Bargeron	Y Bunn	Y Culbreth	N Felton	N Holland
N Barnard	N Burkhalter	N Cummings	N Floyd	N Holmes
N Barnes	N Byrd	N Davis, G	N Godbee	Y Howard
N Bates	N Campbell	N Davis, M	N Golden	N Hudson
Y Benefield	N Canty	N Day	Y Goodwin	N Hugley
N Birdsong	Carter	N DeLoach, B	N Greene	N Irvin
N Bordeaux	N Chambless	DeLoach, G	N Grindley	N James
N Bostick	N Channell	N Dix	N Hanner	N Jamieson

N Jenkins	N McBee	E Powell	N Smith, C	N Tillman
Y Johnson, G	N McCall	N Purcell, A	Y Smith, C.W	N Titus
N Johnson, J	N McClinton	N Purcell, B	N Smith, L	N Towery
N Johnston	N McKinney	N Randall	N Smith, P	N Trense
N Jones	E Mills	E Randolph	N Smith, T	N Turnquest
Y Joyce	N Mobley, B	Y Ray	Y Smith, V	N Twiggs
Y Kaye	N Mobley, J	N Reaves	N Smith, W	N Walker, L
N Kinnamon	N Mosley	N Reichert	N Smyre	Y Walker, R.L
N Klein	N Mueller	N Roberts	Y Snelling	N Wall
N Ladd	N O'Neal	N Rogers	Y Snow	N Watson
Y Lakly	N Orrock	N Royal	N Stallings	N Watts
N Lane	N Parham	Y Sanders	N Stancil, F	Y Westmoreland
N Lawrence	N Parrish	N Sauder	N Stancil, S	N Whitaker
N Lee	N Parsons	N Scoggins	Stanley, L	N White
Y Lewis	N Pelote	N Shanahan	N Stanley, P	N Wiles
N Lifsey	N Perry	Y Shaw	N Stephenson	E Williams, B
N Lord	N Pinholster	Sherrill	N Streat	N Williams, J
Lucas	N Polak	N Shipp	N Taylor	N Williams, R
Y Maddox	N Ponder	N Simpson	Teague	Y Woods
Y Mann	N Porter	N Sinkfield	N Teper	Y Yates
N Martin	N Poston	N Skipper	N Thomas	Murphy, Spkr

On the adoption of the amendment, the ayes were 29, nays 139.

The amendment was lost.

The following amendment was read:

Representative Coleman of the 142nd moves to amend the Committee substitute to SB 678 as follows:

By deleting on page 2, line 27, 28, 29, the words in an open manner and fully exposed to view or in the glove compartment of the vehicle”

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

N Allen	Y Crews	N Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
N Bordeaux	Y Epps	Y Lakly	E Randall	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	N Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	N Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	N White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	N O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 149, nays 17.

The amendment was adopted.

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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 Allen	Y Crews	N Irvin	Y Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	N Smyre
N Ashe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	N Stanley, P
Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	N Purcell, B	N Taylor
Y Birdsong	Y Ehrhart	Y Ladd	N Randall	N Teague
N Bordeaux	N Epps	Y Lakly	E Randolph	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	N Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	N Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twigg
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L.
Y Burkhalter	Y Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	N McBee	Y Shaw	Y Watson
N Campbell	Harris	Y McCall	Sherrill	Y Watts
N Canty	N Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	N Hegstrom	E Mills	N Sinkfield	N White
Y Channell	Y Hembree	N Mobley, B	Y Skipper	Y Wiles
Y Childers	N Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	N Howard	N O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 131, nays 37.

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

Due to a mechanical malfunction, the vote of Representative Barnes of the 33rd was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 1207 Do Pass, by Substitute

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto:

HB 1338. By Representatives Williams of the 114th, Ehrhart of the 36th and Heard of the 89th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to enact the "Patient Protection Act".

The following Senate substitute was read:

A BILL

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to enact the "Patient Protection Act"; to state legislative findings; to define terms; to provide for certification and regulation of managed health care plans by the Commissioner of Insurance; to require certain disclosures to enrollees in such plans; to specify certain standards with respect to access to health care services by enrollees; to specify certain standards with respect to quality assurance programs of such plans; to prohibit financial incentives which limit medically necessary and appropriate care; to prohibit plans from penalizing a physician or health care provider for discussing medically necessary or appropriate health care; to provide for certain conditions under which coverage must be provided for certain benefits; to specify standards for accuracy and confidentiality of patient records; to change the provisions relating to definitions regarding health maintenance organizations; to require certain disclosures to enrollees in health maintenance organizations; to require certain coverage in health benefit plans; to provide for other related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by adding after Chapter 20 a new Chapter 20A to read as follows:

"CHAPTER 20A

33-20A-1.

This chapter shall be known and may be cited as the 'Patient Protection Act of 1996.'

33-20A-2.

(a) The General Assembly finds and declares that it is a vital government concern that the citizens of the State of Georgia have access to quality health care services and that informed consumers will be better able to identify and select plans that offer quality health care services if they are provided specific information before they enroll in health care plans. As the health care market becomes increasingly dominated by health care plans that use managed care techniques that include decisions as to the appropriateness of care, the General Assembly finds and declares that it is a vital government function to protect patients from managed care practices which have the effect of denying or limiting appropriate care. The General Assembly further finds that it is the public policy of the State of Georgia that physicians and health care providers be encouraged to advocate for medically appropriate health care for their patients.

(b) To achieve these ends, the General Assembly declares it necessary for the Commissioner of Insurance to certify qualified managed care plans to conduct business in the State of Georgia and for the Commissioner of Insurance to establish standards for such certification.

33-20A-3.

As used in this chapter, the term:

- (1) 'Commissioner' means the Commissioner of Insurance.
- (2) 'Emergency services' or 'emergency care' means those health care services that are provided for a condition of recent onset and sufficient severity, including but not limited to severe pain, that would lead a prudent layperson, possessing an average knowledge of medicine and health, to believe that his or her condition, sickness, or injury is of such a nature that failure to obtain immediate medical care could result in:
 - (A) Placing the patient's health in serious jeopardy;
 - (B) Serious impairment to bodily functions; or
 - (C) Serious dysfunction of any bodily organ or part.
- (2.1) 'Enrollee' means an individual who has elected to contract for or participate in a managed care plan for that individual or for that individual and that individual's eligible dependents.
- (3) 'Health care provider' or 'provider' means any physician, dentist, podiatrist, pharmacist, optometrist, psychologist, clinical social worker, advance practice nurse, registered optician, licensed professional counselor, physical therapist, marriage and family therapist, chiropractor, occupational therapist, speech language pathologist, audiologist, dietitian, or physician's assistant.
- (4) 'Limited utilization incentive plan' means any compensation arrangement between the plan and a health care provider or provider group that has the effect of reducing or limiting services to patients.
- (5) 'Managed care contractor' means a person who:
 - (A) Establishes, operates, or maintains a network of participating providers;
 - (B) Conducts or arranges for utilization review activities; and
 - (C) Contracts with an insurance company, a hospital or medical service plan, an employer, an employee organization, or any other entity providing coverage for health care services to operate a managed care plan.
- (6) 'Managed care entity' includes an insurance company, hospital or medical service plan, hospital, health care provider network, physician hospital organization, health care provider, health maintenance organization, health care corporation, employer or employee organization, or managed care contractor that offers a managed care plan.
- (7) 'Managed care plan' means a major medical, hospitalization, or dental plan that provides for the financing and delivery of health care services to persons enrolled in such plan through:
 - (A) Arrangements with selected providers to furnish health care services;
 - (B) Explicit standards for the selection of participating providers; and
 - (C) Cost savings for persons enrolled in the plan to use the participating providers and procedures provided for by the plan;
 provided, however, that the term 'managed care plan' does not apply to Chapter 9 of Title 34, relating to workers' compensation.
- (8) 'Out of network' or 'point of service' refer to health care items or services provided to an enrollee by providers who do not belong to the provider network in the managed care plan.
- (8.1) 'Patient' means a person who seeks or receives health care services under a managed care plan.
- (9) 'Qualified managed care plan' means a managed care plan that the Commissioner certifies as meeting the requirements of this chapter.

33-20A-4.

- (a) In addition to other requirements of law, prior to offering a managed care plan to any resident in Georgia, a managed care entity must first obtain a certificate from the Commissioner of Insurance indicating that such managed care plan meets the requirements of this chapter. The Commissioner may impose such costs, by rule or regulation, on managed care entities as deemed necessary to carry out the provisions of this chapter.
- (b) The Commissioner shall establish procedures for the periodic review and recertification of qualified managed care plans.

(c) The Commissioner shall terminate the certification of a qualified managed care plan, revoke or suspend the license of a managed care entity, or in lieu thereof impose a monetary penalty in accordance with Chapter 2 of this title, if the Commissioner determines that such ~~plan no longer meets~~ the applicable requirements for certification or violates any provision of this chapter. Before effecting any such sanction, the Commissioner shall provide the plan with notice and opportunity for a hearing on the proposed sanctions. Nothing in this Code section shall be construed as precluding other remedies at law.

(d) The Commissioner shall establish a process for certification through alternative methods providing that:

(1) An eligible organization, as defined in Section 1876(b) of the federal Social Security Act, shall be deemed to meet the requirements of subsections (a) and (b) of this Code section for certification as a qualified managed care plan; or

(2) If the Commissioner finds that a national accreditation body has established requirements for accreditation of a managed care entity which offers a managed care plan that are at least equivalent to the requirements established under this chapter and that the eligible organization and its plans comply with the requirements of such national accreditation body, then such organization and its plans shall be deemed to meet the requirements of subsections (a) and (b) of this Code section.

33-20A-5.

The Commissioner shall establish standards for the certification of qualified managed care plans that conduct business in this state. Such standards must include the following provisions:

(1) Disclosure to enrollees and prospective enrollees. (A) A managed care entity shall disclose to enrollees and prospective enrollees who inquire as individuals into a plan or plans offered by the managed care entity the information required by this paragraph. In the case of an employer negotiating for a health care plan or plans on behalf of his or her employees, sufficient copies of disclosure information shall be made available to employees upon request. Disclosure of information under this paragraph shall be readable, understandable, and on a standardized form containing information regarding all of the following for each plan it offers:

(i) The health care services or other benefits under the plan offered as well as limitations on services, kinds of services, benefits, or kinds of benefits to be provided;

(ii) Rules regarding copayments, prior authorization, or review requirements including, but not limited to, preauthorization review, concurrent review, postservice review, or postpayment review that could result in the patient's being denied coverage or provision of a particular service;

(iii) Potential liability for cost-sharing for out of network services, including but not limited to providers, drugs, and devices or surgical procedures that are not on a list or a formulary;

(iv) The financial obligations of the enrollee, including premiums, deductibles, copayments, and maximum limits on out-of-pocket expenses for items and services (both in and out of network);

(v) The number, mix, and distribution of participating providers. An enrollee or a prospective enrollee shall be entitled to a list of individual participating providers upon request;

(vi) Enrollee rights and responsibilities, including an explanation of the grievance process provided under this chapter;

(vii) An explanation of what constitutes an emergency situation and what constitutes emergency services;

(viii) The existence of any limited utilization incentive plans;

(ix) The existence of restrictive formularies or prior approval requirements for prescription drugs. An enrollee or a prospective enrollee shall be entitled, upon request, to a description of specific drug and therapeutic class restrictions;

(x) The existence of limitations on choices of health care providers;

(xi) A statement as to where and in what manner additional information is available; and

- (xii) A statement that a summary of the number, nature, and outcome results of grievances filed in the previous three years shall be available for inspection. Copies of such summary shall be made available at reasonable costs.
- (B) ~~Such information shall~~ be disclosed to each enrollee under this chapter at the time of enrollment and at least annually thereafter.
- (C) Any managed care plan licensed under Chapter 21 of this title is deemed to have met the certification requirements of this paragraph;
- (2) Access to services. A managed care entity must demonstrate that its plan:
- (A) Makes benefits available and accessible to each enrollee electing the managed care plan in the defined service area with reasonable promptness and in a manner which promotes continuity in the provision of health care services;
- (B) When medically necessary provides health care services 24 hours a day and seven days a week; and
- (C) Provides payment or reimbursement for emergency services and out-of-area services; and
- (3) Quality assurance program. A managed care plan shall comply with the following requirements:
- (A) A managed care plan must have arrangements, established in accordance with regulations of the Commissioner, for an ongoing quality assurance program for health care service it provides to such individuals; and
- (B) The quality assurance program shall:
- (i) Provide for a utilization review program which, in addition to the requirements of Chapter 46 of this title:
- (I) Stresses health outcomes;
- (II) Provides for the establishment of written protocols for utilization review, based on current standards of the relevant health care profession;
- (III) Provides review by physicians and appropriate health care providers of the process followed in the provision of such health care services;
- (IV) Monitors and evaluates high volume and high risk services and the care of acute and chronic conditions;
- (V) Evaluates the continuity and coordination of care that enrollees receive; and
- (VI) Has mechanisms to detect both underutilization and overutilization of services; and
- (ii) Establish a grievance procedure which provides the enrollee with a prompt and meaningful hearing on the issue of denial, in whole or in part, of a health care treatment or service or claim therefor. Such hearing shall be conducted by a panel of not less than three persons, at least one member of which shall be a physician other than the medical director of the plan and at least one member of which shall be a health care provider competent by reason of training and licensure in the treatment or procedure which has been denied. The enrollee shall be provided prompt notice in writing of the outcome of the grievance procedure. In the event the outcome of the grievance is favorable to the enrollee, appropriate relief shall be granted without delay. In the event the outcome is adverse to the enrollee, the notice shall include specific findings related to the care, the policies and procedures relied upon in making the determination, the physician's and provider's recommendations, including any recommendations for alternative procedures or services, and a description of the procedures, if any, for reconsideration of the adverse decision.

33-20A-6.

A managed care plan may not use a financial incentive program that directly compensates a health care provider for ordering or providing less than medically necessary and appropriate care to his or her patients. Nothing in this Code section shall be deemed to prohibit a managed care entity from using a capitated payment arrangement consistent with the intent of this Code section.

33-20A-7.

No health care provider may be penalized for discussing medically necessary or appropriate care with or on behalf of his or her patient.

33-20A-8.

Each managed care plan shall establish procedures to safeguard the privacy of individually identifiable patient information and to maintain accurate and timely records for patients.

33-20A-9.

Every managed care plan shall include provisions that:

(1) In the event that a patient seeks emergency services and if necessary in the opinion of the emergency health care provider responsible for the patient's emergency care and treatment and warranted by his or her evaluation, such emergency provider may initiate necessary intervention to stabilize the condition of the patient without seeking or receiving prospective authorization by the managed care entity or managed care plan. If in the opinion of the emergency health care provider, a patient's condition has stabilized and the emergency health care provider certifies that the patient can be transported to another facility without suffering detrimental consequences or aggravating the patient's condition, the patient may be relocated to another facility which will provide continued care and treatment as necessary; and

(2) When a managed care plan uses a restrictive formulary for prescription drugs, such use shall include a written procedure whereby patients can obtain, without penalty and in a timely fashion, specific drugs and medications not included in the formulary when:

(A) The formulary's equivalent has been ineffective in the treatment of the patient's disease or condition; or

(B) The formulary's drug causes or is reasonably expected to cause adverse or harmful reactions in the patient.

33-20A-10.

Nothing in this chapter shall apply to Chapter 9 of Title 34, relating to workers' compensation."

SECTION 1.2.

Said title is further amended by striking paragraph (2) of Code Section 33-21-1, relating to definitions regarding health maintenance organizations, and inserting in its place the following:

"(2) 'Enrollee' means an individual who has ~~been enrolled in a health benefits plan elected to contract for or participate in a health benefits plan for that individual or for that individual and that individual's eligible dependents.~~"

SECTION 1.3.

Said title is further amended by adding immediately following paragraph (7) of said Code section a new paragraph to read as follows:

"(7.1) 'Patient' means a person who seeks or receives health care services from a health maintenance organization."

SECTION 2.

Said title is further amended in Code Section 33-21-13, relating to evidence of coverage under a health maintenance organization, by striking paragraph (3) of subsection (c) in its entirety and inserting in its place the following:

~~"(3) A clear and complete statement, if a contract, or a reasonably complete summary, if a certificate, of:~~

~~(A) The health care services and the insurance or other benefits, if any, to which the enrollee is entitled under the health benefits plan;~~

~~(B) Any limitations on the services, kind of services, benefits, or kind of benefits to be provided, including any deductible or copayment feature;~~

~~(C) Where and in what manner information is available as to how services may be obtained;~~

~~(D) The total amount of payment for health care services and the indemnity or service benefits, if any, which the enrollee is obligated to pay with respect to individual contracts or an indication whether the plan is contributory or noncontributory with respect to group certificates; and~~

~~(E) A clear and understandable description of the health maintenance organization's method for resolving enrollee complaints; and~~

(3) A disclosure to enrollees and prospective enrollees who inquire as individuals into the plan or plans offered by the health maintenance organization the information required by this paragraph. In the case of an employer negotiating for a health care plan or plans on behalf of his or her employees, sufficient copies of disclosure information shall be made available to employees upon request. Disclosure under this paragraph shall be readable, understandable, and on a standardized form containing information regarding all of the following for each plan it offers:

(A) The health care services or other benefits under the plan offered as well as limitations on services, kinds of services, benefits, or kinds of benefits to be provided;

(B) Rules regarding copayments, prior authorization, or review requirements including, but not limited to, preauthorization review, concurrent review, postservice review, or postpayment review that could result in the enrollee's being denied coverage or provision of a particular service;

(C) Potential liability for cost sharing for out of network services, including but not limited to providers, drugs, and devices or surgical procedures that are not on a list or a formulary;

(D) The financial obligations of the enrollee, including premiums, deductibles, copayments, and maximum limits on out-of-pocket expenses for items and services (both in and out of network);

(E) The number, mix, and distribution of participating providers. An enrollee or a prospective enrollee shall be entitled to a list of individual participating providers upon request;

(F) Enrollee rights and responsibilities, including an explanation of the grievance process provided under Chapter 20A of this title;

(G) An explanation of what constitutes an emergency situation and what constitutes emergency services, as defined in Chapter 20A of this title;

(H) The existence of any limited utilization incentive plans as defined in Chapter 20A of this title;

(I) The existence of restrictive formularies or prior approval requirements for prescription drugs. An enrollee or a prospective enrollee shall be entitled, upon request, to a description of specific drug and therapeutic class restrictions; and

(J) The existence of limitations on choices of health care providers."

SECTION 3.

Said title is further amended in Chapter 21, relating to health maintenance organizations, by adding after Code Section 33-21-18 a new Code Section 33-21-18.1 to read as follows:

"33-21-18.1.

Every health benefits plan of every health maintenance organization shall include provisions that:

(1) In the event a patient seeks emergency services and if necessary in the opinion of the health care provider responsible for the patient's emergency care and treatment and warranted by his or her evaluation, such emergency provider may initiate necessary intervention necessary to stabilize the condition of the patient without seeking or receiving prospective authorization by the health maintenance organization or health benefits plan. If in the opinion of the emergency health care provider a patient's condition has stabilized and the emergency health care provider certifies that the patient can be transported to another facility without suffering detrimental consequences or aggravating the patient's condition, the patient may be relocated to another facility which will provide continued care and treatment as necessary; and

(2) When a health maintenance organization uses a restrictive formulary for prescription drugs, such use shall include a written procedure whereby patients can obtain,

without penalty and in a timely fashion, specific drugs and medications not included in the formulary when:

- (A) The formulary's equivalent has been ineffective in the treatment of the patient's disease or condition; or
 (B) The formulary's drug causes or is reasonably expected to cause adverse or harmful reactions in the patient."

SECTION 4.

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

Representative Williams of the 114th moved that the House agree to the Senate substitute to HB 1338.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	E Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	E Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towerly
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	E Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 165, nays 0.

The motion prevailed.

By unanimous consent, the following Bill of the House was taken up for consideration and read the third time:

HB 1207. By Representative Connell of the 115th:

A bill to create the Augusta-Richmond Consolidated Government Coliseum Authority Act.

The following Committee substitute was read and adopted:

A BILL

To amend an Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, so as to change the name of the Augusta-Richmond County Coliseum Authority to the "Augusta-Richmond County Consolidated Government Coliseum Authority"; to change the short title of said Act; to change the provisions relating to the membership of the authority and the provisions relating to appointment, vacancies, qualifications, and terms of members of the authority; to provide for the powers and duties of the authority; to provide for officers of the authority, their terms, and their powers and duties; to provide for rules and regulations for the government of the authority; to provide for open and public meetings; to provide for compensation and expenses; to change the provisions relating to quorums and provide for the vote necessary to take action on certain matters; to provide for a code of ethics; to prohibit certain transactions; to provide for removal of members of the authority and the practices and procedures connected therewith; to change certain references to refer to the consolidated government and to the new name of the authority; to provide for definitions; to change the provisions providing for notification and reports; to change the provisions relating to contracting parties; to change the provisions relating to the credit of certain entities and governments not being pledged; to change the provisions relating to tort immunity; to provide that the change of the name of such authority and the change of the provisions relating to the membership of the authority shall not affect the rights of any bondholder or affect or impair the obligation of any contract; to provide for other matters relating to the authority; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, is amended by striking Section 1 of said Act and inserting in lieu thereof a new Section 1 to read as follows:

"SECTION 1.
Short Title.

This Act shall be known and may be cited as the 'Augusta-Richmond County Consolidated Government Coliseum Authority Act.'"

SECTION 2.

Said Act is further amended by striking Section 2 of said Act and inserting in lieu thereof a new Section 2 to read as follows:

"SECTION 2.
Augusta-Richmond County Consolidated
Government Coliseum Authority.

(a) The body corporate and politic formerly known as the Augusta-Richmond County Coliseum Authority shall, on and after April 1, 1996, be known as the Augusta-Richmond County Consolidated Government Coliseum Authority and shall continue to operate as same as a political subdivision of the State of Georgia and a public corporation and by that name, style, and title said body may contract and be contracted with, sue and be sued, implead and be impleaded, and complain and defend in all courts of law and equity. The authority shall consist of 12 members appointed by the Augusta-Richmond County Commission-Council. The 12 members serving on the Augusta-Richmond County Coliseum Authority on April 1, 1996, shall continue to serve as members of the Augusta-Richmond County Consolidated Government Coliseum Authority for the remainder of their respective terms to which they were appointed. When the term of any member expires, his or her successor shall be appointed by the Augusta-Richmond County Commission-Council. All members shall be appointed for terms of three years and until their respective successors are appointed and qualified. No member shall be authorized to serve more than two consecutive terms of office, except that a

member who is appointed to fill a vacancy on the authority may serve for the remainder of such unexpired term plus two consecutive terms thereafter. All members of the authority, including members appointed to fill a vacancy, shall be residents of the area governed by the Augusta-Richmond County Commission-Council for a period of not less than one year immediately prior to their appointment. The Augusta-Richmond County Consolidated Government Coliseum Authority shall be a continuation of and a direct successor to the Augusta-Richmond County Coliseum Authority.

(b) The members of the authority shall elect one of their number as chairperson, shall elect another as vice chairperson, and may also elect a secretary and treasurer or a secretary-treasurer, who need not necessarily be a member of the authority.

(c) The chairperson, vice chairperson, secretary, and treasurer shall serve for a period of one year and until their successors are appointed and qualified. Seven members of the authority shall constitute a quorum, but the affirmative vote of seven members of the authority shall be necessary to authorize any official action of the authority.

(d) In the event of a vacancy by reason of death, disqualification, resignation, removal of a member from the authority as provided in this Act, or other reason, the Augusta-Richmond County Commission-Council shall appoint a person meeting the qualifications for membership to serve the remainder of the unexpired term of such member.

(e) No vacancy on the authority shall impair the right of the quorum to exercise all their rights and to perform all of the duties of the authority.

(f) The chairperson of the authority shall not be entitled to vote upon any issue, motion, or resolution, except in the case of a tie vote of the other members voting on said motion, resolution, or question. The chairperson shall appoint all members of committees of the authority and shall designate the chairperson of each such committee.

(g) The authority shall make and implement rules and regulations for its own government. The failure of the members of the authority to make and implement rules and regulations shall be grounds for the removal of all or any portion of the members of the authority by the governing body. The authority shall have perpetual existence.

(h) All members shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. All such expenses shall be paid from the funds of the authority.

(i) The Augusta-Richmond County Commission-Council and the legislative delegation shall be furnished by the authority with a quarterly financial report which shall include separate itemizations for tax revenue, revenue generated from performances, financial projections for the next two years, and any major renovation or upkeep project exceeding \$10,000.00.

(j) The authority shall only hire a general manager to perform such duties as shall be specified by the authority on the basis of a two-year contract. The performance of the general manager shall be reviewed annually and the general manager's salary shall be a fixed figure on an annual basis.

(k) The authority shall make any rules and regulations it deems necessary as to the issuance of discounted tickets for use by nonprofit organizations as defined in Section 501(c) of the Internal Revenue Code, as amended.

(l) All meetings of the authority shall be subject to Chapter 14 of Title 50 of the Official Code of Georgia Annotated, relating to open and public meetings, and shall be open to the public except as otherwise provided in such chapter.

(m)(1) As used in this subsection, the term:

(A) 'Business' means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, trust, or other legal entity.

(B) 'Family' means spouse and children.

(C) 'Person' means any person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or other legal entity.

(D) 'Substantial interest' means the direct or indirect ownership of more than 10 percent of the assets or stock of any business.

(E) 'Transact business' or 'transact any business' means to sell or lease any personal property, real property, or services on behalf of oneself or on behalf of any third

party as an agent, broker, dealer, or representative and means to purchase surplus real or personal property on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative. Such term does not include the renting of the authority's buildings for hire.

(2) No member of the authority shall, for such person or on behalf of any business in which such person or such person's immediate family has a substantial interest, transact any business with the authority.

(3) No person who has been elected to and who is serving in any elective office shall, for such person or on behalf of any business in which such person or such person's immediate family has a substantial interest, transact any business with the authority except on a sealed competitive bid basis.

(n) Each member of the authority shall:

(1) Uphold the Constitution, laws, and regulations of the United States, the State of Georgia, and all governments therein and never be a party to their evasion;

(2) Never discriminate by the dispensing of special favors or privileges to anyone, whether or not for remuneration;

(3) Never use any information coming to him or her confidentially in the performance of authority duties as a means for making private profit;

(4) Never solicit, accept, or agree to accept gifts, loans, gratuities, discounts, favors, hospitality, or services from any person, association, or corporation under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the performance of the member's official duties;

(5) Expose corruption wherever discovered;

(6) Never accept any economic opportunity under circumstances where he or she knows or should know that there is a substantial possibility that the opportunity is being afforded him or her with intent to influence his or her conduct in the performance of his or her official duties; and

(7) Never engage in other conduct which is unbecoming to a member or which constitutes a breach of public trust.

(o) Any member of the authority may be removed from the authority for any of the following:

(1) Inability or neglect to perform the duties of a member;

(2) Incompetence;

(3) Dishonest conduct;

(4) Conviction of a crime involving moral turpitude;

(5) Failure to attend three consecutive regular meetings of the authority without cause;

(6) Failure to maintain residency within the area governed by the Augusta-Richmond County Commission-Council;

(7) Any violation of subsection (m) of this section, relating to doing business with the authority; or

(8) Any violation of subsection (n) of this section, relating to the code of ethics for members of the authority.

(p) A member of the authority may be removed from membership on the authority for any reason specified in subsection (o) of this section. The governing body shall initiate the removal of a member by serving the member with a written complaint directing the member to appear before a three-member panel convened by the governing body on a date certain and at a time specified in the complaint. The three-member panel shall be composed of three members appointed by the Augusta-Richmond County Commission-Council. The complaint shall specify the ground or grounds upon which removal is sought under this Act and the factual circumstances relating thereto. The hearing on the complaint shall be held not earlier than 15 days after the member whose removal is sought is served with such complaint. The member whose removal is sought may appear with legal counsel to answer the charges contained in the complaint. After considering the testimony of witnesses and any other evidence presented, the three-member panel, based on the evidence presented, shall determine whether the clear and convincing weight of the evidence shows that the member did violate one or more of the grounds

specified in subsection (o) of this section. If the three-member panel determines that one or more grounds for removal exist, they shall enter a written order removing such member from membership on the authority. If no ground for removal is found to exist, the complaint shall be dismissed and the member shall remain a member of the authority for the remainder of his or her term.”

SECTION 3.

Said Act is further amended by striking Section 3 of said Act and inserting in lieu thereof a new Section 3 to read as follows:

“SECTION 3. Definitions.

(a) As used in this Act, the term:

(1) ‘Authority’ means the Augusta-Richmond County Consolidated Government Coliseum Authority created by this Act.

(2) ‘Cost of the project’ shall mean and embrace the cost of construction, the cost of all lands, properties, rights, easements, and franchises acquired, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for one year after completion of construction, cost of engineering, architectural, and legal expenses and of plans and specifications, and other expenses necessary or incident to the financing authorized in this Act, or the construction of any project, the placing of the same in operation, and the condemnation of property necessary for such construction and operation. Any obligation or expense incurred for any of the foregoing purposes shall be regarded part of the cost of the project and may be paid or reimbursed as such out of the proceeds of revenue bonds issued under the provisions of this Act for such project.

(3) ‘Governing body’ means the Augusta-Richmond County Commission-Council.

(4) ‘Legislative delegation’ means the members of the General Assembly whose districts are located totally or partially within Richmond County.

(5) ‘Project’ shall be deemed to mean and include the acquisition, construction, equipping, maintenance, and operation of multiuse coliseum and civic center type facilities to be used for athletic contests, games, meetings, trade fairs, expositions, political conventions, agricultural events, theatrical and musical performances, conventions and other public entertainments, and the usual facilities related thereto, including, without limitation, refreshment stands and restaurants, and facilities for the purveying of foods, beverages, publications, souvenirs, novelties, and goods of all kinds, whether operated or purveyed directly, or indirectly through concessions, licenses, leases, or otherwise, parking facilities or parking areas in connection therewith, recreational centers and areas including, but not limited to, gymnasium and athletic facilities and related buildings, and the usual and convenient facilities appertaining to such undertakings and the extension and improvements of such facilities, acquiring the necessary property therefor, both real and personal, and the lease, sale, and licensing of any part or all of such facilities, including real and personal property, to any persons, firms, or corporations whether public or private so as to assure the efficient and proper development, maintenance, and operation of such facilities and areas, deemed by the authority to be necessary, convenient, or desirable. The authority shall have the right to acquire and construct more than one project and any combination of facilities may be constructed as a separate project.

(6) ‘Revenue bonds,’ ‘bonds,’ and ‘obligations’ mean revenue bonds issued under the provisions of Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the ‘Revenue Bond Law,’ and such type of obligations may be issued by the authority as authorized under said ‘Revenue Bond Law’ and, in addition, shall also mean obligations of the authority the issuance of which are specifically provided for in this Act.

(b) Any project shall be deemed ‘self-liquidating’ if in the judgment of the authority the revenues and earnings to be derived by the authority therefrom and all properties used, leased, and sold in connection therewith will be sufficient to pay the principal and interest of the revenue bonds which may be issued to finance, in whole or in part, the cost of such project or projects.”

SECTION 4.

Said Act is further amended by striking Section 4A of said Act and inserting in lieu thereof a new Section 4A to read as follows:

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“SECTION 4A.**Contracting parties.**

The authority, in considering whether a contracting party for a project is responsible, may consider the contracting party's quality of work, general reputation in the community, financial responsibility, previous employment on public works, and compliance with a minority business enterprise participation plan or making a good faith effort to comply with the goals of such a plan. The members of the authority shall notify annually the Augusta-Richmond County Commission-Council and the legislative delegation of efforts to comply with the goals of such a plan.”

SECTION 5.

Said Act is further amended by striking Section 14 of said Act and inserting in lieu thereof a new Section 14 to read as follows:

“SECTION 14.**Credit not pledged.**

Revenue bonds issued under the provisions of this Act shall not be deemed to constitute a debt of the State of Georgia, the Consolidated Government of Augusta-Richmond County, Richmond County, the former City of Augusta, or any other political subdivision or a pledge of the faith and credit of said state, consolidated government, county, city, or political subdivision, but such bonds shall be payable solely from the funds provided for in this Act, and the issuance of such revenue bonds shall not directly, indirectly, or contingently obligate the state, the consolidated government, county, city, or other political subdivision to levy or to pledge any form of taxation whatever therefor, or to make any appropriation for the payment. All such bonds shall contain recitals on their face covering substantially the foregoing provisions of this section.”

SECTION 6.

Said Act is further amended by striking Section 27 of said Act and inserting in lieu thereof a new Section 27 to read as follows:

“SECTION 27.**Tort Immunity.**

The authority shall have the same immunity and exemption from liability for torts and negligence as the Consolidated Government of Augusta-Richmond County and counties generally; and the officers, agents, and employees of the authority when in the performance of the work of the authority shall have the same immunity and exemption from liability for torts and negligence as the officers, agents, and employees of the Consolidated Government of Augusta-Richmond County and counties generally when in the performance of their public duties or work.”

SECTION 7.

The change of the name of the Augusta-Richmond County Coliseum Authority to the Augusta-Richmond County Consolidated Government Coliseum Authority and the change in the membership of such authority by this Act is not intended, nor shall it be construed, to affect the rights of any bondholder or to otherwise affect or impair the obligation of any contract. On and after the effective date of this Act the Augusta-Richmond County Consolidated Government Coliseum Authority shall be substituted for and shall be a direct successor to and a continuation of the Augusta-Richmond County Coliseum Authority for all purposes.

SECTION 8.

This Act shall become effective for all purposes on April 1, 1996, provided that solely for the purpose of making appointments to the Augusta-Richmond County Consolidated Government Coliseum Authority, this Act shall become effective for such purpose upon its approval by the Governor or upon its becoming law without such approval.

SECTION 9.

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 ayes were 96, nays 3.

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

By unanimous consent, HB 1207 was ordered immediately transmitted to the Senate.

Representative Chambless of the 163rd District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 628 Do Pass, by Substitute
 SB 644 Do Pass
 SB 661 Do Pass

Respectfully submitted,
 /s/ Chambless of the 163rd
 Chairman

Representative Parham of the 122nd District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker:

Your Committee on Motor Vehicles 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 606 Do Pass, by Substitute

Respectfully submitted,
 /s/ Parham of the 122nd
 Chairman

Representative Dobbs of the 92nd District, Chairman of the Committee on State Institutions & Property, submitted the following report:

Mr. Speaker:

Your Committee on State Institutions & Property has had under consideration the following Bill and Resolution of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 751 Do Pass, by Substitute
 SR 457 Do Pass, by Substitute

Respectfully submitted,
 /s/ Dobbs of the 92nd
 Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker: www.libtool.com.cn

Your Committee on State Planning & Community Affairs has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 97 Do Pass
SB 659 Do Pass

SB 682 Do Pass
SB 735 Do Pass, by Substitute

Respectfully submitted,
/s/ Royal of the 164th
Chairman

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Wednesday, March 13, 1996**www.libtool.com.cn

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:

Allen	Crawford	Howard	Mobley, J	Simpson
Anderson	Crews	Hugley	Mosley	Skipper
Ashe	Cummings	James	O'Neal	Smith, C
Bannister	DeLoach, B	Johnson, G	Parsons	Smith, C.W
Barfoot	DeLoach, G	Johnson, J	Pelote	Smith, L
Bargeron	Dix	Johnston	Pinholster	Smith, P
Barnard	Dixon, H	Joyce	Ponder	Smith, V
Barnes	Dohhs	Kaye	Poston	Snelling
Bates	Epps	Kinnamon	Powell	Stallings
Bostick	Evans	Klein	Purcell, A	Stancil, F
Brooks, D	Felton	Ladd	Purcell, B	Stanley, L
Brooks, T	Floyd	Lakly	Randolph	Stanley, P
Brown, J	Golden	Lane	Reaves	Taylor
Brush	Goodwin	Lewis	Reichert	Teper
Buckner	Greene	Lifsey	Roberts	Tillman
Bunn	Grindley	Lord	Rogers	Titus
Byrd	Hanner	Lucas	Royal	Towery
Campbell	Harbin	Maddox	Sanders	Trense
Canty	Harris	Mann	Sauder	Westmoreland
Carter	Heard	Martin	Shanahan	Wiles
Channell	Hegstrom	McBee	Shaw	Williams, R
Coker	Hembree	McCall	Sherrill	Yates
Coleman, B	Holland	Mills	Shipp	Murphy, Spkr
Coleman, T				

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

Representatives Walker of the 87th, Falls of the 125th, Davis of the 60th, Orrock of the 56th, Parrish of the 144th, Thomas of the 148th, Streat of the 167th, McClinton of the 68th, Day of the 153rd, Breedlove of the 85th, Bordeaux of the 151st, Connell of the 115th, Turnquest of the 73rd, Jamieson of the 22nd, Scoggins of the 24th, Buck of the 135th, Polak of the 67th, Culbreth of the 132nd, Smith of the 174th, Williams of the 83rd, Twigg of the 8th, Smyre of the 136th, Jones of the 71st, Perry of the 11th, Sinkfield of the 57th, Mobley of the 69th, Whitaker of the 7th, Bailey of the 93rd, Teague of the 58th, Hudson of the 156th, Heckstall of the 55th, Henson of the 65th, Burkhalter of the 41st, McKinney of the 51st, Baker of the 70th, Benefield of the 96th, Lee of the 94th, Watts of the 26th, Ray of the 128th, Parham of the 122nd, Porter of the 143rd, Davis of the 48th, Smith of the 169th, Snow of the 2nd and Lawrence of the 64th.

They wish to be recorded as present.

Prayer was offered by the Reverend Rodney K. Turner, Pastor, Canaan Missionary Baptist Church, Roanoke, Alabama.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.

Pursuant to Rule 58 notice served on the previous legislative day, Representative Joyce of the 1st made a procedural motion to instruct the Committee on Judiciary to report the following Resolution back to the House:

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SR 4. By Senators McGuire of the 30th, Edge of the 28th, Newbill of the 56th and others:

A resolution proposing an amendment to the Constitution so as to reserve to the people of the state the power to propose laws and amendments to the Constitution and to enact or reject the same; to provide procedures and restrictions connected therewith; to provide for the submission of this amendment for ratification or rejection.

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

N Allen	Y Crews	Y Irvin	N Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	Pelote	Y Snelling
N Bailey	N Davis, G	Jenkins	Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	Y DeLoach, G	Jones	N Porter	Stanley, L
Barnard	Y Dix	Y Joyce	Y Poston	Stanley, P
N Barnes	N Dixon, H	Y Kaye	Powell	N Stephenson
Y Bates	E Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Y Klein	N Purcell, B	N Taylor
Birdsong	Ehrhart	Y Ladd	Randall	N Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	Y Evans	N Lane	N Ray	N Thomas
N Breedlove	Y Falls	Y Lawrence	N Reaves	N Tillman
Y Brooks, D	Felton	N Lee	N Reichert	Y Titus
N Brooks, T	N Floyd	N Lewis	N Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	N Rogers	N Trense
Y Brush	N Golden	N Lord	N Royal	Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	N Twiggs
Buckner	N Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	N Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	Y Wall
N Byrd	Harbin	N McBee	N Shaw	N Watson
Y Campbell	Y Harris	N McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	Whitaker
N Chambliss	N Hegstrom	Y Mills	N Sinkfield	White
N Channell	Y Hembree	Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Williams, B
Y Coker	N Holland	N Mosley	Y Smith, C.W	Y Williams, J
Coleman, B	Holmes	Y Mueller	N Smith, L	Y Williams, R
Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
N Connell	N Hudson	Orrock	Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 56, nays 97.

The motion was lost.

Representative Coleman of the 142nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

Pursuant to Rule 58, the vote on the above roll call shall be a procedural vote and not a vote on the merits of the Resolution.

From Jim Woods 3/13/96

I voted in favor of Representative Joyce's motion to instruct the Judiciary Committee to report back to the floor of the House SR 4, also known as the Citizen's Right to Initiative

and Referendum, because we are nearing the end of the session and I think it important to expeditiously consider this Resolution which was pre-filed a year and a half ago, passed by the Senate last year, and located in the House Judiciary Committee ever since.

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/s/ Jim Woods

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 Resolution of the House was introduced, read the first time and referred to the committee:

HR 1256. By Representative Watson of the 139th:

A resolution creating the House Digital Signatures Study Committee.

Referred to the Committee on Rules.

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

HB 1893	HB 1903
HB 1895	HB 1904
HB 1896	HB 1905
HB 1897	HR 1233
HB 1898	SB 603
HB 1899	SB 781
HB 1900	SB 782
HB 1901	SB 783
HB 1902	

Representative Godbee of the 145th District, Chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

Your Committee on Education has had under consideration the following Bills and Resolutions of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HR 961	Do Pass	SB 710	Do Pass
SB 593	Do Pass	SR 515	Do Pass, by Substitute
SB 709	Do Pass, by Substitute		

Respectfully submitted,
/s/ Godbee of the 145th
Chairman

Representative Lee of the 94th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker: www.libtool.com.cn

Your Committee on Rules has had under consideration the following Resolutions of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HR 1223	Do Pass	HR 1255	Do Pass
HR 1232	Do Pass	SR 101	Do Pass, by Substitute
HR 1253	Do Pass		

Respectfully submitted,
/s/ Lee of the 94th
Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs 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 1828	Do Pass, by Substitute	SB 765	Do Pass
HB 1886	Do Pass	SB 774	Do Pass
HB 1887	Do Pass	SB 775	Do Pass
HB 1888	Do Pass, by Substitute	SB 776	Do Pass
HB 1890	Do Pass	SB 778	Do Pass
HB 1891	Do Pass	SB 779	Do Pass
HB 1892	Do Pass		

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HOUSE RULES CALENDAR WEDNESDAY, MARCH 13, 1996

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 37th Legislative Day as enumerated below:

HR 832	MARTA; parking plan; urge provision
HR 981	Unemployment insurance; urge Congress devolve to states
HR 1145	Rules of House; amend Rule 138
SB 53	Sex Criminals court determine sexually violent predator (Boshears of the 6th)
SB 67	D.A.'s Retirement cert. spousal benefits (Farrow of the 54th)
SB 159	Contributing to Delinquency of Minor redefine offense (Clay of the 37th)
SB 210	Rape, Aggravated Sodomy Charge marital relationship not defense

- (Johnson of the 1st)
- SB 348 Parental Power grounds for losing
(Ralston of the 51st)
- SB 387 Southern Regional Emergency Mgmt. Compact provide
(Taylor of the 12th)
- SB 519 English designate official language
(Crotts of the 17th)
- SB 530 Hunting unlawful while intoxicated
(Gillis of the 20th)
- SB 592 Health Ins. patient's direct access to OB/GYN
(Perdue of the 18th)
- SB 636 Bombs, explosives, etc. unlawful possession, distribution
(Starr of the 44th)
- SB 640 Grandparent Visitation change provisions
(Abernathy of the 38th)
- SB 657 Liming Materials Act of 1996 provide
(Ragan of the 11th)
- SB 705 Marriage, Fam Therapists; titles, designations, licensure
(Madden of the 47th)
- SB 721 Banking fees, borrowing, investigations, mergers, etc.
(Turner of the 8th)
- SR 413 Bartow Co; conveyance of cert st prop to Cartersville
(Dean of the 31st)
- SR 458 Telecommunication, Utility Easements, Cert. Counties authorize
(Starr of the 44th)
- SR 459 Pedestrian Walks, Water Line Easements cert. counties
(Starr of the 44th)
- SR 525 Fulton Co. conveyance of cert. state property
(Broun of the 46th)
- SR 528 Bibb Co. lease of cert. state-owned property
(Perdue of the 18th)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Lee of the 94th
Chairman

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

HB 1828. By Representatives Holland of the 157th and Hanner of the 159th:

A bill to amend an Act entitled "An Act to create a new charter for the City of Leesburg, so as to describe the corporate boundaries of such city.

The following Committee substitute was read and adopted:

A BILL

To amend an Act entitled "An Act to create a new charter for the City of Leesburg," approved April 17, 1973 (Ga. L. 1973, p. 2851), as amended, particularly by an Act approved April 5, 1995 (Ga. L. 1995, p. 4129), so as to describe the corporate boundaries of such city; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act entitled ~~if an Act to create~~ "An Act to create a new charter for the City of Leesburg," approved April 17, 1973 (Ga. L. 1973, p. 2851), as amended, particularly by an Act approved April 5, 1995 (Ga. L. 1995, p. 4129), is amended by striking in its entirety Section 1.12 and inserting in lieu thereof the following:

"SECTION 1.12.

Corporate boundaries.

(a) The boundaries of the City of Leesburg shall be as follows:

All that tract or parcel of land lying and being all of Land Lots 44, 45, 46, 47, 50, 51, 52, 53, 76, 77, 78, 79, 81, 82, 83, and a portion of Land Lot 84 in the Second Land District, Lee County, Georgia and being more particularly described as follows:

Beginning at the southwest corner of Land Lot 76 and from said Point of Beginning proceed in an easterly direction along the southern boundary line of said Land Lot 76 to the southeastern corner of said Land Lot 76, which is also the northwest corner of Land Lot 84; thence proceed south along the western boundary line of Land Lot 84 to the point where said western boundary line intersects the southern right of way line of Georgia Highway Route 32; thence proceed in an easterly direction along the southern right of way line of said Georgia Highway Route 32 to the point where said right of way line intersects the western right of way line of U.S. Highway 19; thence proceed south along the western right of way line of U.S. Highway 19 to the point where such right of way line intersects the southern boundary line of Land Lot 84; thence proceed in an easterly direction along said southern boundary line and along the southern boundary lines of Land Lots 83, 82, and 81 to the southeastern corner of Land Lot 81; thence proceed north along the eastern boundary of Land Lot 81 to the northeast corner of said Land Lot 81; thence proceed west along said northern boundary line of Land Lot 81 to the southeast corner of Land Lot 79; thence proceed north along the eastern boundary line of Land Lot 79 until said line intersects with the northern right of way line of Georgia Highway Route 32; thence proceed south 89 degrees 20 minutes 00 seconds west a distance of 249.10 feet to a point; thence proceed north 02 degrees 11 minutes 00 seconds east a distance of 600.01 feet to a point; thence proceed south 89 degrees 20 minutes 00 seconds west a distance of 75.00 feet to a point; thence proceed north 02 degrees 11 minutes 00 seconds east a distance of 200.00 feet to a point; thence proceed north 89 degrees 20 minutes 00 seconds east a distance of 75.00 feet to a point; thence proceed north 02 degrees 11 minutes 00 seconds east a distance of 221.31 feet to a point; thence proceed south 87 degrees 34 minutes 23 seconds west a distance of 168.01 feet to a point; thence proceed north 01 degrees 32 minutes 03 seconds west a distance of 215.00 feet to a point; thence proceed north 89 degrees 37 minutes 41 seconds east a distance of 122.35 feet to a point; thence proceed north 01 degrees 43 minutes 19 seconds west a distance of 219.86 feet to a point; thence proceed north 89 degrees 37 minutes 41 seconds east a distance of 235.94 feet to a point on the eastern boundary line of Land Lot 50; thence proceed north along the eastern boundary lines of Land Lots 50 and 47 to the northeastern corner of Land Lot 47; thence proceed west along the northern boundary lines of Land Lot 47, Land Lot 46 and Land Lot 45 to the point where the northern boundary line of Land Lot 45 intersects the western right of way line of the Old Smithville Road also known as the Jones Place Road; thence proceed south along said western right of way line of the Old Smithville Road a distance of 2132.94 feet to a point; thence proceed north 89 degrees 55 minutes west a distance of 1496.61 feet to a point on the eastern right of way line of the Central of Georgia Railroad; thence proceed north 22 degrees 52 minutes west along the eastern right of way line of the Central of Georgia Railroad until said right of way line intersects the northern boundary line of Land Lot 45; thence proceed west along the northern boundary lines of Land Lot 45 and Land Lot 44 to the northwest corner of Land Lot 44; thence proceed south along the western boundary lines of Land Lots 44, 53, and 76 to the Point of Beginning.

(b) The boundaries of the city shall be shown on a map or a written description or a combination of the two maintained in the office of the city clerk, which map shall be kept at all times current. Copies of such map or description certified by the city clerk shall be admitted in evidence in all courts and shall have the same force and effect as the original map or description."

SECTION 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.

HB 1886. By Representative Smith of the 19th:

A bill to amend an Act providing a new charter for the Town of Clermont, so as to change provisions relating to the terms of office of the mayor and councilmembers.

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

HB 1887. By Representative Smith of the 19th:

A bill to amend an Act granting a new charter to the City of Dawsonville, so as to provide a new charter for the City of Dawsonville.

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

HB 1888. By Representatives Wiles of the 34th, Woods of the 32nd, Ehrhart of the 36th and Kaye of the 37th:

A bill to amend an Act creating the State Court of Cobb County, so as to change certain provisions relating to the chief judge and judges of the State Court of Cobb County.

The following Committee substitute was read and adopted:

A BILL

To amend an Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, so as to change certain provisions relating to the chief judge and judges of the state court; to provide for a statement of intent; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, is amended by striking the paragraph at the end of Section 3, which reads as follows:

"The judge of said court who is senior in length of continuous service as a state court judge shall be the chief judge and shall be responsible for the administration and expeditious disposition of the business of the state court and shall have power to make such rules as he or she shall deem necessary or proper for such purpose but not in conflict with the general laws of this state, which rules shall be binding upon the other judge or judges of the state court. If two or more judges of said court have equal continuous

service as state court judges, the judges of the state court shall, by majority vote, elect from their number a chief judge to serve a two-year term and until a successor is elected. The chief judge shall be vested with the power to make all appointments whenever the law provides for the state court judge to make appointments. The chief judge shall serve as liaison between the state court and the Board of Commissioners for Cobb County with respect to the budget, personnel, and other matters. The chief judge shall also serve as liaison between the state court and other courts and between the state court and the general public. The chief judge shall have such additional duties as may be agreed upon by the judges of the state court and as prescribed by general law. The chief judge of the State Court of Cobb County shall receive as additional compensation \$2,800.00 per annum.”,

and inserting in lieu thereof the following:

“The judges of the State Court of Cobb County shall, during the month of July of each odd-numbered calendar year, by a vote of a majority of them, elect from among the judges of division one of said court a chief judge of the State Court of Cobb County to serve a two-year term, beginning October 1 of each odd-numbered calendar year. A vote of the majority of the judges of said court shall be required to fill any vacancy occurring in the office of chief judge. Any such vacancy shall be filled for the remainder of the unexpired term within 30 days after it occurs by majority vote as set out in this paragraph. Until such time as a chief judge is elected pursuant to this paragraph and whenever the position of chief judge is vacant for any reason, the judge of division one of the state court who shall be senior in length of continuous service as a judge of division one of said court shall be ex officio chief judge. In the event that two or more judges shall be equal in such seniority and in the event that two or more judges shall be equal in such seniority within a division of the court, said seniority shall be determined according to length of service of said judge on the state court as a whole. In the event that two or more judges shall be equal in such seniority on the court as a whole, then the judge who was first admitted to the State Bar of Georgia shall be such chief judge.

Upon the failure of a majority of the judges of said court to agree on the administration and the expeditious disposition of the business of the court, the chief judge shall have the power and responsibility to take such action as he or she shall deem necessary or proper for such purpose, but not in conflict with the general laws of this state or the uniform rules of this state, which action, when entered on the minutes of said court, shall be binding upon the other judges of said circuit.

Such chief judge may make appointments authorized by law and may from time to time require reports from the clerk of said court, the solicitor general of said court, and the sheriff of Cobb County relative to business pending before said court, including but not limited to issues involving the jail population.

The chief judge of the State Court of Cobb County shall receive as additional compensation \$2,800.00 per annum.

When matters are to be determined among the various judges according to seniority, in matters not affecting the designation of chief judge, then in all such instances said seniority shall be determined within the two divisions of the court according to length of service of said judge in said division of the court. In the event that two or more judges shall be equal in such seniority within a division of the court, seniority shall be determined according to length of service of said judge on the state court as a whole. In the event that two or more judges shall be equal in such seniority on the court as a whole, then the judge who was first admitted to the State Bar of Georgia shall be considered senior.”

SECTION 2.

Said Act is further amended by striking from Section 23 of Part 1 the following:

“The salary of the judges of Division I of the State Court of Cobb County shall be \$85,975.00 per annum.”,

and inserting in lieu thereof the following:

“The salary of the judges of Division I of the State Court of Cobb County shall be \$89,574.00 per annum.”

SECTION 3.

Said Act is further amended by striking from Section 23 the following:

"The clerk of the State Court of Cobb County shall receive an annual salary of \$59,609.68, payable in equal monthly installments from the funds of Cobb County.", and inserting in lieu thereof the following:

"The clerk of the State Court of Cobb County shall receive an annual salary of \$61,994.07, payable in equal monthly installments from the funds of Cobb County."

SECTION 4.

Said Act is further amended by striking paragraph (4) of subsection (b) of Section 17 and inserting in lieu thereof a new paragraph (4) to read as follows:

"(4) The salary of the chief deputy clerk shall be \$49,845.54 per annum to be paid in equal monthly installments from funds of Cobb County."

SECTION 5.

Said Act is further amended by striking subsection (a) of Section 2-3 of Part 2 and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) The salary of each associate judge shall be \$68,255.20 per annum to be paid in equal monthly installments from the funds of Cobb County. The associate judges are designated as full-time judges and may not engage in the private practice of law."

SECTION 6.

Nothing enumerated in this Act shall be deemed to limit or restrict the inherent powers, duties, and responsibilities of state court judges provided by the statutes of the State of Georgia.

SECTION 7.

This Act shall become effective on July 2, 1996, only if 1996 House Bill 1401 becomes law, it being the intent of the General Assembly to exercise the option provided in such legislation of establishing the salaries of the judges of the State Court of Cobb County by local law; otherwise, this Act shall be automatically repealed on July 2, 1996.

SECTION 8.

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.

HB 1890. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Buckner of the 95th and Johnson of the 97th:

A bill to amend an Act creating the State Court of Clayton County, so as to change the compensation of the solicitor of said court.

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

HB 1891. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Johnson of the 97th and Buckner of the 95th:

A bill to amend an Act consolidating the offices of tax receiver and tax collector of Clayton County into the office of tax commissioner, so as to change the provisions relating to the salary of the tax commissioner.

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

HB 1892. By Representatives Bailey of the 93rd, Benefield of the 96th, Johnson of the 97th and Buckner of the 95th:

A bill to amend an Act changing the composition and manner of selecting members of the Board of Education of Clayton County, so as to provide for nonpartisan elections of such members without prior nonpartisan primaries.

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

SB 765. By Senator Walker of the 22nd:

A bill to amend an Act providing for the election of the members of the board of education of Burke County, as amended, so as to change the compensation and expense allowance of the members of the board; to provide an effective date.

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

SB 774. By Senator Farrow of the 54th:

A bill to amend an Act placing the clerk of the superior court, sheriff, judge of the probate court, and tax commissioner of Murray County on an annual salary, as amended, so as to change provisions relating to the compensation of the clerk of the superior court, sheriff, judge of the probate court, and tax commissioner of Murray County; to provide for related matters with respect to said officers.

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

SB 775. By Senator Farrow of the 54th:

A bill to amend an Act placing the coroner of Murray County on an annual salary, as amended, so as to change the provisions relating to the compensation of the coroner; to provide an effective date.

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

SB 776. By Senator Farrow of the 54th:

A bill to amend an Act relating to the Magistrate Court of Murray County, as amended, so as to change provisions relating to the compensation of the chief magistrate; to provide for other related matters; to provide an effective date.

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

SB 778. By Senator Blich of the 7th:

A bill to amend an Act providing for a new charter for the City of St. Marys, Georgia, as amended, so as to provide that the mayor and councilmembers shall continue to serve for the terms for which elected; to provide for election of the mayor and councilmembers by a plurality of voters of the entire City of St. Marys.

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

SB 779. www.libtool.com.cn By Senator Madden of the 47th:

A bill to amend the charter for the City of Arcade so as to change the corporate limits of that city.

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 Allen	Crews	Irvin	Parrish	Smith, W
Y Anderson	Culbreth	James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Pelote	Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Johnson, G	Pinholster	Y Stallings
Bannister	Y Day	Johnson, J	Y Polak	Y Stancil, F
Barfoot	DeLoach, B	Johnston	Y Ponder	Stancil, S
Bargeron	DeLoach, G	Jones	Porter	Stanley, L
Barnard	Dix	Joyce	Y Poston	Stanley, P
Y Barnes	Dixon, H	Kaye	Powell	Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dohhs	Y Klein	Purcell, B	Y Taylor
Birdsong	Ehrhart	Y Ladd	Randall	Teague
Bordeaux	Y Epps	Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Falls	Lawrence	Y Reaves	Tillman
Brooks, D	Y Felton	Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Brown, J	Y Godhee	Lifsey	Y Rogers	Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	Y Walker, L
Bunn	Y Grindley	Mann	Y Scoggins	Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Wall
Y Byrd	Harhin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	McCall	Y Sherrill	Y Watts
Canty	Y Heard	Y McClinton	Y Shipp	Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Chambless	Y Hegstrom	Mills	Sinkfield	Y White
Channell	Hemhree	Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Williams, R
Y Coleman, T	Y Howard	O'Neal	Y Smith, P	Woods
Connell	Y Hudson	Orrock	Smith, T	Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the passage of the Bills, the ayes were 92, nays 0.

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

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

Mr. Speaker:

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

- HB 1678. By Representatives Purcell of the 147th and Barnard of the 154th:
A bill to create the Richmond Hill Area Convention and Visitors Bureau Authority as a public body corporate and politic, a political subdivision of the state, and a public corporation to have the responsibility and authority to promote tourism, conventions, and trade shows in Richmond Hill and Bryan County.
- HB 1795. By Representative Bostick of the 165th:
A bill to amend an Act creating a new charter for the City of Ty Ty, so as to permit holders of elective office to serve on local boards, commissions, or authorities in certain circumstances.
- HB 598. By Representatives Towery of the 30th, Barnes of the 33rd, Sauder of the 29th and others:
A bill to amend an Act creating the State Court of Cobb County, so as to change certain provisions relating to the judge pro hac vice.
- HB 873. By Representative Teper of the 61st:
A bill to amend Code Section 10-1-510 of the Official Code of Georgia Annotated, relating to conveyance of rights in works of fine art, so as to change a certain condition upon which printers may agree to duplicate works of fine art.
- HB 1078. By Representatives Watts of the 26th, Barnes of the 33rd, Bates of the 179th and others:
A bill to amend Code Section 7-1-747 of the Official Code of Georgia Annotated, relating to loans by members of business development corporations, so as to clarify the intention of the General Assembly; to provide that loans to business development corporations by members may bear interest at a rate of interest to be negotiated between said business development corporations and their members.
- HB 1235. By Representatives Williams of the 83rd, Chambless of the 163rd, Barnes of the 33rd and others:
A bill to amend Article 3 of Chapter 4 of Title 24 of the Official Code of Georgia Annotated, relating to particular matters of proof, so as to provide for the admissibility of photographs, motion pictures, videotapes, and audio recordings as evidence; to provide for discovery by defendants.
- HB 1270. By Representative Lane of the 146th:
A bill to amend Chapter 8 of Title 34 of the Official Code of Georgia Annotated, known as the "Employment Security Law," so as to change the provisions relating to the rate of employer contributions; to change the period during which certain rates shall be in effect; to change the provisions relating to benefit experience in the payment of contributions.
- HB 1287. By Representatives Sherrill of the 62nd, Shanahan of the 10th, Jenkins of the 110th and others:
A bill to amend Chapter 3 of Title 41 of the Official Code of Georgia Annotated, relating to places used for unlawful sexual purposes, so as to provide that real property upon which substantial drug related activity occurs may be declared a nuisance.

- HB 1316. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:
 A bill to amend Chapter 3 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to change certain penalty provisions applicable to the offense of statutory rape; to provide for different penalties depending upon the ages of the perpetrator and victim.
- HB 1531. By Representatives Buckner of the 95th, Byrd of the 170th and Smith of the 169th:
 A bill to amend Code Section 16-6-8 of the Official Code of Georgia Annotated, relating to public indecency, so as to provide that the provisions of said Code section shall be cumulative to other laws and rules and regulations.
- HB 1627. By Representatives Baker of the 70th, Chambless of the 163rd, Reichert of the 126th and Bostick of the 165th:
 A bill to amend Title 14 of the Official Code of Georgia Annotated, relating to corporations, so as to provide for limited liability limited partnerships with regard to definitions, naming, amending certificates of limited partnership, notice and dissolution.
- HB 1638. By Representatives Parrish of the 144th, Jamieson of the 22nd, Royal of the 164th and others:
 A bill to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for the comprehensive revision of taxation of financial institutions.

The Senate has adopted by the requisite constitutional majority the following resolutions of the Senate and House:

- SR 621. By Senator Tysinger of the 41st:
 A resolution creating the Joint Digital Signatures Study Committee.
- HR 1032. By Representatives Purcell of the 9th, Murphy of the 18th, Walker of the 141st and others:
 A resolution creating the Blue Ribbon Commission on the General Assembly of Georgia.

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

- HB 1458. By Representatives Rogers of the 20th, Buck of the 135th, Jamieson of the 22nd and others:
 A bill to amend Code Section 48-5-7.4 of the Official Code of Georgia Annotated, relating to bona fide conservation use property, so as to provide that a family farm limited partnership shall be a qualified owner.
- HB 1591. By Representatives Walker of the 141st, Royal of the 164th and Baker of the 70th:
 A bill to amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to state government in general, so as to provide that state and local government shall be authorized to accept credit card payment of amounts due to state and local governments.

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

HB 106. By Representatives Lane of the 146th, Coleman of the 142nd, Buck of the 135th and others:

A bill to amend Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions relative to workers' compensation, so as to provide that any person who performs voluntary service without pay for the Atlanta Committee for the Olympic Games, shall be deemed an employee of the organization for purposes of workers' compensation coverage while performing such service.

HB 907. By Representative Crawford of the 129th:

A bill to amend Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and fraudulent practices, so as to provide for the crime of misrepresenting the origin of timber.

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

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

SB 396. By Senators Johnson of the 1st and Clay of the 37th:

A bill to amend Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public health and morality, so as to change the penalties for contributing to the deprivation of a minor; to provide a definition.

SB 435. By Senator Abernathy of the 38th:

A bill to amend Part 9 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to provisions relative to the Employees' Retirement System of Georgia applicable to judges, court employees, and certain county employees, so as to define certain terms; to provide that certain employees of counties who become employees of the Department of Children and Youth Services as a result of the county juvenile detention services' being transferred to the department may elect to become members of the Employees' Retirement System of Georgia or remain in a local retirement system.

SB 482. By Senators Thomas of the 10th, Madden of the 47th, Balfour of the 9th, Walker of the 22nd, Oliver of the 42nd and Harbison of the 15th:

A bill to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide for a short title; to provide for legislative findings; to require health insurers to provide coverage for a minimum of 48 hours of in-patient care following vaginal delivery or a minimum of 96 hours of in-patient care following delivery by cesarean section to a mother and her newly born child; to provide definitions; to provide for post-delivery care for a mother and her newly born child in the home.

SB 689. By Senator Dean of the 31st:

A bill to amend an Act creating the Polk County Water Authority, as amended, so as to rename the authority and provide that the renamed authority is the Polk County Water Authority's successor in all respects.

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

SB 733. By Senator Farrow of the 54th:

A bill to be entitled an Act to provide a new charter for the City of Fort Oglethorpe; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority.

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

SB 784. By Senator Guhl of the 45th:

A bill to amend an Act providing for a change in the compensation of the Sheriff, the Tax Commissioner, the Judge of the Probate Court, the Clerk of the Superior Court, and the Chairperson of the Board of Commissioners of Walton County to reflect increases in the cost of living, as amended, so as to change the base salary for such county officers.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st, Baker of the 70th, Bordeaux of the 151st and others:

A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Walker of the 22nd, Hooks of the 14th and Ray of the 19th.

The Senate has appointed a second Committee of Conference on the following bill of the House:

HB 338. By Representative Barnes of the 33rd:

A bill to amend Part 1 of Article 2 of Chapter 10 of Title 24 of the Official Code of Georgia Annotated, relating to subpoenas and notices to produce in general, so as to change the provisions relating to witness fees and mileage.

The President has appointed as a second Committee of Conference the following:

Senators Boshears of the 6th, Farrow of the 54th, and Land of the 16th.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 148. By Representative Dobbs of the 92nd:

A bill to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to provide that certain landfills proposed for reuse shall be subject to provisions relating to major modifications of landfills but shall not be considered vertical expansions; to create the Intergovernmental Solid Waste Coordinating Council and to provide for its membership and duties.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Madden of the 47th, Broun of the 46th and Kemp of the 3rd.

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

HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th and others:

A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

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

SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and Guhl of the 45th:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

By unanimous consent, the following Bill and Resolution of the Senate were read the first time and referred to the committees:

SB 784. By Senator Guhl of the 45th:

A bill to amend an Act providing for a change in the compensation of the Sheriff, the Tax Commissioner, the Judge of the Probate Court, the Clerk of the Superior Court, and the Chairperson of the Board of Commissioners of Walton County to reflect increases in the cost of living, as amended, so as to change the base salary for such county officers.

Referred to the Committee on State Planning & Community Affairs Local.

SR 621. By Senator Tysinger of the 41st:

A resolution creating the Joint Digital Signatures Study Committee.

Referred to the Committee on Rules.

Representative Watts of the 26th arose to a point of personal privilege and addressed the House.

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

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SR 525. By Senator Broun of the 46th:

A resolution authorizing the conveyance of certain state owned real property located in Fulton County, Georgia.

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 Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 128, nays 0.

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

Representative Cummings of the 27th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SR 458. By Senator Starr of the 44th:

A resolution authorizing the granting of nonexclusive easements for operation and maintenance of telecommunications and utility facilities in, on, over, under, upon, across, or through property owned by the State of Georgia in DeKalb, Murray, Tift, Towns, Upson, Washington, and White Counties, Georgia; to provide an effective date.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 146, nays 0.

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

Representative Mills of the 21st stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SR 459. By Senator Starr of the 44th:

A resolution authorizing the granting of nonexclusive easements for operation and maintenance of pedestrian walks, water distribution lines and telecommunications equipment in, on, over, under, upon, across, or through property owned by the State of Georgia in Chatham, Crawford, Floyd, and Lee Counties, Georgia.

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 Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargerion	Y Bates	Y Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twigg
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	Y Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 144, nays 0.

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

SB 210. By Senators Johnson of the 1st, Egan of the 40th and Johnson of the 2nd:

A bill to amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to provide that a marital relationship between the defendant and the alleged victim is not a defense to a charge of rape or aggravated sodomy; to provide that the law enforcement agency investigating an alleged rape or aggravated sodomy shall be financially responsible for the cost of a medical examination in the course of which evidence of the alleged crime is collected.

The following Committee substitute was read:

A BILL

To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to provide that a marital relationship between the defendant and the alleged victim is not a defense to a charge of rape or aggravated sodomy; to provide that the law enforcement agency investigating an alleged rape or aggravated sodomy shall be financially responsible for the cost of a medical examination to the extent that expense is incurred in collecting evidence of the alleged crime; to amend Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, so as to provide that certain information shall be offered or provided to persons believed to be victims of rape or aggravated sodomy; to provide that such information may be provided in any language; to set out the information to be provided; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, is amended by striking in its entirety Code Section 16-6-1, relating to rape, and inserting in lieu thereof a new Code section to read as follows:

“16-6-1.

(a) A person commits the offense of rape when he has carnal knowledge of a female forcibly and against her will. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape.

(b) A person convicted of the offense of rape shall be punished by death, by imprisonment for life, or by imprisonment for not less than one nor more than 20 years.

(c) When evidence relating to an allegation of rape is collected in the course of a medical examination of the person who is the victim of the alleged crime, the law enforcement agency investigating the alleged crime shall be responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence.”

SECTION 2.

Said chapter is further amended by striking in its entirety Code Section 16-6-2, relating to sodomy, and inserting in lieu thereof a new Code section to read as follows:

“16-6-2.

(a) A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another. A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy.

(b) A person convicted of the offense of sodomy shall be punished by imprisonment for not less than one nor more than 20 years. A person convicted of the offense of aggravated sodomy shall be punished by imprisonment for life or by imprisonment for not less than one nor more than 20 years.

(c) When evidence relating to an allegation of aggravated sodomy is collected in the course of a medical examination of the person who is the victim of the alleged crime, the law enforcement agency investigating the alleged crime shall be financially responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence.”

SECTION 3.

Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is amended by inserting a new chapter to be designated Chapter 17 to read as follows:

“CHAPTER 17

17-17-1.

When any employee of the Department of Human Resources, a law enforcement agency, or a court has reason to believe that he or she in the course of official duties is speaking to an adult who is or has been a victim of a violation of Code Section 16-6-1, relating to rape, or Code Section 16-6-2, relating to aggravated sodomy, such employee shall offer or provide such adult a written statement of information for victims of rape or aggravated sodomy. Such written statement shall, at a minimum, include the information set out in Code Section 17-17-2 and may include additional information regarding resources available to victims of sexual assault. Information for victims of rape or aggravated sodomy may be provided in any language.

17-17-2.

The following information in substantially the form set out in this Code section shall be provided to adult victims of rape or aggravated sodomy in accordance with Code Section 17-17-2:

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INFORMATION FOR VICTIMS OF RAPE OR FORCIBLE SODOMY

If you are the victim of rape or forcible sodomy, you have certain rights under the law. Rape or forcible sodomy by a stranger or a person known to you, including rape or forcible sodomy by a person married to you, is a crime. You can ask the government's lawyer to prosecute a person who has committed a crime. The government pays the cost of prosecuting for crimes.

If you are the victim of rape or forcible sodomy you should contact a local police department or other law enforcement agency immediately. A police officer will come to take a report and collect evidence. You should keep any clothing you were wearing at the time of the crime as well as any other evidence such as bed sheets. Officers will take you to the hospital for a medical examination. You should not shower or douche before the examination. The law requires that the police department or law enforcement agency investigating the crime pay for the medical examination to the extent of the cost for the collection of evidence of the crime."

SECTION 4.

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

The following amendment was read:

Representative Woods of the 32nd moves to amend the Committee substitute to SB 210 by striking in their entirety lines 3 through 5 of page 1 and inserting in lieu thereof the following:

"provide for a rebuttable presumption of consent when there is a marital relationship between the defendant and the alleged victim of rape or aggravated sodomy; to provide that medical evidence of the defendant's seminal fluid is not evidence of lack of consent; to provide that the law enforcement"

By striking in their entirety lines 29 and 30 of page 1 and inserting in lieu thereof the following:

"The fact that the person allegedly raped is the wife of the defendant shall create a rebuttable presumption of consent by the wife to carnal knowledge, and medical evidence of the presence of the husband's seminal fluid shall not be evidence of lack of consent or that such carnal knowledge was forcible."

By striking in their entirety lines 18 through 20 of page 2 and inserting in lieu thereof the following:

"other person. The fact that the person allegedly sodomized is the spouse of the defendant shall create a rebuttable presumption of consent by the alleged victim to the sodomy and such rebuttable presumption shall be a defense to a charge of aggravated sodomy. Medical evidence of the presence of the husband's seminal fluid shall not be evidence of lack of consent or that such sodomy was against the will of the other person."

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

N Allen	N Bargeron	N Bostick	N Buckner	N Chambless
Anderson	N Barnard	N Breedlove	Y Bunn	N Channell
N Ashe	N Barnes	N Brooks, D	N Burkhalter	N Childers
N Bailey	N Bates	Brooks, T	N Byrd	N Coker
N Baker	N Benefield	Y Brown, J	Y Campbell	N Coleman, B
N Bannister	Birdsong	Brush	N Canty	N Coleman, T
N Barfoot	N Bordeaux	N Buck	N Carter	N Connell

N Crawford	N Hegstrom	Y Maddox	Ray	N Stanley, L
N Crews	N Hembree	N Mann	N Reaves	N Stanley, P
N Culbreth	N Henson	N Martin	N Reichert	N Stephenson
N Cummings	N Holland	N McBee	N Roberts	Street
N Davis, G	N Holmes	N McCall	N Rogers	N Taylor
Y Davis, M	N Howard	N McClinton	N Royal	N Teague
N Day	N Hudson	McKinney	Y Sanders	N Teper
N DeLoach, B	N Hugley	N Mills	N Sauder	N Thomas
N DeLoach, G	N Irvin	N Mobley, B	Scoggins	N Tillman
Dix	James	N Mobley, J	N Shanahan	Y Titus
Y Dixon, H	N Jamieson	N Mosley	N Shaw	Towery
E Dixon, S	Jenkins	N Mueller	N Sherrill	N Trense
Dobbs	N Johnson, G	N O'Neal	N Shipp	N Turnquest
N Ehrhart	N Johnson, J	N Orrock	Simpson	Twiggs
N Epps	N Johnston	N Parham	N Sinkfield	N Walker, L
N Evans	N Jones	N Parrish	N Skipper	N Walker, R.L.
N Falls	Y Joyce	N Parsons	N Smith, C	N Wall
N Felton	N Kaye	N Pelote	Y Smith, C.W	N Watson
N Floyd	N Kinnamon	N Perry	N Smith, L	N Watts
N Godbee	N Klein	N Pinholster	N Smith, P	Y Westmoreland
N Golden	N Ladd	N Polak	N Smith, T	N Whitaker
Y Goodwin	Y Lakly	N Ponder	N Smith, V	N White
N Greene	N Lane	N Porter	N Smith, W	N Wiles
N Grindley	Lawrence	N Poston	N Smyre	N Williams, B
N Hanner	N Lee	N Powell	Y Snelling	Y Williams, J
N Harbin	N Lewis	N Purcell, A	N Snow	N Williams, R
N Harris	N Lifsey	Purcell, B	N Stallings	Y Woods
N Heard	N Lord	Randall	N Stancil, F	Y Yates
N Heckstall	Lucas	N Randolph	N Stancil, S	Murphy, Spkr

On the adoption of the amendment, the ayes were 17, nays 140.

The amendment was lost.

By unanimous consent, further action on SB 210 was postponed.

The Speaker Pro Tem assumed the Chair.

SB 348. By Senator Ralston of the 51st:

A bill to amend Code Section 19-7-1 of the Official Code of Georgia Annotated, relating to in whom parental power lies, how such power is lost, and recovery for homicide of a child, so as to provide for additional grounds upon which parental power may be lost; to provide for a standard for loss of parental power.

The following Committee substitute was read:

A BILL

To amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, so as to provide for additional grounds upon which parental power may be lost; to provide for a standard for loss of parental power; to change the provisions relating to the discretion of the court relative to the custody of a child; to provide for the best interest and welfare of the child or children; to provide for a rebuttable presumption; 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:

SECTION 1.

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended by adding to Code Section 19-7-1, relating to in whom parental power lies, how such power is lost, and recovery for homicide of a child, a new subsection (b.1) to read as follows:

“(b.1) Notwithstanding subsections (a) and (b) of this Code section or any other law to the contrary, in any action involving the custody of a child between the parents or either parent and a third party other than the State of Georgia, parental power may be lost by the ~~parent, parents, or any~~ other person if the court hearing the issue of custody, in the exercise of its sound discretion and taking into consideration all the circumstances of the case, determines that an award of custody to a third party is for the best interest of the child or children and will best promote their welfare and happiness. There shall be a rebuttable presumption that it is in the best interest of the child or children for custody to be awarded to the parent or parents of such child or children, but this presumption may be overcome by a showing that an award of custody to a third party is in the best interest of the child or children. The sole issue for determination in any such case shall be what is in the best interest of the child or children.”

SECTION 2.

Said title is further amended by striking Code Section 19-9-2, relating to the right of a surviving parent to custody of a child and the discretion of the court, and inserting in lieu thereof a new Code Section 19-9-2 to read as follows:

“19-9-2.

Upon the death of either parent, the survivor is entitled to custody of the child; provided, however, that the court, upon petition, may exercise discretion as to the custody of the child, looking solely to the child’s best interest and welfare.”

SECTION 3.

This Act shall become effective on July 1, 1996, and shall be applicable to any action involving the custody of a child filed on or after such date.

SECTION 4.

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

The following amendment was read and adopted:

Representatives Klein of the 39th and Barnes of the 33rd move to amend the Committee substitute to SB 348 as follows:

P 1, L 21 & 22 delete:

“third party other than the State of Georgia”

and

Add in its place:

“third party limited to grandparent, aunt, uncle, great aunt, great uncle, sibling or adoptive parent”

P 1, L. 27 & 33 delete:

“a third party”

and

Add in its place:

“such third party”

The following amendment was read:

Representative Barnes of the 33rd moves to amend the Committee substitute to SB 348 by striking line 8 of page 1 and inserting in lieu thereof the following:

“for a rebuttable presumption; to change procedures relating to periodic review and adjustment of certain administrative and judicial child support orders; to provide for initiating review, determination of a significant inconsistency with the amount which would result from application of Code Section 19-16-15, increasing or decreasing the amount of support ordered, and addressing the repayment of arrears; to provide for agency recommendations; to provide for petitions, requests, objections, and de novo proceedings; to provide for income deduction orders; to provide for an effective”

By striking lines 16 through 18 of page 2 and inserting in lieu thereof the following:

“Said title is further amended by striking in its entirety Code Section 19-11-12, relating to determination of ability to support, review procedures, order adjusting support award amount, and subsequent financial obligation, and inserting in lieu thereof the following:

‘19-11-12.

(a) The department shall determine the ability of the absent responsible parent to support his or her child or children in accordance with the guidelines prescribed in Code Section 19-6-15.

(b) The department shall implement a process for the periodic review and adjustment of IV-D child support agency orders which were established or subject to enforcement pursuant to Code Section 19-11-6 by the title IV-D enforcement agency so that the order is reviewed no later than 36 months from establishment or from the most recent review after the date of a judicial order or the filing date of an administrative order contemplated in subsection (d) of this Code section. A IV-D child support order shall include a judicial or an administrative order which is subject to enforcement under this title. Exceptions to this procedure are cases where the department determines that such a review would not be in the best interests of the child and neither parent has requested such a review and in cases in which application is made under subsections (c) and (d) of Code Section 19-11-6 (non-AFDC cases) if neither parent requests such a review.

(c)(1) The procedures shall ensure that the state notify each parent subject to a child support order in effect in the state ~~(1)~~ (i) of any review of such order, at least 30 days before the commencement of such review; ~~(2)~~ (ii) of the right of such parent to request the state to review such order; and ~~(3)~~ (iii) of a proposed adjustment (or determination that there should be no change) in the child support award amount, and such parent is afforded, not less than 30 days after such notification, an opportunity to initiate proceedings either through an administrative hearing within the Office of State Administrative Hearings when the subject child support order reviewed is administrative in origin ~~department~~ or before a court to challenge such adjustment or determination when the subject child support order is judicial in origin.

(2) Upon an agency review and determination that there is a significant inconsistency between the amount of the existing child support order and the amount of child support which would result from the application of Code Section 19-16-15, the agency shall make a recommendation for an increase or decrease in the amount of an existing order for support.

~~(3)~~ (3) In the case of an administrative order, the agency shall request the administrative law judge to increase or decrease the amount in the existing order in accordance with the agency recommendation. The administrative order adjusting the child support award amount which results from a hearing or the failure to contest such within 30 days of its issuance shall, upon filing with the local clerk of the court, have the full effect of a modification of the original order or decree of support. As part of the order adjusting the child support award the ~~hearing officer~~ administrative law judge shall issue an income deduction order which shall also be filed with the court pursuant to Code Sections 19-6-30, 19-6-31, 19-6-32, and 19-6-33.

(4) In the case of a judicial order, the agency shall file a petition asking the court to adopt the agency’s recommendation for an increase or decrease in the amount in the

existing order. The parties to the court order shall be sent notice of this action and shall have 30 days to file with the court in writing objections to the agency's recommendation to increase or decrease the amount of support. Upon the filing of a written objection to the agency's recommendation with the clerk of the superior court and with the agency, a de novo proceeding shall be scheduled with the court on the matter. If neither party files an objection to the agency recommendation within the 30 day notice period, the court shall issue an order adopting the recommendation of the department. As part of the order adjusting the child support award, the court shall issue an income deduction order pursuant to Code Sections 19-6-30, 19-6-31, 19-6-32, and 19-6-33.

(d) When the trier of fact, the administrative law judge for administrative orders, or a judge of the superior court for court orders, as the case may be, determines that there is a significant inconsistency between the existing child support order and the amount of child support which would result from the application of Code Section 19-16-15, the trier of fact may use this inconsistency as the basis to increase or decrease the amount of support ordered. The trier of fact may also address the repayment of any arrears accumulated under the existing order.

(e) An obligor shall not be relieved of his or her duty to provide support when he such obligor has brought about his or her own unstable financial condition by voluntarily incurring subsequent obligations.

(f) The department shall be authorized to promulgate rules and regulations to implement the provisions of this Code section.'

SECTION 4.

This Act shall become effective on July 1, 1996. Sections 1 and 2 of this Act shall be applicable to any action involving the custody of a child filed on or after such date. Section 3 of this Act shall be applicable to reviews and adjustments of specified child support awards occurring on or after such date."

By renumbering Section 4 as Section 5.

The following amendment was read and adopted:

Representative Barnes of the 33rd moves to amend the Barnes amendment to the Committee substitute to SB 348 as follows:

By striking on page 3 Section 4 in its entirety and inserting therein the following:

Section 4.

This Act shall become effective on the approval of the Governor or upon its becoming law without such approval, and shall apply to all actions pending on such date.

The Barnes amendment, as amended, was adopted.

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:

Y Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargeron	Y Bates	Y Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Treat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Lucas	Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	McKinney	Y Shaw	Y Walker, L
Connell	Y Holland	Y Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
E Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 170, nays 0.

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

The Speaker assumed the Chair.

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

HR 1223. By Representative Jenkins of the 110th:

A resolution commending the Culloden Highland Games and Scottish Festival and inviting officials of the City of Culloden and members of the Culloden Highland Games and Scottish Festival Committee to the House of Representatives.

HR 1232. By Representatives Hegstrom of the 66th, Byrd of the 170th, Shanahan of the 10th, Cummings of the 27th, Stallings of the 100th and others:

A resolution welcoming and honoring Chief John Ross of the United Keetoowah Band of Cherokees.

HR 1253. By Representative Greene of the 158th:

A resolution commending the Randolph-Clay High School girls' basketball team and inviting the team and their coach to appear before the House of Representatives.

HR 1255. By Representative Bostick of the 165th:

A resolution recognizing the Tift County High School boys basketball team and inviting the team and its coaches to appear before the House of Representatives.

The Speaker announced the House in recess until 2:30 o'clock this afternoon.

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AFTERNOON SESSION

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The Speaker Pro Tem called the House to order.

Representative Coleman of the 142nd District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. Speaker:

Your Committee on Appropriations has had under consideration the following Bills and Resolutions of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB	609	Do Pass, by Substitute	SR	495	Do Pass
SB	703	Do Pass, as Amended	SR	535	Do Pass, as Amended
SR	391	Do Pass			

Respectfully submitted,
/s/ Coleman of the 142nd
Chairman

Representative Holmes of the 53rd District, Chairman of the Committee on Governmental Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Governmental Affairs 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 424 Do Pass, by Substitute

Respectfully submitted,
/s/ Holmes of the 53rd
Chairman

Representative Chambless of the 163rd District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary has had under consideration the following Bills and Resolution of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB	227	Do Pass, by Substitute	SB	596	Do Pass, by Substitute
SB	359	Do Pass, by Substitute	SB	750	Do Pass, by Substitute
SB	512	Do Pass, by Substitute	SR	399	Do Pass
SB	539	Do Pass			

Respectfully submitted,
/s/ Chambless of the 163rd
Chairman

Representative Parham of the 122nd District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker:

Your Committee on Motor Vehicles has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 504 Do Pass
SE 505 Do Pass

SB 544 Do Pass, by Substitute
SB 724 Do Pass, by Substitute

Respectfully submitted,
/s/ Parham of the 122nd
Chairman

Representative Lee of the 94th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

Your Committee on Rules 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 19 Do Pass, as Amended

Respectfully submitted,
/s/ Lee of the 94th
Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs 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 635 Do Pass, by Substitute

Respectfully submitted,
/s/ Royal of the 164th
Chairman

The following Resolutions of the House were read and adopted:

HR 1257. By Representative Watson of the 139th:

A resolution commending Mr. Richard H. Ray and Mr. Patrick R. Nugent, owners of the Macon Whoopee, and welcoming the Southern Hockey League franchise to Macon, Georgia.

HR 1258. By Representatives Parsons of the 40th, Wiles of the 34th, Sauder of the 29th, Shipp of the 38th, Coker of the 31st and others:

A resolution honoring Edward W. (Kip) Klein III.

HR 1259. By Representatives Lawrence of the 64th, Williams of the 63rd, Sherrill of the 62nd, Davis of the 60th, Ladd of the 59th and others:

A resolution commending the Tucker High School Varsity Boys Basketball Team.

- HR 1260. By Representative Purcell of the 9th:
A resolution recognizing and commending Reverend Barbara Brown Taylor.
- HR 1261. www.libtool.com.cn By Representatives Pelote of the 149th and Thomas of the 148th:
A resolution commending the Georgia Association of Garden Clubs, Inc.
- HR 1262. By Representatives Teper of the 61st and Poston of the 3rd:
A resolution urging Georgia's fast food restaurants to provide recycling opportunities for their patrons.
- HR 1263. By Representatives Teper of the 61st, Henson of the 65th, Martin of the 47th, Sinkfield of the 57th, Ashe of the 46th and others:
A resolution condemning recent terroristic acts by the militant Islamic group Hamas upon the people of Israel and urging Chairman Yasser Arafat and The Palestinian Authority to take firm and decisive action to prevent further violence against the people of Israel.
- HR 1264. By Representatives White of the 161st and Roberts of the 162nd:
A resolution recognizing and celebrating the 131st anniversary of the Mount Zion Baptist Church.
- HR 1265. By Representatives Reichert of the 126th, Lucas of the 124th, Falls of the 125th and Randall of the 127th:
A resolution commending Pilot International and observing Pilot International Day in Georgia.
- HR 1266. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Murphy of the 18th, Walker of the 141st and others:
A resolution commending S. Truett Cathy and Chick-fil-A, Inc.
- HR 1267. By Representatives Coleman of the 142nd, Murphy of the 18th, Carter of the 166th, Streat of the 167th, Bostick of the 165th and others:
A resolution urging the Georgia Department of Natural Resources to designate the Harry D. Dixon Golf Clubhouse at Laura S. Walker State Park.
- HR 1268. By Representative Mobley of the 86th:
A resolution commending Phillip Mahlon Elder.
- HR 1269. By Representative Mobley of the 86th:
A resolution commending the Barrow County Historical Society, Inc.
- HR 1270. By Representative Bostick of the 165th:
A resolution commending Head Coach Tommy Blackshear.
- HR 1271. By Representative Mobley of the 86th:
A resolution commending the Winder-Barrow High School Bands.

- HR 1272. By Representative Mobley of the 86th:
A resolution commending Ms. Marilyn Hammond McKendrick.
- HR 1273. By Representative Lifsey of the 6th:
A resolution expressing regret at the passing of Honorable Gerald H. Leonard.
- HR 1274. By Representatives Scoggins of the 24th, Heard of the 89th and McBee of the 88th:
A resolution commending the Cedar Shoals High School Jaguars football team.
- HR 1275. By Representative Cummings of the 27th:
A resolution recognizing Mr. Tyre Grigsby Matthews.
- HR 1276. By Representative Stancil of the 91st:
A resolution recognizing Oconee County High School and the German American Partnership Program.
- HR 1277. By Representatives Brush of the 112th and Barger of the 120th:
A resolution commending Sheryl Martin Allen.
- HR 1278. By Representatives Stancil of the 16th, Pinholster of the 15th and Harris of the 17th:
A resolution commending the coach and players of the Sequoyah High School girls basketball team.
- HR 1279. By Representative O'Neal of the 75th:
A resolution commending Marla Baskerville.

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

Mr. Speaker:

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

- HB 1511. By Representative Walker of the 87th:
A bill to provide that the judge of the Probate Court of Walton County shall have jurisdiction to try all misdemeanor cases arising in the county where the defendant waives a jury trial and pleads guilty to such misdemeanor.
- HB 1631. By Representatives Davis of the 48th, Holmes of the 53rd and Heckstall of the 55th:
A bill to amend the "Atlanta Enterprise Zone Act," so as to change the provisions relating to the duration of zones created for residential purposes.

- HB 1672. By Representatives Campbell of the 42nd and Trense of the 44th:
A bill to provide a homestead exemption from all City of Roswell ad valorem taxes for any city purposes, but not including taxes to retire bonded indebtedness, in the amount of \$20,000.00 of the assessed value of the homestead for each resident of the City of Roswell who is 65 years of age or older if the gross income of such resident, together with the gross income of the spouse residing at the same homestead, does not exceed \$40,000.00 for the immediately preceding taxable year.
- HB 1676. By Representatives Purcell of the 147th and Barnard of the 154th:
A bill to amend an Act abolishing the offices of tax-receiver and tax-collector of Bryan County and creating the office of tax commissioner of Bryan County, so as to change the provisions relating to the compensation and benefits of such officer.
- HB 1708. By Representative Lakly of the 105th:
A bill to amend an Act creating the Peachtree City Water and Sewerage Authority, so as to change a definition; to confer additional powers upon the authority.
- HB 1793. By Representatives Parham of the 122nd and Lord of the 121st:
A bill to amend an Act creating county courts (now state courts) in certain designated counties of this state, so as to provide that the office of judge of the State Court of Baldwin County shall be a part-time position.
- HB 1796. By Representative Coleman of the 80th:
A bill to amend an Act entitled "An Act providing a new charter for the City of Duluth," so as to amend the description of the corporate limits of said city.
- HB 1810. By Representatives Channell of the 111th and Parham of the 122nd:
A bill to amend an Act placing the coroner of Putnam County upon a monthly salary in lieu of the fee system, so as to change the compensation of the coroner and deputy coroner.
- HB 1814. By Representatives Harris of the 17th and Stancil of the 16th:
A bill to amend an Act reincorporating and recreating the City of Woodstock, so as to provide for additional powers, duties, and authority of the mayor.
- HB 1815. By Representatives Sauder of the 29th, Towery of the 30th, Parsons of the 40th, Klein of the 39th, Shipp of the 38th and others:
A bill to amend an Act creating the State Court of Cobb County, so as to change certain provisions relating to the chief judge and judges of the state court.
- HB 1817. By Representatives Channell of the 111th and Parham of the 122nd:
A bill to amend an Act placing the sheriff, the clerk of the superior court, the tax collector, the tax receiver, and the judge of the probate court of Putnam County on an annual salary, so as to change the provisions relating to the compensation of the sheriff, the clerk of the superior court, and the judge of the probate court.

- HB 1818. By Representatives Channell of the 111th and Parham of the 122nd:
A bill to amend an Act creating the Board of Commissioners of Putnam County, so as to change the compensation for members of the board of commissioners.
- HB 1819. By Representatives Channell of the 111th and Parham of the 122nd:
A bill to amend an Act consolidating the offices of tax collector and tax receiver of Putnam County, so as to change the provisions relating to the compensation of the tax commissioner.
- HB 1820. By Representative Channell of the 111th:
A bill to provide for compensation for the judge of the state court of Putnam County, the solicitor of the state court of Putnam County, and the clerk of the state court of Putnam County.
- HB 1821. By Representative Channell of the 111th:
A bill to amend an Act making provisions for the Magistrate Court of Putnam County, so as to change provisions relating to compensation for the chief magistrate, the senior magistrate, the junior magistrate, and the magistrate clerk.
- HB 1823. By Representatives Dobbs of the 92nd and Stancil of the 91st:
A bill to amend the Newton County Water and Sewerage Authority Act, so as to authorize the issuance of additional negotiable revenue bonds.
- HB 1827. By Representative Holland of the 157th:
A bill to amend an Act entitled "An Act to provide a new charter for the City of Warwick," so as to change the salary of the mayor and councilmembers.
- HB 1841. By Representatives Holland of the 157th and Hanner of the 159th:
A bill to amend an Act creating the Lee County Utilities Authority, so as to provide for certain powers of the authority.
- HB 1844. By Representative Davis of the 48th:
A bill to amend the "Atlanta Urban Enterprise Zone Act," so as to change the provisions regarding the minimum acreage within certain such zones.
- HB 1845. By Representatives Scoggins of the 24th, McBee of the 88th and Heard of the 89th:
A bill to amend an Act creating the Athens Public Facilities Authority, so as to rename the authority; to change references to the City of Athens, Clarke County, and certain officials of such local governments to Athens-Clarke County and officials of such consolidated government.
- HB 1850. By Representative Perry of the 11th:
A bill to provide a \$20,000.00 homestead exemption from certain ad valorem taxes levied by, for, or on behalf of the Chattooga County School District for residents of that district who are 70 years of age or older and whose gross income does not exceed \$20,000.00.

HB 1852. By Representatives McCall of the 90th and Channell of the 111th:

A bill to amend an Act providing for the election of members of the Board of Education of Wilkes County, so as to provide, if approved by the voters of Wilkes County, for nonpartisan primaries and elections for members of the Board of Education of Wilkes County.

HB 1829. By Representative Holland of the 157th:

A bill to provide that all vehicles shall be registered and licensed to operate for calendar year 1998 and thereafter in Turner County during the period from January 1 through April 30 as provided in subparagraph (a) (1) (C) of Code Section 40-2-21 of the Official Code of Georgia Annotated.

HB 1830. By Representatives Holland of the 157th and Hanner of the 159th:

A bill to amend an Act entitled "An Act to provide as compensation for the treasurer of Lee County a salary of seven hundred dollars (\$700) per year, instead of the commissions heretofore allowed by law," so as to abolish such office.

HB 1835. By Representatives Kinnamon of the 4th, Mann of the 5th and Lifsey of the 6th:

A bill to provide a homestead exemption from certain Whitfield County School District ad valorem taxes for educational purposes in the amount of \$30,000.00 of the assessed value of the homestead for certain residents of that school district who are 65 years of age or older and whose income from all sources, including the income of all individuals residing within said homestead, does not exceed \$15,000.00 per annum.

HB 1836. By Representatives Carter of the 166th, Bostick of the 165th and Royal of the 164th:

A bill to provide homestead exemptions from Colquitt County ad valorem taxes for county purposes and Colquitt County School District taxes for educational purposes in the amount of \$10,000.00 of the assessed value of that homestead for certain residents of that county who have annual incomes not exceeding \$30,000.00 excluding certain benefits, and who are totally disabled paralyzed homeowners.

HB 1856. By Representatives Anderson of the 116th and DeLoach of the 119th:

A bill to amend an Act relating to the compensation of the coroner of Burke County, so as to increase the salary of the coroner.

HB 1857. By Representatives Pinholster of the 15th, Stancil of the 16th and Harris of the 17th:

A bill to amend an Act creating a board of commissioners for Cherokee County, so as to require abstention from voting under certain circumstances.

HB 1860. By Representatives Snelling of the 99th and Hembree of the 98th:

A bill to amend an Act providing for election districts for the board of education of Douglas County, so as to provide for compensation of members.

HB 1862. By Representatives Brooks of the 103rd, Westmoreland of the 104th, Yates of the 106th and Epps of the 131st:

A bill to create the City of Grantville Utilities Authority.

HB 1865. By Representatives Polak of the 67th, Teper of the 61st, Baker of the 70th, Randolph of the 72nd, Mobley of the 69th and others:

A bill to amend an Act creating and establishing a new charter for the City of Decatur, so as to change the corporate limits of the City of Decatur.

HB 1870. By Representatives Greene of the 158th and Ponder of the 160th:

A bill to amend an Act creating the Board of Commissioners of Early County, so as to provide for staggered terms of office for members of the board of commissioners.

HB 1871. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to provide that the tax commissioner of Carroll County shall retain a specified percentage of educational funds collected by said officer and remit the same to the governing authority of Carroll County to reimburse the county for the cost of collecting school taxes.

HB 1874. By Representative Byrd of the 170th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Appling County, so as to provide that such nonpartisan nomination and election of the judge of the Probate Court of Appling County shall begin with the election held in 1996.

HB 1877. By Representatives Shipp of the 38th, Wiles of the 34th, Klein of the 39th, Grindley of the 35th, Sauder of the 29th and others:

A bill to amend an Act creating a new charter for the City of Kennesaw, so as to change the provisions relating to the corporate limits of said city.

HB 1878. By Representatives Powell of the 23rd and Jamieson of the 22nd:

A bill to amend an Act creating a new board of commissioners of Franklin County, so as to correct technical defects in the boundaries between two commission districts.

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

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

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

HB 1227. By Representatives Hanner of the 159th, Porter of the 143rd, Carter of the 166th, Royal of the 164th, Coleman of the 142nd and others:

A bill to amend Code Section 12-8-95.1 of the Official Code of Georgia Annotated, relating to hazardous waste management fees and hazardous substance reporting fees, so as to repeal certain hazardous substance reporting fees.

HB 1575. By Representatives Jones of the 71st, Culbreth of the 132nd and Childers of the 13th:

A bill to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to provide that a person entering an emergency facility shall be evaluated as soon as possible.

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

SB 553. By Senator Henson of the 55th:

A bill to amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors, so as to provide for definition of a certain term; to provide for additional examinations, licenses, and endorsements for plumbers.

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

HB 1183. By Representatives Ladd of the 59th, Crawford of the 129th, Williams of the 114th and Henson of the 65th:

A bill to amend Chapter 21 of Title 33 of the Official Code of Georgia Annotated, relating to health maintenance organizations, so as to prohibit such organizations and health care networks from requiring employees or members thereof to agree not to provide certain information; to provide that certain contract provisions are void.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 459. By Senators Dean of the 31st and Marable of the 52nd:

A bill to amend an Act providing for the Board of Education of Bartow County so as to change the composition of the education districts from which the members of the board are elected; to provide for definitions and inclusions; to provide for terms; to provide for a statement of intent; to provide for submission of this Act to the U. S. Attorney General; to provide when such Act shall be void and repealed.

The following Senate amendment was read:

Amend the House substitute to SB 459 by striking lines 3 through 10 of page 1 and inserting in lieu thereof the following:

“4915), so as to provide for a statement of purpose; to provide for an advisory referendum election to be held in the Bartow County School District for the purpose of determining whether each of the five members of the Bartow County Board of Education

should reside in a single-member education district and be elected by the voters residing only in that education district or should reside in a single-member education district and be elected by the voters of the entire Bartow County School District; to provide for legislative findings and declarations; to provide for procedures and requirements; to provide for other matters relative to the foregoing; to provide for the submission of this Act; to repeal conflicting laws; and for other purposes."

By redesignating Sections 2 and 3 as Sections 3 and 4, respectively.

By striking Section 1 and inserting in lieu thereof the following:

"SECTION 1.

It is the purpose of this Act to provide for an advisory referendum election to be held in the Bartow County School District for the purpose of ascertaining whether the electors of such school district are in favor of each of the five members of the Bartow County Board of Education being required to reside in a single-member education district and be elected by the voters residing only in that education district or being required to reside in a single-member education district and be elected by the voters of the entire Bartow County School District.

SECTION 2.

An Act providing for the Board of Education of Bartow County, approved March 30, 1987 (Ga. L. 1987, p. 4915), is amended by adding to said Act a new Section 1.1 to read as follows:

'SECTION 1.1.

(a) Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Bartow County shall call and conduct an advisory referendum election as provided in this section for the purpose of submitting one question to the electors of the Bartow County School District to determine whether the electors of such school district are in favor of each of the five members of the Bartow County Board of Education: (1) being required to reside in a single-member education district and be elected by the voters residing only in that education district, or (2) being required to reside in a single-member education district and be elected by the voters of the entire Bartow County School District. The superintendent shall set the date of such election for the Tuesday after the first Monday in November, 1996, and shall issue the call therefor not less than 30 nor more than 60 days prior to that date. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Bartow County. The ballot shall have written or printed thereon the following:

"Advisory Referendum Election

Select the manner of electing members of the Board of Education of Bartow County which you prefer by placing a check (✓) mark or (X) in the appropriate space below. Vote for only one of the options below.

If the Bartow County School District is divided into five education districts with one member of the board of education residing in each education district, do you want:

_____ (1) The member of the board of education residing in each education district to be elected by the voters residing only within that education district; or

_____ (2) Each member of the board of education to be elected by the voters of the entire Bartow County School District?"

(b) It shall be the duty of the election superintendent of Bartow County to hold and conduct the advisory election provided for in this section and to tabulate the results of

such election. It shall be the further duty of said superintendent to certify the results of said election to the Secretary of State and to each member of the General Assembly whose Senatorial or Representative District lies wholly or partially within Bartow County. The expense of such election shall be borne by Bartow County.

(c) It is found, determined, and declared that the holding of the advisory referendum election provided for in this section is in all respects for the benefit of the people of Bartow County and the Bartow County School District, is for a public purpose, and is an essential governmental function for which public funds may be expended.”

Representative Lewis of the 14th moved that the House agree to the Senate amendment, to the House substitute to SB 459.

On the motion the ayes were 110, nays 0.

The motion prevailed.

The Speaker assumed the Chair.

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:

SB 169. By Senator Egan of the 40th:

A bill to amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to outdoor advertising along the state highway system, so as to provide that the Department of Transportation shall not allow or undertake the removal, trimming, cutting, clearance, or alteration of any trees or vegetation on the state's rights of way to improve the visibility of any outdoor advertising sign.

The following Committee substitute was read:

A BILL

To amend Code Section 32-6-75.2 of the Official Code of Georgia Annotated, relating to the authority of the commissioner of transportation to issue permits for trimming trees and vegetation on state rights of way, so as to provide for the establishment of an effective vegetation control program on state rights of way for the promotion of tourism; to amend Code Section 32-6-75.3 of the Official Code of Georgia Annotated, relating to applications for tree trimming permits and annual renewals, so as to provide for the setting of the amounts of application and renewal fees; to recover the cost of administering the vegetation control program and to support the beautification of the state's interstate highway system through allocation of a portion of such fees to Georgia's wildflower program; to provide for related matters; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 32-6-75.2 of the Official Code of Georgia Annotated, relating to the authority of the commissioner of transportation to issue permits for trimming trees and vegetation on state rights of way, is amended by striking said Code section in its entirety and inserting in lieu thereof the following:

“32-6-75.2.

Notwithstanding any other provisions of this title, the commissioner shall have the authority to issue permits and the annual renewal thereof for the trimming of trees and vegetation on the state's rights of way for the purposes of administering this article. The General Assembly declares it to be in the public interest in this state for provisions to be made for the visibility of outdoor advertising displays legally erected or maintained along the highways of this state in order to promote tourism and to provide information regarding places offering lodging, food, motor vehicle fuels and lubricants, motor vehicle service and repairs, or any other services or products available to the general public. So as to promote those objectives, the commissioner shall provide, by rule and regulation, for the issuance and annual renewal of permits for the trimming, cutting, or removal of trees and vegetation on the state rights of way with respect to outdoor advertising displays that were legally erected or legally maintained adjacent to said rights of way."

SECTION 2.

Code Section 32-6-75.3 of the Official Code of Georgia Annotated, relating to applications for tree trimming permits and annual renewals, is amended by striking said Code section in its entirety, which reads as follows:

"32-6-75.3.

(a) Application for a tree trimming permit and the annual renewal thereof shall be made upon the forms prescribed and provided by the department and shall contain the signature of the applicant and such other information as may be required by the department's rules and regulations. The applicant shall either:

(1) Attach to the application form a copy of the landscape plan for the area desired to be trimmed and after approval by the department shall trim the area at its own expense; or

(2) Request that the department develop a landscape plan and trim the area, and the applicant shall then reimburse the department for the plan and the trimming.

(b) An application fee of \$25.00 shall accompany the application for each tree trimming permit, and both the application and the fee shall be submitted to the department. There shall be a fee of \$25.00 for the annual renewal of the permit. The money received from these permit fees shall be used to help defray the expenses of administering this Code section, any provisions of Code Section 48-2-17 to the contrary notwithstanding."

and inserting in lieu thereof the following:

"32-6-75.3.

(a) The commissioner of transportation shall issue to the owners or holders of lawfully issued outdoor advertising permits, including permits for those structures described as conforming and nonconforming by federal regulations, to trim, cut, and remove trees and vegetation located on the right of way adjacent to such outdoor advertising and replace the same, as directed, whenever such vegetation prevents clear visibility for a distance not to exceed 500 yards to occupants of vehicles using the main traveled ways of the controlled systems. The maximum area to be controlled shall not exceed 500 feet. The district engineer for the department shall issue a vegetation control permit where all criteria are met following submission of information specified and a fee as specified by rule and regulation for each location involved. When work pursuant to a vegetation control permit has been completed, the department may plant wildflowers within the 500 yard viewing zone. The cost of planting the wildflowers shall be included in the vegetation control application fee.

(b) An application fee shall accompany the application for each vegetation control permit and both the application and the fee shall be submitted to the department. There shall be a fee for the annual renewal of the permit. The department shall promulgate rules and regulations setting forth the application fees and renewal fees. Such application and renewal fees shall be established by the State Transportation Board in reasonable amounts in order to recover costs of administering the vegetation control program.

(c) If the owner of an advertising device chooses to voluntarily remove a nonconforming structure, one vegetation control permit fee will be waived.

(d) This waiver shall not be used as evidence in any future eminent domain proceeding relating to nonconforming structures.

(e) Notwithstanding any other law to the contrary, it is the legislative intent that issuance of permits and carrying out of the work pursuant to this Code section are lawful activities and shall not be construed as violating any provision of law.”

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SECTION 3.

In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

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.

Pursuant to Rule 134, Representatives Walker of the 141st and Carter of the 166th were excused from voting on all amendments and the passage of SB 169.

The following amendments were read and adopted:

Representative Brooks of the 103rd moves to amend the Committee substitute to SB 169 as follows:

P 2 l 25 after “trimmed” add “ ”

P 2 l 26 delete “and” capitalize “After”

P 2 l 26 after “department” add “the applicant” after “trim” add “and implement the landscape plan”

P 2 l 27 delete “its” add “his or her”

P 2 l 29 after “area” delete “, and” and add “.” capitalize “The”

P 2 l 30 delete “ ” add new line 31 and renumber the remaining lines as 32-40.

The new l. 31 p 2 shall read as “and implement the landscape plan at the applicant’s own expense.”

Representative Reichert of the 126th moves to amend the Committee substitute to SB 169 as follows:

Page 3 line 6, add the word “selectively” before the words “trim, cut and remove...”

Line 9, delete the word “clear” insert in its place “reasonable”

The following amendment was read:

Representatives Dobbs of the 92nd, Porter of the 143rd and Jamieson of the 22nd move to amend the Committee substitute to SB 169 as follows:

On page 2, line 8 strike the words “, cutting, or removal”

On page 3, line 6 strike “, cut, and remove”

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

N Allen	Y Crews	Irvin	N Parrish	Y Smith, W
Y Anderson	Y Culbreth	N James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	N Snelling
N Bailey	Y Davis, G	Y Jenkins	Y Perry	N Snow
Baker	N Davis, M	N Johnson, G	Y Pinholster	Y Stallings
N Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
N Barfoot	DeLoach, B	Y Johnston	N Ponder	Stancil, S
N Bargeron	N DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	Stephenson
N Bates	N Dixon, S	Kinnamon	N Purcell, A	N Streat
N Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	N Ehrbart	N Ladd	N Randall	N Teague
Y Bordeaux	Y Epps	N Lakly	Randolph	Y Teper
N Bostick	Y Evans	N Lane	N Ray	N Thomas
N Breedlove	N Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	Y Felton	Lee	N Reichert	Y Titus
Y Brooks, T	N Floyd	N Lewis	N Roberts	N Towery
Y Brown, J	N Godbee	N Lifsey	N Rogers	Y Trense
N Brush	N Golden	N Lord	N Royal	Y Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	N Sauder	Walker, L
Y Bunn	Y Grindley	N Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Shanahan	N Wall
N Byrd	Y Harbin	Y McBee	N Shaw	N Watson
Y Campbell	Harris	McCall	Y Sherrill	Watts
N Canty	N Heard	Y McClinton	N Shipp	N Westmoreland
Carter	Y Heckstall	McKinney	N Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	N White
Channell	N Hembree	Y Mobley, B	Skipper	Y Wiles
Y Childers	Y Henson	Mobley, J	Y Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	Smith, L	Y Williams, R
N Coleman, T	Howard	O'Neal	Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 78, nays 74.

The amendment was adopted.

Representative Bannister of the 77th moved that the House reconsider its action in adopting the Dobbs amendment.

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

N Allen	Y Byrd	Y Ehrhart	N Irvin	N McBee
N Anderson	N Campbell	Y Epps	N James	McCall
N Ashe	Y Canty	N Evans	N Jamieson	Y McClinton
N Bailey	Carter	Y Falls	N Jenkins	Y McKinney
Baker	N Chambliss	N Felton	Y Johnson, G	Y Mills
N Bannister	Y Channell	Y Floyd	N Johnson, J	N Mobley, B
N Barfoot	N Childers	Y Godbee	Y Johnston	Y Mobley, J
Y Bargeron	N Coker	N Golden	N Jones	Y Mosley
N Barnard	N Coleman, B	N Goodwin	Y Joyce	Y Mueller
Y Barnes	Y Coleman, T	Y Greene	N Kaye	N O'Neal
Bates	N Connell	Y Grindley	Kinnamon	Y Orrock
N Benefield	Y Crawford	Hanner	N Klein	Y Parham
Y Birdsong	N Crews	N Harbin	Y Ladd	Y Parrish
N Bordeaux	Y Culbreth	N Harris	Y Lakly	N Parsons
Y Bostick	Y Cummings	Y Heard	Y Lane	Y Pelote
Y Breedlove	N Davis, G	N Heckstall	Y Lawrence	N Perry
Y Brooks, D	Y Davis, M	Y Hegstrom	N Lee	N Pinholster
N Brooks, T	N Day	Y Hembree	Y Lewis	Y Polak
N Brown, J	N DeLoach, B	N Henson	Y Lifsey	Y Ponder
Y Brush	N DeLoach, G	Y Holland	Y Lord	N Porter
Y Buck	Y Dix	N Holmes	Y Lucas	N Poston
Y Buckner	Y Dixon, H	N Howard	N Maddox	Powell
N Bunn	Y Dixon, S	Y Hudson	Y Mann	Y Purcell, A
Y Burkhalter	N Dobbs	Y Hugley	Y Martin	Purcell, B

Y Randall	N Shaw	N Smith, W	Y Teague	Y Watson
N Randolph	N Sherrill	Y Smyre	N Teper	Watts
Y Ray	Y Shipp	Y Snelling	N Thomas	Y Westmoreland
Reaves	Y Simpson	N Snow	Y Tillman	Y Whitaker
N Reichert	Y Sinkfield	Y Stallings	Y Titus	N White
N Roberts	N Skipper	N Stancil, F	Towery	N Wiles
N Rogers	N Smith, C	N Stancil, S	Y Trense	Y Williams, B
Y Royal	Y Smith, C.W	Y Stanley, L	N Turnquest	Y Williams, J
N Sanders	Y Smith, L	Y Stanley, P	N Twiggs	N Williams, R
Y Sauder	N Smith, P	Stephenson	Walker, L	Y Woods
Y Scoggins	Y Smith, T	Y Streat	Y Walker, R.L	N Yates
N Shanahan	Y Smith, V	N Taylor	Y Wall	Murphy, Spkr

On the motion, the ayes were 90, nays 75.

The motion prevailed.

Representative Dobbs of the 92nd moved that the House reconsider its action in adopting the Reichert amendment.

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

N Allen	Y Crews	Y Irvin	N Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	N Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	N Snelling
N Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Baker	Y Davis, M	N Johnson, G	Y Pinholster	N Stallings
N Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	N DeLoach, G	N Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	Stephenson
N Bates	N Dixon, S	Kinnamonn	N Purcell, A	N Streat
N Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	N Randall	Y Teague
Y Bordeaux	N Epps	N Lakly	Y Randolph	Y Teper
N Bostick	Y Evans	N Lane	N Ray	Y Thomas
Y Breedlove	N Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
Y Brooks, T	N Floyd	N Lewis	N Roberts	N Towery
Y Brown, J	N Godbee	N Lifsey	N Rogers	Y Trense
N Brush	N Golden	N Lord	N Royal	Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	N Sauder	Walker, L
Y Bunn	N Grindley	N Mann	N Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	N Wall
N Byrd	Y Harbin	Y McBee	N Shaw	N Watson
Y Campbell	Y Harris	N McCall	Y Sherrill	Watts
N Canty	N Heard	Y McClinton	Y Shipp	N Westmoreland
Carter	Y Heckstall	N McKinney	N Simpson	N Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	N White
N Channell	N Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
N Coleman, T	N Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 84, nays 86.

The motion was lost.

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

N Allen	Y Baker	Y Barnard	Y Birdsong	N Brooks, D
N Anderson	N Bannister	Y Barnes	Y Bordeaux	Y Brooks, T
Y Ashe	N Barfoot	N Bates	N Bostick	Y Brown, J
N Bailey	N Bargeron	N Benefield	Y Breedlove	N Brush

Y Buck	Y Felton	N Ladd	Y Poston	N Stallings
Y Buckner	N Floyd	N Lakly	Y Powell	Y Stancil, F
Y Bunn	N Godbee	N Lane	Y Purcell, A	Y Stancil, S
Y Burkhalter	N Golden	Y Lawrence	Y Purcell, B	Y Stanley, L
N Byrd	Y Goodwin	Y Lee	N Randall	Y Stanley, P
Y Campbell	Y Greene	N Lewis	Y Randolph	Y Stephenson
N Canty	N Grindley	N Lifsey	N Ray	N Streat
Y Carter	N Hanner	N Lord	N Reaves	Y Taylor
Y Chambless	Y Harbin	N Lucas	N Reichert	Y Teague
N Channell	Y Harris	N Maddox	N Roberts	Y Teper
Y Childers	N Heard	N Mann	N Rogers	Y Thomas
Y Coker	Y Heckstall	Y Martin	N Royal	N Tillman
N Coleman, B	Y Hegstrom	Y McBee	Y Sanders	Y Titus
N Coleman, T	N Hembree	N McCall	N Sauder	Y Towery
Y Connell	Y Henson	Y McClinton	N Scoggins	Y Trense
N Crawford	N Holland	Y McKinney	Y Shanahan	Y Turnquest
Y Crews	Y Holmes	N Mills	N Shaw	Y Twiggs
Y Culbreth	N Howard	Y Mobley, B	Y Sherrill	Y Walker, L
Y Cummings	N Hudson	Y Mobley, J	N Shipp	Y Walker, R.L
Y Davis, G	Y Hugley	N Mosley	N Simpson	N Wall
Y Davis, M	Y Irvin	N Mueller	Y Sinkfield	N Watson
Y Day	N James	Y O'Neal	Y Skipper	Y Watts
N DeLoach, B	Y Jamieson	Y Orrock	Y Smith, C	N Westmoreland
N DeLoach, G	Y Jenkins	Y Parham	N Smith, C.W	N Whitaker
N Dix	N Johnson, G	N Parrish	Y Smith, L	N White
N Dixon, H	Y Johnson, J	Y Parsons	Y Smith, P	Y Wiles
N Dixon, S	N Johnston	Y Pelote	N Smith, T	Y Williams, B
Y Dobbs	N Jones	Y Perry	N Smith, V	N Williams, J
N Ehrhart	N Joyce	Y Pinholster	Y Smith, W	Y Williams, R
N Epps	Y Kaye	Y Polak	Y Smyre	N Woods
Y Evans	Y Kinnamon	N Ponder	N Snelling	Y Yates
N Falls	N Klein	Y Porter	Y Snow	Y Murphy, Spkr

On the re-adoption of the amendment, the ayes were 88, nays 82.

The amendment was adopted.

The following amendment was read:

Representative Stallings of the 100th moves to amend the Committee substitute to SB 169 as follows:

After line 30 on page 2, insert the following:

(3) Said plan shall be submitted for approval to a Review Board comprised of the President of the Garden Clubs of Georgia, the Commissioner of the Department of Transportation, and the President of the Outdoor Association of Georgia, or their designees, with their report required to be submitted within 60 days.

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

N Allen	Y Brown, J	Y Crews	N Godbee	Y Irvin
N Anderson	N Brush	N Culbreth	N Golden	N James
Y Ashe	N Buck	N Cummings	Y Goodwin	Y Jamieson
N Bailey	Y Buckner	N Davis, G	Y Greene	Y Jenkins
Y Baker	Y Bunn	N Davis, M	N Grindley	N Johnson, G
N Bannister	Y Burkhalter	N Day	Y Hanner	N Johnson, J
N Barfoot	N Byrd	N DeLoach, B	Y Harbin	N Johnston
N Bargeron	Y Campbell	N DeLoach, G	Y Harris	N Jones
Y Barnard	N Canty	N Dix	N Heard	N Joyce
N Barnes	Y Carter	N Dixon, H	N Heckstall	N Kaye
N Bates	N Chambless	N Dixon, S	Y Hegstrom	Y Kinnamon
N Benefield	N Channell	Y Dobbs	N Hembree	N Klein
N Birdsong	Y Childers	N Ehrhart	Y Henson	N Ladd
N Bordeaux	Y Coker	N Epps	N Holland	N Lakly
N Bostick	Y Coleman, B	N Evans	Y Holmes	N Lane
N Breedlove	N Coleman, T	N Falls	N Howard	N Lawrence
N Brooks, D	Y Connell	Y Felton	N Hudson	N Lee
Y Brooks, T	N Crawford	N Floyd	N Hugley	N Lewis

N Lifsey	N Parrish	N Rogers	Y Smith, W	Y Trense
N Lord	Y Parsons	N Royal	N Smyre	N Turnquest
N Lucas	N Pelote	Y Sanders	N Snelling	Y Twiggs
Y Maddox	N Perry	N Sauder	Y Snow	Walker, L
N Mann	Y Pinholster	N Scoggins	Y Stallings	Y Walker, R.L
Y Martin	Y Polak	Y Shanahan	Y Stancil, F	N Wall
Y McBee	N Ponder	N Shaw	Y Stancil, S	N Watson
McCall	Y Porter	Y Sherrill	N Stanley, L	Watts
Y McClinton	Y Poston	N Shipp	N Stanley, P	N Westmoreland
McKinney	Powell	N Simpson	Stephenson	N Whitaker
N Mills	Purcell, A	Y Sinkfield	N Streat	N White
Y Mobley, B	Y Purcell, B	Y Skipper	Y Taylor	N Wiles
N Mobley, J	N Randall	Y Smith, C	N Teague	Y Williams, B
N Mosley	Y Randolph	N Smith, C.W	N Teper	N Williams, J
Y Mueller	N Ray	Y Smith, L	N Thomas	Y Williams, R
Y O'Neal	N Reaves	Y Smith, P	N Tillman	N Woods
Y Orrock	N Reichert	N Smith, T	Y Titus	Y Yates
N Parham	N Roberts	N Smith, V	Y Towerly	Murphy, Spkr

On the adoption of the amendment, the ayes were 64, nays 105.

The amendment was lost.

The following amendment was read:

Representatives Dobbs of the 92nd and Porter of the 143rd move to amend the Committee substitute to SB 169 by striking lines 1 through 34 of page 1, lines 1 through 39 of page 2, lines 1 through 42 of page 3, and lines 1 through 18 of page 4 and inserting in lieu thereof the following:

“To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to outdoor advertising along the state highway system, so as to provide that the Department of Transportation shall not allow or undertake the removal, trimming, cutting, clearance, or alteration of any trees or vegetation on the state’s rights of way to improve the visibility of any outdoor advertising sign; to provide for the revocation or withholding of permits under certain circumstances; to provide for notice; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to outdoor advertising along the state highway system, is amended by adding immediately following Code Section 32-6-75.3 a new Code Section 32-6-75.4 to read as follows:

‘32-6-75.4.

(a) The department shall not remove, trim, cut, clear, or otherwise alter any trees or vegetation on the rights of way of the state highway system for the purpose of improving the visibility to the public of any outdoor advertising located outside of the right of way.

(b) The department shall not authorize the owner of any outdoor advertising to remove, trim, cut, clear, or otherwise alter any trees or vegetation on the department’s rights of way for the purpose of improving visibility to the public of any outdoor advertising located outside of the right of way.

(c) When the department believes that any trees or vegetation on the department’s rights of way have been removed, cut, trimmed, cleared, or altered, the department shall make a preliminary investigation and, based on its findings, may:

(1) Revoke the permit or permits of any owner of a sign or signs if the department determines that the person, firm, or corporation who owns the land or who owns,

erects, maintains, leases, or uses the sign or signs caused, hired, procured, or consciously or by design consented to any of the acts prohibited by this Code section at or near the sign site, thereby depriving the sign owner of the permit to use that site; or www.libtool.com.cn

(2) Refuse to issue a permit or permits for a sign site or sites for a period not to exceed five years if the department determines that the applicant has caused, hired, procured, or consciously or by design consented to any of the acts prohibited by this Code section on the department's rights of way within 500 feet on either side of that sign site or sites.

(d) Before the actions listed in paragraph (1) of subsection (c) of this Code section may be taken, the department shall give 30 days' written notice via certified mail to the permit holder; and this notice shall apprise the permit holder of a hearing that will be held in accordance with Code Sections 50-13-13 through 50-13-18. If the action described in paragraph (2) of subsection (a) of this Code section is taken, the department shall state this in its refusal to issue a permit, and the applicant shall have the right to an administrative review of this action as provided by Code Sections 50-13-13 through 50-13-18.'

SECTION 2.

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

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

N Allen	N Crews	N Irvin	N Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
N Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	Y Pinholster	N Stallings
N Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	N DeLoach, G	N Jones	Y Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	Stephenson
N Bates	N Dixon, S	Kinnamon	Y Purcell, A	N Streat
N Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsang	N Ehrhart	N Ladd	N Randall	N Teague
Y Bordeaux	N Epps	N Lakly	Y Randolph	Y Teper
N Bostick	N Evans	N Lane	N Ray	Y Thomas
N Breedlove	N Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	Y Felton	N Lee	N Reichert	N Titus
Y Brooks, T	N Floyd	N Lewis	N Roberts	N Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	Royal	Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	N Sauder	Walker, L
Y Bunn	N Grindley	N Mann	N Scoggins	Y Walker, R.L
N Burkhalter	Hanner	Y Martin	Y Shanahan	N Wall
N Byrd	N Harbin	Y McBee	N Shaw	N Watson
N Campbell	Y Harris	N McCall	Y Sherrill	Watts
N Canty	N Heard	N McClinton	N Shipp	N Westmoreland
Carter	Heckstall	McKinney	N Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	N White
N Channell	N Hembree	N Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
N Coleman, T	N Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	Y Yates
N Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 72, nays 96.

The amendment was lost.

The following amendment was read:

Representatives Dobbs of the 92nd and Porter of the 143rd move to amend the Committee substitute to SB 169 by striking the quotation marks at the end of line 42 of page 3.

By inserting after line 42 of page 3 a new subsection (f) to read as follows:

“(f) In any instance in which a violation of the conditions imposed by a vegetation control permit occurs relating to the maximum area to be controlled, it shall be presumed that such violation was committed by the permit holder. Such presumption may be rebutted by proof.”

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

N Allen	N Crews	N Irvin	N Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	Smyre
Y Ashe	Y Cummings	Jamieson	N Pelote	N Snelling
N Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	N Johnson, G	Y Pinholster	N Stallings
N Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	Y Stancil, S
N Bargeron	N DeLoach, G	N Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	N Stanley, P
N Barnes	N Dixon, H	N Kaye	Powell	Stephenson
N Bates	N Dixon, S	Kinnamon	Y Purcell, A	N Streat
N Benefield	Y Dobbs	N Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	N Randall	Y Teague
Y Bordeaux	N Epps	N Lakly	N Randolph	Y Teper
N Bostick	N Evans	N Lane	N Ray	N Thomas
N Breedlove	N Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	Y Felton	Y Lee	N Reichert	N Titus
Y Brooks, T	N Floyd	N Lewis	N Roberts	N Towner
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	Royal	Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	N Sauder	Walker, L
Y Bunn	N Grindley	N Mann	N Scoggins	N Walker, R.L
N Burkhalter	Hanner	N Martin	N Shanahan	N Wall
N Byrd	N Harbin	Y McBee	N Shaw	N Watson
N Campbell	Y Harris	N McCall	Y Sherrill	Watts
N Canty	N Heard	McClinton	N Shipp	N Westmoreland
Carter	N Heckstall	N McKinney	N Simpson	N Whitaker
N Chambless	Y Hegstrom	N Mills	Y Sinkfield	N White
N Channell	N Hembree	N Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	N Smith, L	Y Williams, R
N Coleman, T	N Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	Y Yates
N Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 59, nays 108.

The amendment was lost.

Representative Porter of the 143rd moved that the House reconsider its action in failing to adopt the first Dobbs Porter amendment.

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

Y Allen	N Bates	Y Buck	Y Childers	Y Davis, M
N Anderson	N Benefield	Y Buckner	Y Coker	Y Day
Y Ashe	Y Birdsong	Y Bunn	Y Coleman, B	N DeLoach, B
N Bailey	Y Bordeaux	N Burkhalter	N Coleman, T	N DeLoach, G
Y Baker	N Bostick	N Byrd	Y Connell	N Dix
N Bannister	Y Breedlove	Y Campbell	N Crawford	N Dixon, H
N Barfoot	N Brooks, D	N Canty	Y Crews	N Dixon, S
N Bargeron	Y Brooks, T	Carter	Y Culbreth	Y Dobbs
Y Barnard	Y Brown, J	Y Chambless	Y Cummings	N Ehrhart
Y Barnes	N Brush	N Channell	Y Davis, G	Epps

Y Evans	N Johnson, G	Y Mobley, J	Y Sanders	N Streat
N Falls	Y Johnson, J	N Mosley	N Sauder	Y Taylor
Y Felton	N Johnston	N Mueller	N Scoggins	Y Teague
N Floyd	N Jones	Y O'Neal	Y Shanahan	Y Teper
N Godbee	N Joyce	Y Orrock	N Shaw	N Thomas
N Golden	Y Kaye	Y Parham	Y Sherrill	N Tillman
Y Goodwin	Kinnamon	N Parrish	Y Shipp	Y Titus
Y Greene	Y Klein	Y Parsons	N Simpson	Y Towery
N Grindley	N Ladd	Y Pelote	Y Sinkfield	Y Trense
Hanner	N Lakly	Y Perry	Y Skipper	Turnquest
Y Harbin	N Lane	Y Pinholster	Y Smith, C	Y Twiggs
Y Harris	Y Lawrence	Y Polak	N Smith, C.W	Walker, L
N Heard	Y Lee	N Ponder	Y Smith, L	Y Walker, R.L
Y Heckstall	N Lewis	Y Porter	Y Smith, P	N Wall
Y Hegstrom	N Lifsey	Y Poston	N Smith, T	N Watson
N Hembree	N Lord	Powell	N Smith, V	Watts
Y Henson	N Lucas	Y Purcell, A	Y Smith, W	N Westmoreland
N Holland	Y Maddox	N Purcell, B	Y Smyre	N Whitaker
Y Holmes	N Mann	N Randall	N Snelling	N White
N Howard	Y Martin	Y Randolph	Y Snow	Y Wiles
N Hudson	Y McBee	N Ray	Stallings	Y Williams, B
Y Hugley	N McCall	N Reaves	Y Stancil, F	N Williams, J
Y Irvin	Y McClinton	N Reichert	Y Stancil, S	Y Williams, R
N James	N McKinney	N Roberts	Y Stanley, L	N Woods
Y Jamieson	N Mills	N Rogers	Y Stanley, P	Y Yates
Y Jenkins	Y Mobley, B	Royal	Stephenson	Murphy, Spkr

On the motion, the ayes were 91, nays 77.

The motion prevailed.

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

N Allen	Y Crews	Y Irvin	N Parrish	Y Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	N Snelling
N Bailey	Y Davis, G	Y Jenkins	Y Perry	N Snow
N Baker	N Davis, M	N Johnson, G	Y Pinholster	N Stallings
N Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Barger	N DeLoach, G	N Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	N Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	Stephenson
N Bates	N Dixon, S	N Kinnamon	Y Purcell, A	N Streat
N Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	N Randall	Y Teague
Y Bordeaux	N Epps	N Lakly	N Randolph	Y Teper
N Bostick	Y Evans	N Lane	N Ray	N Thomas
Breedlove	N Falls	Lawrence	Reaves	N Tillman
N Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
Y Brooks, T	N Floyd	N Lewis	N Roberts	Y Towery
Y Brown, J	N Godbee	N Lifsey	N Rogers	Y Trense
N Brush	N Golden	N Lord	Royal	Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	N Sauder	Walker, L
Y Bunn	N Grindley	N Mann	N Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	N Wall
N Byrd	Y Harbin	Y McBee	N Shaw	N Watson
Y Campbell	Y Harris	N McCall	Y Sherrill	Watts
N Canty	N Heard	Y McClinton	N Shipp	N Westmoreland
Carter	N Heckstall	McKinney	N Simpson	N Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	N White
N Channell	N Hembree	N Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
N Coleman, T	N Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	Y Yates
N Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 80, nays 87.

The amendment was lost.

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:

Y Allen	N Crews	N Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
N Ashe	N Cummings	N Jamieson	Y Pelote	Y Snelling
Y Bailey	N Davis, G	N Jenkins	N Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	N Pinholster	Y Stallings
Y Bannister	N Day	Y Johnson, J	N Polak	N Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	N Porter	N Stanley, L
N Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	N Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	N Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
N Bordeaux	Y Epps	Y Lakly	Y Randolph	N Teper
Y Bostick	N Evans	Y Lane	N Ray	Y Thomas
Y Breedlove	Y Falls	N Lawrence	Y Reaves	Y Tillman
Y Brooks, D	N Felton	Y Lee	Y Reichert	N Titus
N Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
N Brown, J	Y Godbee	Y Lifsey	Y Rogers	N Trense
Y Brush	Y Golden	Y Lord	N Royal	Y Turnquest
Y Buck	N Goodwin	Y Lucas	N Sanders	N Twiggs
N Buckner	N Greene	N Maddox	Y Sauder	Walker, L
N Bunn	Y Grindley	Y Mann	Y Scoggins	N Walker, R.L.
Y Burkhalter	Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	N Harbin	N McBee	Y Shaw	Y Watson
N Campbell	N Harris	Y McCall	N Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	N Hegstrom	Y Mills	N Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
N Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
N Coleman, B	Y Holmes	Y Mueller	Y Smith, L	N Williams, R
Y Coleman, T	Y Howard	N O'Neal	N Smith, P	Y Woods
N Connell	Y Hudson	N Orrock	Y Smith, T	N Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 105, nays 69.

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

SB 636. By Senator Starr of the 44th:

A bill to amend Code Section 15-11-37 of the Official Code of Georgia Annotated, relating to designated felonies in juvenile court, so as to change a certain definition; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to enact a new article relating to bombs, explosives, and chemical and biological weapons; to define certain terms; to provide a list of explosive materials.

The following Committee substitute was read and withdrawn:

A BILL

To amend Code Section 15-11-37 of the Official Code of Georgia Annotated, relating to designated felonies in juvenile court, so as to change a certain definition; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to

enact a new article relating to bombs, explosives, and chemical and biological weapons; to define certain terms; to provide a list of explosive materials; to provide for the offense of manufacturing, transporting, distributing, possessing with intent to distribute, and offering to distribute, ~~an explosive device~~; to provide that it shall be unlawful for a person convicted of or under indictment for certain offenses to possess, manufacturer, transport, distribute, possess with intent to distribute, or offer to distribute a destructive device, detonator, or hoax device; to provide that it shall be unlawful to provide any such person with such devices; to provide that it shall be unlawful to distribute certain materials to persons under 21 years of age; to prohibit certain acts relating to hoax devices; to provide that conspiracy to commit certain acts shall be unlawful; to prohibit interference with certain officers; to provide for punishments; to impose certain duties on certain persons; to provide for certain inspections; to provide for exceptions; to provide for the forfeiture of certain property; to change certain definitions relating to certain offenses; to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the training and certification of bomb technicians, explosive ordnance disposal technicians, and animal handlers; to provide for certain intergovernmental assistance agreements; to provide for matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-11-37 of the Official Code of Georgia Annotated, relating to designated felonies in juvenile court, is amended by striking in its entirety paragraph (2) and inserting in lieu thereof the following:

“(2) ‘Designated felony act’ means an act which:

(A) Constitutes a second or subsequent offense under subsection (b) of Code Section 16-11-132 if committed by a person 13 to 17 years of age;

(B) If done by an adult, would be one or more of the following crimes:

(i) Kidnapping or arson in the first degree, if done by a juvenile 13 or more years of age;

(ii) Aggravated assault, arson in the second degree, aggravated battery, robbery, or armed robbery not involving a firearm, if done by a juvenile 13 or more years of age;

(iii) Attempted murder or attempted kidnapping, if done by a juvenile 13 or more years of age;

(iv) The carrying or possession of a weapon in violation of subsection (b) of Code Section 16-11-127.1;

(v) Hijacking a motor vehicle, if done by a juvenile 13 or more years of age; ~~or~~

(vi) Any violation of Code Section 16-7-82, 16-7-84, or 16-7-86 if done by a juvenile 13 or more years of age; or

~~(vi)~~(vii) Any other act which, if done by an adult, would be a felony, if the juvenile committing the act has three times previously been adjudicated delinquent for acts which, if done by an adult, would have been felonies; or

(C) Constitutes a second or subsequent adjudication of delinquency based upon a violation of Code Sections 16-7-85 or 16-7-87;

~~(D)~~(D) Constitutes an offense within the exclusive jurisdiction of the superior court pursuant to subparagraph (b)(2)(A) of Code Section 15-11-5 which is transferred by the superior court to the juvenile court for adjudication pursuant to subparagraph (b)(2)(B) of Code Section 15-11-5 or which is transferred by the district attorney to the juvenile court for adjudication pursuant to subparagraph (b)(2)(C) of Code Section 15-11-5.”

SECTION 2.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by striking in their entirety Code Sections 16-7-63 and 16-7-64, relating to criminal possession of explosives and criminal possession of an explosive device, respectively, which read as follows:

“16-7-63.

(a) A person commits the offense of criminal possession of explosives when he possesses, manufactures, or transports any explosive compound and either intends to use the explosive to commit a felony or knows that another intends to use the explosive to commit a felony.

(b) A person convicted of the offense of criminal possession of explosives shall be punished by imprisonment for not less than one nor more than ten years.

16-7-64.

(a) A person commits the offense of criminal possession of an explosive device when he possesses, manufactures, sells, offers for sale, gives away, or transports a bomb, fire bomb, or Molotov cocktail.

(b) As used in this Code section, the terms ‘fire bomb’ and ‘Molotov cocktail’ mean any device, by whatever name called, made of a breakable container containing a flammable liquid or compound with a flash point of 150 degrees Fahrenheit or less which has a wick or any similar material which, when ignited, is capable of igniting the flammable liquid or compound when the device is thrown or dropped; and the term ‘bomb’ includes any form of high explosives, explosive bomb, grenade, missile, or similar device. These terms do not include a device which is manufactured or produced for the primary purpose of illumination or for marking detours, obstructions, defective paving, or other hazards on streets, roads, highways, and bridges.

(c) Subsection (a) of this Code section does not apply to a device coming within the definition of subsection (b) of this Code section when it is in the use, possession, or control of a member of the armed forces of the United States or a fireman or a law enforcement officer when acting in his official capacity or otherwise under proper authority.

(d) A person convicted of the offense of criminal possession of an explosive device shall be punished by imprisonment for not less than one nor more than ten years or by a fine not exceeding \$25,000.00, or by both.”

SECTION 3.

Said title is further amended by inserting at the end of Chapter 7 the following:

“ARTICLE 4

16-7-80.

As used in this article, the term:

(1) ‘Bacteriological weapon’ or ‘biological weapon’ means any device which is designed in such a manner as to permit the intentional release into the population or environment of microbial or other biological agents or toxins whatever their origin or method of production in a manner not otherwise authorized by law or any device the development, production, or stockpiling of which is prohibited pursuant to the ‘Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction,’ 26 U.S.T. 583, TIAS 8063.

(2) ‘Commissioner’ means the Fire Safety Commissioner.

(3) ‘Conviction’ means an adjudication of guilt of or a plea of guilty or nolo contendere to the commission of an offense against the laws of this state, any other state or territory, the United States, or a foreign nation recognized by the United States. Such term includes any such conviction or plea notwithstanding the fact that sentence was imposed pursuant to Article 3 of Chapter 8 of Title 42. Such term also includes the adjudication or plea of a juvenile to the commission of an act which if committed by an adult would constitute a crime under the laws of this state.

(3) ‘Director’ means the Director of the Georgia Bureau of Investigation.

(4) ‘Destructive device’ means:

(A) Any explosive, incendiary, or over-pressure device or poison gas which has been configured as a bomb; a grenade; a rocket with a propellant charge of more than four ounces; a missile having an explosive or incendiary charge of more than one-quarter ounce or a poison gas; a mine; a molotov cocktail; or any other device which is substantially similar to such devices; and

- (B) Any type of weapon by whatever name known which will or may be readily converted to expel a projectile by the action of an explosive or other propellant, through a barrel which has a bore diameter of more than one-half inch in diameter; provided, however, that such term shall not include a rifle or shotgun suitable for sporting purposes or shotgun shells; a device which is neither designed or redesigned for use as a weapon; a device which, although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; or surplus military ordnance sold, loaned, or given by authority of the appropriate official of the United States Department of Defense;
- (C) A weapon of mass destruction;
- (D) A bacteriological weapon or biological weapon; and
- (E) Any combination of parts either designed or intended for use in converting any device into a destructive device as otherwise defined in this paragraph.
- (5) 'Detonator' means a device containing a detonating charge that is used to initiate detonation in an explosive, including but not limited to electric blasting caps, blasting caps for use with safety fuses, and detonating-chord delay connectors.
- (6) 'Distribute' means the actual, constructive, or attempted transfer from one person to another.
- (7) 'Explosive' means any chemical compound or other substance or mechanical system intended for the purpose of producing an explosion or containing oxidizing and combustible units or other ingredients in such proportions or quantities that ignition, fire, friction, concussion, percussion, or detonator may produce an explosion capable of causing injury to persons or damage to property, including but not limited to the substances designated in Code section 16-7-81.
- (8) 'Explosive ordnance disposal technician' or 'EOD technician' means:
- (A) A law enforcement officer, fire official, emergency management official, or an employee of this state or its political subdivisions or an authority of the state or a political subdivision who is certified in accordance with Code Section 35-8-13 and members of the Georgia National Guard who are qualified as explosive ordnance disposal technicians under the appropriate laws and regulations when acting in the performance of their official duties; and
- (B) An official or employee of the United States, including but not limited to a member of the armed forces of the United States, who is qualified as an explosive ordnance disposal technician under the appropriate laws and regulations when acting in the performance of his or her official duties.
- (9) 'Felony' means any offense punishable by imprisonment for a term of one year or more, and includes conviction by a court-martial under the Uniform Code of Military Justice for an offense which would constitute a felony under the laws of the United States. A conviction of an offense under the laws of a foreign nation shall be considered a felony for the purposes of this article if the conduct giving rise to such conviction would have constituted a felony under the laws of this state or of the United States if committed within the jurisdiction of this state or the United States at the time of such conduct.
- (10) 'Hoax device' or 'replica' means a device or article which has the appearance of a destructive device.
- (11) 'Incendiary' means a flammable liquid or compound with a flash point of 150 degrees Fahrenheit or less as determined by Tagliabue or equivalent closed-cup device, including but not limited to, gasoline, kerosene, fuel oil, or a derivative of such substances.
- (12) 'Over-pressure device' means a frangible container filled with an explosive gas or expanding gas which is designed or constructed so as to cause the container to break or fracture in a manner which is capable of causing death, bodily harm, or property damage.
- (13) 'Poison gas' means any toxic chemical or its precursors that through its chemical action or properties on life processes causes death or permanent injury to human beings; provided, however, that such term shall not include:

- (A) Riot control agents, smoke, and obscuration materials or medical products which are manufactured, possessed, transported, or used in accordance with the laws of the United States and of this state;
- (B) ~~Tear gas devices~~ designed to be carried on or about the person which contain not more than one-half ounce of the chemical;
- (C) Pesticides, as provided in paragraph (12) of Code Section 16-7-93.
- (14) 'Property' means any real or personal property of any kind including money, choses in action, and other similar interests in property.
- (15) 'Public building' means any structure which is generally open to members of the public with or without the payment of an admission fee or membership dues including, but not limited to structures owned, operated, or leased by the state, the United States, any of the several states, or any foreign nation or any political subdivision or authority thereof; any religious organization; any medical facility; any college, school, or university; or any corporation, partnership, or association.
- (16) 'Weapon of mass destruction' means any device which is designed in such a way as to release radiation or radioactivity at a level which will result in internal or external bodily injury or death to any person.

16-7-81.

The following materials are explosives within the meaning of this article:

- (1) Acetylides of heavy metals;
- (2) Aluminum containing polymeric propellant;
- (3) Aluminum ophorite explosive;
- (4) Amatex;
- (5) Amatol;
- (6) Ammonal;
- (7) Ammonium nitrate explosive mixtures, cap sensitive;
- (8) Ammonium nitrate explosive mixtures, noncap sensitive;
- (9) Aromatic nitro-compound explosive mixtures;
- (10) Ammonium perchlorate explosive mixtures.
- (11) Ammonium perchlorate composite propellant.
- (12) Ammonium picrate (picrate of ammonia, Explosive D).
- (13) Ammonium salt lattice with isomorphously substituted inorganic salts.
- (14) Ammonium triiodide.
- (15) ANFO (ammonium nitrate-fuel oil).
- (16) Baratol.
- (17) Baronol.
- (18) BEAF (1,2-bis (2,2-difluoro-2-nitroacetoxyethane)).
- (19) Black powder.
- (20) Black powder based explosive mixtures.
- (21) Blasting agents, nitro-carbo-nitrates, including noncap sensitive slurry and water-gel explosives.
- (22) Blasting caps.
- (23) Blasting gelatin.
- (24) Blasting powder.
- (25) BTNEC (bis (trinitroethyl) carbonate).
- (26) Bulk salutes.
- (27) BTNEN (bis (trinitroethyl) nitramine).
- (28) BTTN (1,2,4 butanetriol trinitrate).
- (29) Butyl tetryl.
- (30) Calcium nitrate explosive mixture.
- (31) Cellulose hexanitrate explosive mixture.
- (32) Chlorate explosive mixtures.
- (33) Composition A and variations.
- (34) Composition B and variations.
- (35) Composition C and variations.
- (36) Copper acetylide.
- (37) Cyanuric triazide.

- (38) Cyclotrimethylenetrinitramine (RDX).
- (39) Cyclotetramethylenetetranitramine (HMX).
- (40) Cyclonite (RDX).
- (41) Cyclotol.libtool.com.cn
- (42) DATB (diaminotrinitrobenzene).
- (43) DDNP (diazodinitrophenol).
- (44) DEGDN (diethyleneglycol dinitrate).
- (45) Detonating cord.
- (46) Detonators.
- (47) Dimethylol dimethyl methane dinitrate composition.
- (48) Dinitroethyleneurea.
- (49) Dinitroglycerine (glycerol dinitrate).
- (50) Dinitrophenol.
- (51) Dinitrophenolates.
- (52) Dinitrophenyl hydrazine.
- (53) Dinitroresorcinol.
- (54) Dinitrotoluene-sodium nitrate explosive mixtures.
- (55) DIPAM.
- (56) Dipicryl sulfone.
- (57) Dipicrylamine.
- (58) Display fireworks.
- (59) DNDP (dinitropentano nitrile).
- (60) DNPA (2,2-dinitropropyl acrylate).
- (61) Dynamite.
- (62) EDDN (ethylene diamine dinitrate).
- (63) EDNA.
- (64) Ednatol.
- (65) EDNP (ethyl 4,4-dinitropentanoate).
- (66) Erythritol tetranitrate explosives.
- (67) Esters of nitro-substituted alcohols.
- (68) EGDN (ethylene glycol dinitrate).
- (69) Ethyl-tetryl.
- (70) Explosive conitrates.
- (71) Explosive gelatins.
- (72) Explosive mixtures containing oxygen-releasing inorganic salts and hydrocarbons.
- (73) Explosive mixtures containing oxygen-releasing inorganic salts and nitro bodies.
- (74) Explosive mixtures containing oxygen-releasing inorganic salts and water insoluble fuels.
- (75) Explosive mixtures containing oxygen-releasing inorganic salts and water soluble fuels.
- (76) Explosive mixtures containing sensitized nitromethane.
- (77) Explosive mixtures containing tetranitromethane (nitroform).
- (78) Explosive nitro compounds of aromatic hydrocarbons.
- (79) Explosive organic nitrate mixtures.
- (80) Explosive liquids.
- (81) Explosive powders.
- (82) Flash powder.
- (83) Fulminate of mercury.
- (84) Fulminate of silver.
- (85) Fulminating gold.
- (86) Fulminating mercury.
- (87) Fulminating platinum.
- (88) Fulminating silver.
- (89) Gelatinized nitrocellulose.
- (90) Gem-dinitro aliphatic explosive mixtures.
- (91) Guanyl nitrosamino guanyl tetrazene.
- (92) Guanyl nitrosamino guanylidene hydrazine.

- (93) Hexogene or octogene and a nitrated N-methylaniline.
- (94) Hexolites.
- (95) HMX (cyclo-1,3,5,7-tetramethylene-2,4,6,8-tetranitramine; Octogen).
- (96) Hydrazinium nitrate/hydrazine/aluminum explosive system.
- (97) Hydrazoic acid.
- (98) Igniter cord.
- (99) Igniters.
- (100) Initiating tube systems.
- (101) KDNEF (potassium dinitrobenzo-furoxane).
- (102) Lead azide.
- (103) Lead mannite.
- (104) Lead mononitroresorcinate.
- (105) Lead picrate.
- (106) Lead salts, explosive.
- (107) Lead styphnate (styphnate of lead, lead trinitroresorcinate).
- (108) Liquid nitrated polyol and trimethylolethane.
- (109) Liquid oxygen explosives.
- (110) Magnesium ophorite explosives.
- (111) Mannitol hexanitrate.
- (112) MDNP (methyl 4,4-dinitropentanoate).
- (113) MEAN (monoethanolamine nitrate).
- (114) Mercuric fulminate.
- (115) Mercury oxalate.
- (116) Mercury tartrate.
- (117) Metriol trinitrate.
- (118) Minol-2 (40% TNT, 40% ammonium nitrate, 20% aluminum).
- (119) MMAN (monomethylamine nitrate); methylamine nitrate.
- (120) Mononitrotoluene-nitroglycerin mixture.
- (121) Monopropellants.
- (122) NIBTN (nitroisobutametriol trinitrate).
- (123) Nitrate sensitized with gelled nitroparaffin.
- (124) Nitrated carbohydrate explosive.
- (125) Nitrated glucoside explosive.
- (126) Nitrated polyhydric alcohol explosives.
- (127) Nitrates of soda explosive mixtures.
- (128) Nitric acid and a nitro aromatic compound explosive.
- (129) Nitric acid and carboxylic fuel explosive.
- (130) Nitric acid explosive mixtures.
- (131) Nitro aromatic explosive mixtures.
- (132) Nitro compounds of furane explosive mixtures.
- (133) Nitrocellulose explosive.
- (134) Nitroderivative of urea explosive mixture.
- (135) Nitrogelatin explosive.
- (136) Nitrogen trichloride.
- (137) Nitrogen tri-iodide.
- (138) Nitroglycerine (NG, RNG, nitro, glyceryl trinitrate, trinitroglycerine).
- (139) Nitroglycide.
- (140) Nitroglycol (ethylene glycol dinitrate, EGDN)
- (141) Nitroguanidine explosives.
- (142) Nitroparaffins Explosive Grade and ammonium nitrate mixtures.
- (143) Nitronium perchlorate propellant mixtures.
- (144) Nitrostarch.
- (145) Nitro-substituted carboxylic acids.
- (146) Nitrourea.
- (147) Octogen (HMX).
- (148) Octol (75% HMX, 25% TNT).
- (149) Organic amine nitrates.

- (150) Organic nitramines.
- (151) PBX (RDX and plasticizer).
- (152) Pellet powder.
- (153) ~~Penthrinite composition~~.
- (154) Pentolite.
- (155) Perchlorate explosive mixtures.
- (156) Peroxide based explosive mixtures.
- (157) PETN (nitropentaerythrite, pentaerythrite tetranitrate, pentaerythritol tetranitrate).
- (158) Picramic acid and its salts.
- (159) Picramide.
- (160) Picrate of potassium explosive mixtures.
- (161) Picratol.
- (162) Picric acid (manufactured as an explosive).
- (163) Picryl chloride.
- (164) Picryl fluoride.
- (165) PLX (95% nitromethane, 5% ethylenediamine).
- (166) Polynitro aliphatic compounds.
- (167) Polyolpolynitrate-nitrocellulose explosive gels.
- (168) Potassium chlorate and lead sulfocyanate explosive.
- (169) Potassium nitrate explosive mixtures.
- (170) Potassium nitroaminotetrazole.
- (171) Pyrotechnic compositions.
- (172) PXX (2,6-bis(picrylamino))-3,5-dinitropyridine.
- (173) RDX (cyclonite, hexogen, T4, cyclo-1,3,5,- trimethylene-2,4,6,- rinitramine; hexahydro-1,3,5- trinitro-S-triazine).
- (174) Safety fuse.
- (175) Salutes, (bulk).
- (176) Salts of organic amino sulfonic acid explosive mixture.
- (177) Silver acetylide.
- (178) Silver azide.
- (179) Silver fulminate.
- (180) Silver oxalate explosive mixtures.
- (181) Silver styphnate.
- (182) Silver tartrate explosive mixtures.
- (183) Silver tetrazene.
- (184) Slurried explosive mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer, cap sensitive.
- (185) Smokeless powder.
- (186) Sodatol.
- (187) Sodium amatol.
- (188) Sodium azide explosive mixture.
- (189) Sodium dinitro-ortho-cresolate.
- (190) Sodium nitrate-potassium nitrate explosive mixture.
- (191) Sodium picramate.
- (192) Special fireworks.
- (193) Squibs.
- (194) Styphnic acid explosives.
- (195) Tacot (tetranitro-2,3,5,6-dibenzo-1,3a,4,6a tetrazapentalene).
- (196) TATB (triaminotrinitrobenzene).
- (197) TATP (triacetone triperoxide).
- (198) TEGDN (triethylene glycol dinitrate).
- (199) Tetrazene (tracene, tetrazine, l(5-tetrazolyl)- 4-guanyl tetrazene hydrate).
- (200) Tetranitrocarbazole.
- (201) Tetryl (2,4,6 tetranitro-N-methylaniline).
- (202) Tetrytol.
- (203) Thickened inorganic oxidizer salt slurried explosive mixture.

- (204) TMETN (trimethylolethane trinitrate).
- (205) TNEF (trinitroethyl formal).
- (206) TNEOC (trinitroethylorthocarbonate).
- (207) TNEOF (trinitroethylorthoformate).
- (208) TNT (trinitrotoluene, trotyl, trilitite, triton).
- (209) Torpex.
- (210) Tridite.
- (211) Trimethylol ethyl methane trinitrate composition.
- (212) Trimethylolthane trinitrate-nitrocellulose.
- (213) Trimonite.
- (214) Trinitroanisole.
- (215) Trinitrobenzene.
- (216) Trinitrobenzoic acid.
- (217) Trinitrocresol.
- (218) Trinitro-meta-cresol.
- (219) Trinitronaphthalene.
- (220) Trinitrophenetol.
- (221) Trinitrophenol.
- (222) Trinitroresorcinol.
- (223) Tritonal.
- (224) Urea nitrate.
- (225) Water bearing explosives having salts of oxidizing acids and nitrogen bases, sulfates, or sulfamates, cap sensitive.
- (226) Water-in-oil emulsion explosive compositions.
- (227) Xanthomonas hydrophilic colloid explosive mixture.

16-7-82.

(a) It shall be unlawful for any person to possess, manufacture, transport, distribute, possess with the intent to distribute, or offer to distribute a destructive device except as provided in this article.

(b) Any person convicted of a violation of this Code section shall be punished by imprisonment for not less than three nor more than 20 years or, by a fine of not more than \$25,000.00 or both or, if the defendant is a corporation, by a fine of not less than \$25,000.00 nor more than \$100,000.00 or not fewer than 5,000 nor more than 10,000 hours of community service or both.

16-7-83.

(a) It shall be unlawful for any person who is under indictment for or who has been convicted of a felony by a court of this state, any other state, the United States including its territories, possessions, and dominions, or a foreign nation to possess, manufacture, transport, distribute, possess with the intent to distribute, or offer to distribute a destructive device, detonator, explosive, poison gas, or hoax device.

(b) It shall be unlawful for any person knowingly to distribute a destructive device, detonator, explosive, poison gas, or hoax device to any person:

(1) Who is under indictment for or who has been convicted of a felony by a court of this state, any other state, the United States including its territories, possessions, and dominions, or a foreign nation; or

(2) Who has been adjudicated to be mentally incompetent or mentally ill by a court of this state, any other state, or the United States including its territories, possessions, and dominions.

(c) Any person convicted of a violation of this Code section shall be punished, in the case of an individual, by imprisonment for not less than one nor more than 15 years or by a fine of not more than \$25,000.00 or both or, if the defendant is a corporation, by a fine of not less than \$10,000.00 nor more than \$75,000.00 or not fewer than 1,000 nor more than 5,000 hours of community service or both.

(d) Notwithstanding any other provision of law, the Department of Human Resources shall make available to any law enforcement agency or district attorney of this state

such information as may be necessary to establish that a person has been adjudicated by any court to be mentally incompetent or mentally ill.

(e) The provisions of this Code section shall not apply to:

(1) Any person who has been pardoned for a felony by the President of the United States, the State Board of Pardons and Paroles, or the person or agency empowered to grant pardons under the constitution or laws of any other state or of a foreign nation and, by the terms of the pardon, has expressly been authorized to receive, possess, distribute, or transport a destructive device, explosive, poison gas, or detonator;

or

(2) A person who has been convicted of a felony, but who has been granted relief from the disabilities imposed by the laws of the United States with respect to the acquisition, receipt, transfer, shipment, or possession of explosives by the secretary of the United States Department of the Treasury pursuant to 18 U.S.C. 845, may apply to the Board of Public Safety for relief from the disabilities imposed by this Code section in the same manner as is provided in subsection (d) of Code Section 16-11-131. The Board may grant such relief under the same standards and conditions as apply to firearms.

16-7-84.

(a) It shall be unlawful for any person to distribute or to offer to distribute a destructive device, explosive, poison gas, or detonator to any person who is under 21 years of age.

(b) Any person convicted of a violation of this Code section shall be punished, in the case on an individual, by imprisonment for not less than one nor more than three years or by a fine of not more than \$10,000.00; or both or, if the defendant is a corporation, by a fine of not more than \$20,000.00 or not fewer than 3,000 hours of community service or both.

16-7-85.

(a) It shall be unlawful for any person to manufacture, possess, transport, distribute, or use a hoax device or replica of a destructive device or detonator with the intent to cause another to believe that such hoax device or replica is a destructive device or detonator.

(b) Any person convicted of a violation of this Code section shall be punished by imprisonment for not more than one year or by a fine of not more than \$10,000.00; or both or, if the defendant is a corporation, a fine of not less than \$1,000.00 or not fewer than 500 hours of community service or both for each such hoax device or replica; provided, however, that if such person communicates or transmits to another that such hoax device or replica is a destructive device or detonator with the intent to obtain the property of another person or to interfere with the ability of another person to conduct or carry on the ordinary course of business, trade, education, or government, such violation shall be punished by imprisonment for not less than one year nor more than five years or by a fine of not more than \$25,000.00; or both or, if the defendant is a corporation, a fine of not less than \$50,000.00 or not fewer than 1,000 nor more than 10,000 hours of community service or both for each such hoax device or replica.

16-7-86.

It shall be unlawful for any person to attempt or conspire to commit any offense prohibited by this article. Any person convicted of a violation of this Code section shall be punished by imprisonment or community service; by a fine; or by both such punishments not to exceed the maximum punishment prescribed for the offense the commission of which was the object of the attempt or conspiracy.

16-7-87.

It shall be unlawful for any person knowingly to hinder or obstruct any explosive ordinance technician, law enforcement officer, fire official, emergency management official, animal trained to detect destructive devices, or any robot or mechanical device designed or utilized by a law enforcement officer, fire official, or emergency management official of this state or of the United States in the detection, disarming, or destruction of a

destructive device. Any person convicted of a violation of this Code section shall be punished as provided in subsection (b) of Code section 16-10-24.

16-7-88.

(a) If a violation of this article was done with the intent to cause death or bodily injury to another or to cause physical damage to any public building which would require an expenditure of more than \$500.00 to repair or replace, the court shall sentence the defendant to imprisonment for a term of years of not less than one-half the maximum term of imprisonment authorized by law, and no part of such sentence shall be probated, deferred, suspended or withheld.

(b) Any other provision of law to the contrary notwithstanding, no person sentenced under the provision of subsection (a) of this Code section shall be eligible for early release, leave, work release, earned time, good time, or any other program administered by any agency of the executive or judicial branches of this state which would have the effect of reducing or mitigating such sentence until the defendant has completed the minimum sentence provided by subsection (a) of this Code section.

16-7-89.

Each violation of the provisions of this article shall be considered a separate offense.

16-7-90.

It shall be the duty of any person authorized by paragraph (1) or (2) of Code Section 16-7-93 to manufacture, possess, transport, distribute, or use a destructive device, detonator, explosive, or hoax device within the state:

- (1) To maintain such records as may be required pursuant to Title 25. Such records may be inspected by the commissioner or the director or such officers' designee or any law enforcement officer or fire official during normal business hours; and
- (2) To report promptly the loss or theft of any destructive device, detonator, explosive, or hoax device to the Georgia Bureau of Investigation.

16-7-91.

The commissioner or director or such officers' designees or any law enforcement officer or fire official may obtain an inspection warrant as provided in Code section 25-2-22.1 to conduct a search or inspection of:

- (1) Any person licensed pursuant to Title 25 to manufacture, possess, transport, sell, distribute, or use a destructive device or detonator within the state;
- (2) Any person licensed pursuant to Chapter 7 of Title 2 to manufacture, possess, transport, sell, or distribute or use pesticides; or
- (3) Any property where such pesticide, destructive device, or detonator is manufactured, possessed, transported, distributed, or used.

16-7-92.

In any case where there is reason to believe that a destructive device, detonator, explosive, or hoax device has been manufactured, possessed, transported, distributed or used in violation of this article or Title 25 or that there has been an attempt or a conspiracy to commit such a violation, the Attorney General, any district attorney, the director, or such persons as may be designated in writing by such officials shall have the same power to compel the attendance of witnesses and the production of evidence before such official in the same manner as the state fire marshal as provided in Code Sections 25-2-27, 25-2-28 and 25-2-29.

16-7-93.

The provisions of Code Sections 16-7-82, 16-7-84, 16-7-85 and 16-7-86 shall not apply to:

- (1) Any person authorized to manufacture, possess, transport, distribute, or use a destructive device or detonator pursuant to the laws of the United States, as amended, or pursuant to Title 25 when such person is acting in accordance with such laws and any regulations issued pursuant thereto;
- (2) Any person licensed as a blaster by the commissioner pursuant to Chapter 8 of Title 25, when such blaster is acting in accordance with the laws of the state and any

regulations promulgated thereunder and any ordinances and regulations of the political subdivision or authority of the state where blasting operations are being performed;

(3) Fireworks, as defined by Code Section 25-10-1 and any person authorized by the laws of this state and of the United States to manufacture, possess, distribute, transport, store, exhibit, display, or use fireworks;

(4) A law enforcement, fire service, or emergency management agency of this state, any agency or authority of a political subdivision of this state, or the United States and any employee or authorized agent thereof while in performance of official duties and any law enforcement officer, fire official, or emergency management official of the United States or any other state while attending training in this state;

(5) The armed forces of the United States or of this state;

(6) Research or educational programs conducted by or on behalf of a college, university, or secondary school which have been authorized by the chief executive officer of such educational institution or his or her designee and which is conducted in accordance with the laws of the United States and of this state;

(7) The use of explosive materials in medicines and medicinal agents in forms prescribed by the most recent published edition of the official United States Pharmacopoeia or the National Formulary;

(8) Small arms ammunition and components thereof;

(9) Commercially manufactured black powder in quantities not to exceed fifty pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices;

(10) Fertilizers, propellant actuated devices, or propellant activated industrial tools manufactured, imported, distributed, or used for their intended purposes;

(11) An explosive which is lawfully possessed in accordance with the rules adopted pursuant to Code Section 16-7-95; or

(12) A pesticide which is manufactured, stored, transported, distributed, possessed, or used in accordance with Chapter 7 of Title 2, the federal Insecticide, Fungicide, and Rodenticide Act, 61 Stat. 163, as amended, and the federal Environmental Pesticide Control Act of 1972, Pub. L. 92-516, as amended.

16-7-94.

After consultation with the Commissioner of Agriculture or his or her designee, the Board of Public Safety may except by rule any explosive or quantity of explosive for use in legitimate agricultural activities. A copy of any such rule shall be furnished to the Commissioner of Agriculture.

16-7-95.

(a) Any property which is used, intended for use, used to facilitate, derived from, or realized through a violation of this article shall be considered contraband and no property interest shall exist therein. Except as provided in subsection (b) of this Code section, such property may be seized and shall be forfeited to the state as provided in Code section 16-13-49.

(b) On application of the seizing law enforcement agency, the Superior Court may authorize the seizing law enforcement agency to destroy or transfer to any agency of this state or of the United States which can safely store or render harmless any destructive device, explosive, poison gas, or detonator which is subject to forfeiture pursuant to this Code section if the court finds that it is impractical or unsafe for the seizing law enforcement agency to store such destructive device, explosive, poison gas, or detonator. Such application may be made at any time after seizure. Any destruction authorized pursuant to this subsection shall be made in the presence of at least one credible witness or shall be recorded on film, video tape, or other electronic imaging method. Any such film, video tape, or other electronic imaging method shall be admissible as evidence in lieu of such destructive device, explosive, poison gas, or detonator. The court may also direct the seizing agency or an agency to which such destructive device, explosive, poison

gas, or detonator is transferred to make a report of the destruction, take samples, or both.

16-7-96.

(a) Photographs, video tapes, or other identification or analysis of a destructive device, explosive, poison gas, or detonator duly identified by an explosive ordnance disposal technician or a person qualified as a forensic expert in the area of destructive devices shall be admissible in any civil or criminal trial in lieu of the destructive device or detonator.

(b) If a destructive device, explosive, poison gas, or detonator which has been rendered safe is introduced into evidence in any criminal or civil action, it shall be the duty of the clerk of court immediately to photograph the same and to transfer custody of the destructive device or detonator to the director or his or her designee or an explosive ordnance disposal technician."

SECTION 4.

Said title is further amended by striking in its entirety paragraph (5) of subsection (a) of Code Section 16-8-12, relating to penalties for certain offenses, and inserting in lieu thereof the following:

"(5)(A) As used in this paragraph, the term:

(i) 'Destructive device' means a destructive device as such term is defined by Code Section 16-7-80.

(ii) 'Explosive' means an explosive as such term is defined by Code Section 16-7-80.

(iii) ~~'firearm'~~ 'Firearm' means any rifle, shotgun, pistol, or similar device which propels a projectile or projectiles through the energy of an explosive.

(B) If the property which was the subject of the theft offense was a destructive device, explosive, or firearm, by imprisonment for not less than one nor more than ten years."

SECTION 5.

Said title is further amended by striking in its entirety Code Section 16-10-28, relating to transmitting a false public alarm, and inserting in lieu thereof the following:

"16-10-28.

(a) As used in this Code section, the term:

(1) 'Destructive device' means a destructive device as such term is defined by Code Section 16-7-80.

(2) 'Hazardous substance' means a hazardous substance as such term is defined by Code Section 12-8-92.

(b) A person who transmits in any manner a false alarm to the effect that a ~~bomb or other explosive~~ destructive device or hazardous substance of any nature is concealed in such place that its explosion, detonation, or release would endanger human life or cause injury or damage to property, knowing at the time that there is no reasonable ground for believing that such a ~~bomb or explosive~~ destructive device or hazardous substance is concealed in such place, commits the offense of transmitting a false public alarm and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years."

SECTION 6.

Said title is further amended by striking in its entirety subsection (a) of Code Section 16-11-130, relating to exemptions from provisions relating to the carrying of a concealed weapon, and inserting in lieu thereof the following:

"(a) Code Sections 16-11-126 through 16-11-128 shall not apply to or affect any of the following persons if such persons are employed in the offices listed below or when authorized by federal or state law, regulations, or order:

(1) Peace officers;

(2) Wardens, superintendents, and keepers of correctional institutions, jails, or other institutions for the detention of persons accused or convicted of an offense;

- (3) Persons in the military service of the state or of the United States;
- (4) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, ~~transport, installation,~~ and testing under the requirements of such contract;
- (5) District attorneys, investigators employed by and assigned to a district attorney's office, and assistant district attorneys;
- ~~(5-1)~~(6) State court solicitors; investigators employed by and assigned to a state court solicitor's office; assistant state court solicitors; the corresponding personnel of any city court expressly continued in existence as a city court pursuant to Article VI, Section X, Paragraph I, subparagraph (5) of the Constitution; and the corresponding personnel of any civil court expressly continued as a civil court pursuant to said provision of the Constitution;
- ~~(6)~~(7) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;
- ~~(7)~~(8) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;
- ~~(8)~~(9) Chief probation officers, probation officers, intensive probation officers, and surveillance officers employed by and under the authority of the Department of Corrections pursuant to Article 2 of Chapter 8 of Title 42, known as the 'State-wide Probation Act,' when specifically designated and authorized in writing by the director of Division of Probation;
- ~~(9)~~(10) Public safety directors of municipal corporations;
- (11) Explosive ordnance disposal technicians, as such term is defined by Code Section 16-7-80, and persons certified as provided in Code Section 35-8-13 to handle animals trained to detect explosives, while in the performance of their duties.
- ~~(10)~~(12) State and federal trial and appellate judges;
- ~~(11)~~(13) United States Attorneys and Assistant United States Attorneys;
- ~~(12)~~(14) County medical examiners and coroners and their sworn officers employed by county government; and
- ~~(13)~~(15) Clerks of the superior courts."

SECTION 7.

Said title is further amended by striking in its entirety subsection (c) of Code Section 16-12-123, relating to bus or rail vehicle hijacking and related matters, and inserting in lieu thereof the following:

"(c) Any person who has on or about his or her person or who has placed, attempted to place, or attempted to have placed aboard such bus or rail vehicle any ~~bomb or similar explosive or incendiary~~ destructive device, as such term is defined by Code Section 16-7-80, shall be guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not less than one nor more than 20 years."

SECTION 8.

Said title is further amended by striking in its entirety division (9)(A)(vi) of Code Section 16-14-3, relating to definitions relative to racketeer influenced organizations, and inserting in lieu thereof the following:

"(vi) ~~Article~~ Articles 3 and 4 of Chapter 7 of this title, relating to arson and destructive devices, respectively;"

SECTION 9.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by striking at the end of paragraph (7) of subsection (a) of Code Section 35-3-4, relating to the powers and duties of the Georgia Bureau of Investigation generally, the word "and"; by striking at the end of paragraph (8) of such subsection the symbol " " and inserting in lieu thereof the symbol and word "; and"; and by inserting at the end of such subsection the following:

"(9) Identify and investigate violations of Article 4 of Chapter 7 of Title 16."

SECTION 10.

Said title is further amended by inserting at the end of Chapter 8, relating to the employment and training of peace officers, the following:

“36-8-25. www.libtool.com.cn

(a)(1) Any person who is employed by an agency or authority of this state or an agency or authority of a political subdivision of this state as a bomb technician, explosive ordnance disposal technician, handler of an animal trained to detect explosives, or any person who is assigned to such duties shall be required to complete successfully a training program prescribed by the council which shall consist of an initial training program, an apprenticeship, and annual recertification.

(2) The council is authorized to award a distinctive device to persons certified as an explosive ordnance disposal technician or as a handler of an animal trained to detect explosives upon completion of the initial training program and apprenticeship period. The council may also establish and award distinctive devices for certified explosive ordnance disposal technicians who qualify as master or expert explosive ordnance disposal technicians. Such devices may be worn on any law enforcement officer's or fire official's uniform.

(b)(1) The head of any law enforcement agency which employs one or more certified bomb technicians, explosive ordnance disposal technicians, or handlers of animals trained to detect explosives may establish a mutual aid agreement with any other law enforcement agency for the purpose of assisting with the detection, rendering safe, and disposal of destructive devices as such term is defined by Code Section 16-7-80. Any such mutual aid agreement shall be subject to approval of the governing authority of such law enforcement agency.

(2) A political subdivision which is aided pursuant to this subsection shall reimburse the political subdivision providing the aid for any loss or damage to equipment other than fair wear and tear and shall pay any expenses incurred in the operation and maintenance of such equipment; provided, however, that no such claim shall be allowed unless, within 60 days after the same is sustained or incurred, the political subdivision providing the aid provides to the chief financial officer of the political subdivision receiving the aid an itemized notice of the claim made under oath. The political subdivision which received the aid shall also pay and reimburse the political subdivision furnishing the aid for any overtime compensation paid to any employee furnished under this Code section during the time of the rendering of the aid and shall defray the actual traveling and maintenance expenses of any employee while such employee was engaged in rendering the aid. Such reimbursement shall include any amounts paid or due for compensation due to personal injury or death while such employee was engaged in rendering the aid.

(3) Unless otherwise expressly provided by its terms, a mutual aid agreement established pursuant to this subsection shall not be construed as superseding or amending any mutual aid agreement adopted pursuant to Chapter 6 of Title 25, Chapter 69 of Title 36, or Chapter 3 of Title 38 which applies to emergencies involving explosives or destructive devices.

(c)(1) Whenever a bomb technician, explosive ordnance disposal technician, or handler of an animal trained to detect explosive devices employed by an agency or authority of local government provides assistance at the request of a state agency or authority, such person shall be considered an employee of this state for the purposes of Code Section 50-21-22, subsection (3) of Code Section 34-9-1, and Code Section 45-9-3. Such person shall also be entitled to reimbursement by the requesting agency or authority for actual expenses incurred in the same manner as other employees of the agency or authority.

(2) A state agency or authority receiving assistance from an agency or authority of a local government shall reimburse such political subdivision for any loss or damage, other than fair wear and tear, to any equipment owned by such political subdivision. No claim for the loss, damage, or expense shall be allowed unless, within 60 days after the same is sustained or incurred, the local government submits an itemized notice of the claim under oath to the fiscal officer of the state agency or authority.

- (3) A state agency or authority which receives aid from a local government shall also pay and reimburse such political subdivision for any overtime compensation paid to an employee furnished under this Code section during the time of the rendering of the aid. ~~Such reimbursement~~ shall include any amounts paid or due for compensation due to personal injury or death while such employee was engaged in rendering the aid.
- (d) An employee of a political subdivision or agency or authority thereof who is engaged in the rendering of outside aid pursuant to a mutual aid agreement adopted pursuant to this Code section shall have the same powers, duties, rights, privileges, and immunities as if such employee was engaged in the performing of his or her duties in the political subdivisions in which he or she is normally employed."

SECTION 11.

This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or in which it becomes law without such approval.

SECTION 12.

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

The following substitute, offered by Representative Barnes of the 33rd, was read:

A BILL

To amend Code Section 15-11-37 of the Official Code of Georgia Annotated, relating to designated felonies in juvenile court, so as to change a certain definition; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to enact a new article relating to bombs, explosives, and chemical and biological weapons; to define certain terms; to provide a list of explosive materials; to provide for the offense of manufacturing, transporting, distributing, possessing with intent to distribute, and offering to distribute an explosive device; to provide that it shall be unlawful for a person convicted of or under indictment for certain offenses to possess, manufacture, transport, distribute, possess with intent to distribute, or offer to distribute a destructive device, detonator, or hoax device; to provide that it shall be unlawful knowingly to provide such devices to any such person or to a person who has been adjudicated mentally incompetent or mentally ill; to provide that it shall be unlawful to distribute certain materials to persons under 21 years of age; to prohibit certain acts relating to hoax devices; to provide that conspiracy to commit certain acts shall be unlawful; to prohibit interference with certain officers; to provide for punishments; to impose certain duties on certain persons; to provide for certain inspections; to provide for exceptions; to provide for the forfeiture of certain property; to change certain definitions relating to certain offenses; to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the training and certification of bomb technicians, explosive ordnance disposal technicians, and animal handlers; to provide for certain intergovernmental assistance agreements; to provide for matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-11-37 of the Official Code of Georgia Annotated, relating to designated felonies in juvenile court, is amended by striking in its entirety paragraph (2) and inserting in lieu thereof the following:

"(2) 'Designated felony act' means an act which:

- (A) Constitutes a second or subsequent offense under subsection (b) of Code Section 16-11-132 if committed by a person 13 to 17 years of age;
- (B) If done by an adult, would be one or more of the following crimes:
 - (i) Kidnapping or arson in the first degree, if done by a juvenile 13 or more years of age;

- (ii) Aggravated assault, arson in the second degree, aggravated battery, robbery, or armed robbery not involving a firearm, if done by a juvenile 13 or more years of age;
- (iii) ~~Attempted murder~~ or attempted kidnapping, if done by a juvenile 13 or more years of age;
- (iv) The carrying or possession of a weapon in violation of subsection (b) of Code Section 16-11-127.1;
- (v) Hijacking a motor vehicle, if done by a juvenile 13 or more years of age; ~~or~~
- (vi) Any violation of Code Section 16-7-82, 16-7-84, or 16-7-86 if done by a juvenile 13 or more years of age; or
- ~~(vi)~~(vii) Any other act which, if done by an adult, would be a felony, if the juvenile committing the act has three times previously been adjudicated delinquent for acts which, if done by an adult, would have been felonies; or
- (C) Constitutes a second or subsequent adjudication of delinquency based upon a violation of Code Sections 16-7-85 or 16-7-87;
- ~~(D)~~(D) Constitutes an offense within the exclusive jurisdiction of the superior court pursuant to subparagraph (b)(2)(A) of Code Section 15-11-5 which is transferred by the superior court to the juvenile court for adjudication pursuant to subparagraph (b)(2)(B) of Code Section 15-11-5 or which is transferred by the district attorney to the juvenile court for adjudication pursuant to subparagraph (b)(2)(C) of Code Section 15-11-5.”

SECTION 2.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by striking in their entirety Code Sections 16-7-63 and 16-7-64, relating to criminal possession of explosives and criminal possession of an explosive device, respectively, which read as follows:

“16-7-63.

(a) A person commits the offense of criminal possession of explosives when he possesses, manufactures, or transports any explosive compound and either intends to use the explosive to commit a felony or knows that another intends to use the explosive to commit a felony.

(b) A person convicted of the offense of criminal possession of explosives shall be punished by imprisonment for not less than one nor more than ten years.

16-7-64.

(a) A person commits the offense of criminal possession of an explosive device when he possesses, manufactures, sells, offers for sale, gives away, or transports a bomb, fire bomb, or Molotov cocktail.

(b) As used in this Code section, the terms ‘fire bomb’ and ‘Molotov cocktail’ mean any device, by whatever name called, made of a breakable container containing a flammable liquid or compound with a flash point of 150 degrees Fahrenheit or less which has a wick or any similar material which, when ignited, is capable of igniting the flammable liquid or compound when the device is thrown or dropped; and the term ‘bomb’ includes any form of high explosives, explosive bomb, grenade, missile, or similar device. These terms do not include a device which is manufactured or produced for the primary purpose of illumination or for marking detours, obstructions, defective paving, or other hazards on streets, roads, highways, and bridges.

(c) Subsection (a) of this Code section does not apply to a device coming within the definition of subsection (b) of this Code section when it is in the use, possession, or control of a member of the armed forces of the United States or a fireman or a law enforcement officer when acting in his official capacity or otherwise under proper authority.

(d) A person convicted of the offense of criminal possession of an explosive device shall be punished by imprisonment for not less than one nor more than ten years or by a fine not exceeding \$25,000.00, or by both.”

SECTION 3.

Said title is further amended by inserting at the end of Chapter 7 the following:

"ARTICLE 4

16-7-80.

As used in this article, the term:

(1) 'Bacteriological weapon' or 'biological weapon' means any device which is designed in such a manner as to permit the intentional release into the population or environment of microbial or other biological agents or toxins whatever their origin or method of production in a manner not otherwise authorized by law or any device the development, production, or stockpiling of which is prohibited pursuant to the 'Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction,' 26 U.S.T. 583, TIAS 8063.

(2) 'Commissioner' means the Fire Safety Commissioner.

(3) 'Conviction' means an adjudication of guilt of or a plea of guilty or nolo contendere to the commission of an offense against the laws of this state, any other state or territory, the United States, or a foreign nation recognized by the United States. Such term includes any such conviction or plea notwithstanding the fact that sentence was imposed pursuant to Article 3 of Chapter 8 of Title 42. Such term also includes the adjudication or plea of a juvenile to the commission of an act which if committed by an adult would constitute a crime under the laws of this state.

(3) 'Director' means the Director of the Georgia Bureau of Investigation.

(4) 'Destructive device' means:

(A) Any explosive, incendiary, or over-pressure device or poison gas which has been configured as a bomb; a grenade; a rocket with a propellant charge of more than four ounces; a missile having an explosive or incendiary charge of more than one-quarter ounce; a poison gas; a mine; a Molotov cocktail; or any other device which is substantially similar to such devices;

(B) Any type of weapon by whatever name known which will or may be readily converted to expel a projectile by the action of an explosive or other propellant, through a barrel which has a bore diameter of more than one-half inch in diameter; provided, however, that such term shall not include a pistol, rifle, or shotgun suitable for sporting purposes or shotgun shells; a device which is neither designed or redesigned for use as a weapon; a device which, although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; or surplus military ordnance sold, loaned, or given by authority of the appropriate official of the United States Department of Defense;

(C) A weapon of mass destruction;

(D) A bacteriological weapon or biological weapon; or

(E) Any combination of parts either designed or intended for use in converting any device into a destructive device as otherwise defined in this paragraph.

(5) 'Detonator' means a device containing a detonating charge that is used to initiate detonation in an explosive, including but not limited to electric blasting caps, blasting caps for use with safety fuses, and detonating-chord delay connectors.

(6) 'Distribute' means the actual, constructive, or attempted transfer from one person to another.

(7) 'Explosive' means any chemical compound or other substance or mechanical system intended for the purpose of producing an explosion capable of causing injury to persons or damage to property or containing oxidizing and combustible units or other ingredients in such proportions or quantities that ignition, fire, friction, concussion, percussion, or detonator may produce an explosion capable of causing injury to persons or damage to property, including but not limited to the substances designated in Code section 16-7-81; provided, however, that the term explosive shall not include common fireworks as defined by Code Section 25-10-1, model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models, or toy pistol paper caps in which the explosive content does not average more than 0.25 grains of explosive mixture per paper cap for toy pistols, toy cannons, toy canes, toy guns, or other devices using such paper caps unless such devices are used as a component of a destructive device.

(8) 'Explosive ordnance disposal technician' or 'EOD technician' means:

- (A) A law enforcement officer, fire official, emergency management official, or an employee of this state or its political subdivisions or an authority of the state or a political subdivision who is certified in accordance with Code Section 35-8-13 and members of the Georgia National Guard who are qualified as explosive ordnance disposal technicians under the appropriate laws and regulations when acting in the performance of their official duties; and
- (B) An official or employee of the United States, including but not limited to a member of the armed forces of the United States, who is qualified as an explosive ordnance disposal technician under the appropriate laws and regulations when acting in the performance of his or her official duties.
- (9) 'Felony' means any offense punishable by imprisonment for a term of one year or more, and includes conviction by a court-martial under the Uniform Code of Military Justice for an offense which would constitute a felony under the laws of the United States. A conviction of an offense under the laws of a foreign nation shall be considered a felony for the purposes of this article if the conduct giving rise to such conviction would have constituted a felony under the laws of this state or of the United States if committed within the jurisdiction of this state or the United States at the time of such conduct.
- (10) 'Hoax device' or 'replica' means a device or article which has the appearance of a destructive device.
- (11) 'Incendiary' means a flammable liquid or compound with a flash point of 150 degrees Fahrenheit or less as determined by Tagliabue or equivalent closed-cup device, including but not limited to, gasoline, kerosene, fuel oil, or a derivative of such substances.
- (12) 'Over-pressure device' means a frangible container filled with an explosive gas or expanding gas which is designed or constructed so as to cause the container to break or fracture in a manner which is capable of causing death, bodily harm, or property damage.
- (13) 'Poison gas' means any toxic chemical or its precursors that through its chemical action or properties on life processes causes death or permanent injury to human beings; provided, however, that such term shall not include:
- (A) Riot control agents, smoke, and obscuration materials or medical products which are manufactured, possessed, transported, or used in accordance with the laws of the United States and of this state;
- (B) Tear gas devices designed to be carried on or about the person which contain not more than one-half ounce of the chemical;
- (C) Pesticides, as provided in paragraph (12) of Code Section 16-7-93.
- (14) 'Property' means any real or personal property of any kind including money, choses in action, and other similar interests in property.
- (15) 'Public building' means any structure which is generally open to members of the public with or without the payment of an admission fee or membership dues including, but not limited to structures owned, operated, or leased by the state, the United States, any of the several states, or any foreign nation or any political subdivision or authority thereof; any religious organization; any medical facility; any college, school, or university; or any corporation, partnership, or association.
- (16) 'Weapon of mass destruction' means any device which is designed in such a way as to release radiation or radioactivity at a level which will result in internal or external bodily injury or death to any person.

16-7-81.

The following materials are explosives within the meaning of this article:

- (1) Acetylides of heavy metals;
- (2) Aluminum containing polymeric propellant;
- (3) Aluminum ophorite explosive;
- (4) Amatex;
- (5) Amatol;
- (6) Ammonal;
- (7) Ammonium nitrate explosive mixtures, cap sensitive;

- (8) Ammonium nitrate explosive mixtures, noncap sensitive;
- (9) Aromatic nitro-compound explosive mixtures;
- (10) Ammonium perchlorate explosive mixtures.
- (11) Ammonium perchlorate composite propellant.
- (12) Ammonium picrate (picrate of ammonia, Explosive D).
- (13) Ammonium salt lattice with isomorphously substituted inorganic salts.
- (14) Ammonium triiodide.
- (15) ANFO (ammonium nitrate-fuel oil).
- (16) Baratol.
- (17) Baronol.
- (18) BEAF (1,2-bis (2,2-difluoro-2-nitroacetoxyethane)).
- (19) Black powder.
- (20) Black powder based explosive mixtures.
- (21) Blasting agents, nitro-carbo-nitrates, including noncap sensitive slurry and water-gel explosives.
- (22) Blasting caps.
- (23) Blasting gelatin.
- (24) Blasting powder.
- (25) BTNEC (bis (trinitroethyl) carbonate).
- (26) Bulk salutes.
- (27) BTNEN (bis (trinitroethyl) nitramine).
- (28) BTTN (1,2,4 butanetriol trinitrate).
- (29) Butyl tetryl.
- (30) Calcium nitrate explosive mixture.
- (31) Cellulose hexanitrate explosive mixture.
- (32) Chlorate explosive mixtures.
- (33) Composition A and variations.
- (34) Composition B and variations.
- (35) Composition C and variations.
- (36) Copper acetylde.
- (37) Cyanuric triazide.
- (38) Cyclotrimethylenetrinitramine (RDX).
- (39) Cyclotetramethylenetetranitramine (HMX).
- (40) Cyclonite (RDX).
- (41) Cyclotol.
- (42) DATB (diaminotrinitrobenzene).
- (43) DDNP (diazodinitrophenol).
- (44) DEGDN (diethyleneglycol dinitrate).
- (45) Detonating cord.
- (46) Detonators.
- (47) Dimethylol dimethyl methane dinitrate composition.
- (48) Dinitroethyleneurea.
- (49) Dinitroglycerine (glycerol dinitrate).
- (50) Dinitrophenol.
- (51) Dinitrophenolates.
- (52) Dinitrophenyl hydrazine.
- (53) Dinitroresorcinol.
- (54) Dinitrotoluene-sodium nitrate explosive mixtures.
- (55) DIPAM.
- (56) Dipicryl sulfone.
- (57) Dipicrylamine.
- (58) Display fireworks.
- (59) DNDP (dinitropentano nitrile).
- (60) DNPA (2,2-dinitropropyl acrylate).
- (61) Dynamite.
- (62) EDDN (ethylene diamine dinitrate).
- (63) EDNA.

- (64) Ednatol.
- (65) EDNP (ethyl 4,4-dinitropentanoate).
- (66) Erythritol tetranitrate explosives.
- (67) Esters of nitro-substituted alcohols.
- (68) EGDN (ethylene glycol dinitrate).
- (69) Ethyl-tetryl.
- (70) Explosive conitrates.
- (71) Explosive gelatins.
- (72) Explosive mixtures containing oxygen-releasing inorganic salts and hydrocarbons.
- (73) Explosive mixtures containing oxygen-releasing inorganic salts and nitro bodies.
- (74) Explosive mixtures containing oxygen-releasing inorganic salts and water insoluble fuels.
- (75) Explosive mixtures containing oxygen-releasing inorganic salts and water soluble fuels.
- (76) Explosive mixtures containing sensitized nitromethane.
- (77) Explosive mixtures containing tetranitromethane (nitroform).
- (78) Explosive nitro compounds of aromatic hydrocarbons.
- (79) Explosive organic nitrate mixtures.
- (80) Explosive liquids.
- (81) Explosive powders.
- (82) Flash powder.
- (83) Fulminate of mercury.
- (84) Fulminate of silver.
- (85) Fulminating gold.
- (86) Fulminating mercury.
- (87) Fulminating platinum.
- (88) Fulminating silver.
- (89) Gelatinized nitrocellulose.
- (90) Gem-dinitro aliphatic explosive mixtures.
- (91) Guanyl nitrosamino guanyl tetrazene.
- (92) Guanyl nitrosamino guanylidene hydrazine.
- (93) Hexogene or octogene and a nitrated N-methylaniline.
- (94) Hexolites.
- (95) HMX (cyclo-1,3,5,7-tetramethylene-2,4,6,8-tetranitramine; Octogen).
- (96) Hydrazinium nitrate/hydrazine/aluminum explosive system.
- (97) Hydrazoic acid.
- (98) Igniter cord.
- (99) Igniters.
- (100) Initiating tube systems.
- (101) KDNEF (potassium dinitrobenzo-furoxane).
- (102) Lead azide.
- (103) Lead mannite.
- (104) Lead mononitroresorcinate.
- (105) Lead picrate.
- (106) Lead salts, explosive.
- (107) Lead styphnate (styphnate of lead, lead trinitroresorcinate).
- (108) Liquid nitrated polyol and trimethylolethane.
- (109) Liquid oxygen explosives.
- (110) Magnesium ophorite explosives.
- (111) Mannitol hexanitrate.
- (112) MDNP (methyl 4,4-dinitropentanoate).
- (113) MEAN (monoethanolamine nitrate).
- (114) Mercuric fulminate.
- (115) Mercury oxalate.
- (116) Mercury tartrate.
- (117) Metriol trinitrate.
- (118) Minol-2 (40% TNT, 40% ammonium nitrate, 20% aluminum).

- (119) MMAN (monomethylamine nitrate); methylamine nitrate.
- (120) Mononitrotoluene-nitroglycerin mixture.
- (121) Monopropellants.
- (122) NIBTN (nitroisobutane triol trinitrate).
- (123) Nitrate sensitized with gelled nitroparaffin.
- (124) Nitrated carbohydrate explosive.
- (125) Nitrated glucoside explosive.
- (126) Nitrated polyhydric alcohol explosives.
- (127) Nitrates of soda explosive mixtures.
- (128) Nitric acid and a nitro aromatic compound explosive.
- (129) Nitric acid and carboxylic fuel explosive.
- (130) Nitric acid explosive mixtures.
- (131) Nitro aromatic explosive mixtures.
- (132) Nitro compounds of furane explosive mixtures.
- (133) Nitrocellulose explosive.
- (134) Nitroderivative of urea explosive mixture.
- (135) Nitrogelatin explosive.
- (136) Nitrogen trichloride.
- (137) Nitrogen tri-iodide.
- (138) Nitroglycerine (NG, RNG, nitro, glyceryl trinitrate, trinitroglycerine).
- (139) Nitroglycide.
- (140) Nitroglycol (ethylene glycol dinitrate, EGDN)
- (141) Nitroguanidine explosives.
- (142) Nitroparaffins Explosive Grade and ammonium nitrate mixtures.
- (143) Nitronium perchlorate propellant mixtures.
- (144) Nitrostarch.
- (145) Nitro-substituted carboxylic acids.
- (146) Nitrourea.
- (147) Octogen (HMX).
- (148) Octol (75% HMX, 25% TNT).
- (149) Organic amine nitrates.
- (150) Organic nitramines.
- (151) PBX (RDX and plasticizer).
- (152) Pellet powder.
- (153) Penthrinite composition.
- (154) Pentolite.
- (155) Perchlorate explosive mixtures.
- (156) Peroxide based explosive mixtures.
- (157) PETN (nitropentaerythrite, pentaerythrite tetranitrate, pentaerythritol tetranitrate).
- (158) Picramic acid and its salts.
- (159) Picramide.
- (160) Picrate of potassium explosive mixtures.
- (161) Picratol.
- (162) Picric acid (manufactured as an explosive).
- (163) Picryl chloride.
- (164) Picryl fluoride.
- (165) PLX (95% nitromethane, 5% ethylenediamine).
- (166) Polynitro aliphatic compounds.
- (167) Polyolpolynitrate-nitrocellulose explosive gels.
- (168) Potassium chlorate and lead sulfocyanate explosive.
- (169) Potassium nitrate explosive mixtures.
- (170) Potassium nitroaminotetrazole.
- (171) Pyrotechnic compositions.
- (172) PYX (2,6-bis(picrylamino))-3,5-dinitropyridine.
- (173) RDX (cyclonite, hexogen, T4, cyclo-1,3,5,-trimethylene-2,4,6,-rinitramine; hexahydro-1,3,5-trinitro-S-triazine).

- (174) Safety fuse.
- (175) Salutes, (bulk).
- (176) Salts of organic amino sulfonic acid explosive mixture.
- (177) Silver acetylide.
- (178) Silver azide.
- (179) Silver fulminate.
- (180) Silver oxalate explosive mixtures.
- (181) Silver styphnate.
- (182) Silver tartrate explosive mixtures.
- (183) Silver tetrazene.
- (184) Slurried explosive mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer, cap sensitive.
- (185) Smokeless powder.
- (186) Sodatol.
- (187) Sodium amatol.
- (188) Sodium azide explosive mixture.
- (189) Sodium dinitro-ortho-cresolate.
- (190) Sodium nitrate-potassium nitrate explosive mixture.
- (191) Sodium picramate.
- (192) Special fireworks.
- (193) Squibs.
- (194) Styphnic acid explosives.
- (195) Tacot (tetranitro-2,3,5,6-dibenzo-1,3a,4,6a tetrazapentalene).
- (196) TATB (triaminotrinitrobenzene).
- (197) TATP (triacetone triperoxide).
- (198) TEGDN (triethylene glycol dinitrate).
- (199) Tetrazene (tetracene, tetrazine, 1(5-tetrazolyl) 4-guanyl tetrazene hydrate).
- (200) Tetranitrocarbazole.
- (201) Tetryl (2,4,6 tetranitro-N-methylaniline).
- (202) Tetrytol.
- (203) Thickened inorganic oxidizer salt slurried explosive mixture.
- (204) TMETN (trimethylolethane trinitrate).
- (205) TNEF (trinitroethyl formal).
- (206) TNEOC (trinitroethylorthocarbonate).
- (207) TNEOF (trinitroethylorthoformate).
- (208) TNT (trinitrotoluene, trotyl, trilit, triton).
- (209) Torpex.
- (210) Tridite.
- (211) Trimethylol ethyl methane trinitrate composition.
- (212) Trimethylolthane trinitrate-nitrocellulose.
- (213) Trimonite.
- (214) Trinitroanisole.
- (215) Trinitrobenzene.
- (216) Trinitrobenzoic acid.
- (217) Trinitrocresol.
- (218) Trinitro-meta-cresol.
- (219) Trinitronaphthalene.
- (220) Trinitrophenetol.
- (221) Trinitrophenol.
- (222) Trinitroresorcinol.
- (223) Tritonal.
- (224) Urea nitrate.
- (225) Water bearing explosives having salts of oxidizing acids and nitrogen bases, sulfates, or sulfamates, cap sensitive.
- (226) Water-in-oil emulsion explosive compositions.
- (227) Xanthomonas hydrophilic colloid explosive mixture.

(a) It shall be unlawful for any person to possess, manufacture, transport, distribute, possess with the intent to distribute, or offer to distribute a destructive device except as provided in this article.

(b) Any ~~person convicted of a~~ violation of this Code section shall be punished by imprisonment for not less than three nor more than 20 years or, by a fine of not more than \$25,000.00 or both or, if the defendant is a corporation, by a fine of not less than \$25,000.00 nor more than \$100,000.00 or not fewer than 5,000 nor more than 10,000 hours of community service or both.

16-7-83.

(a) It shall be unlawful for any person who is under indictment for or who has been convicted of a felony by a court of this state, any other state, the United States including its territories, possessions, and dominions, or a foreign nation to possess, manufacture, transport, distribute, possess with the intent to distribute, or offer to distribute a destructive device, detonator, explosive, poison gas, or hoax device.

(b) It shall be unlawful for any person knowingly to distribute a destructive device, detonator, explosive, poison gas, or hoax device to any person:

(1) Who he or she knows or should know is under indictment for or has been convicted of a felony by a court of this state, any other state, the United States including its territories, possessions, and dominions, or a foreign nation; or

(2) Who he or she knows or should know has been adjudicated to be mentally incompetent or mentally ill by a court of this state, any other state, or the United States including its territories, possessions, and dominions.

(c) Any person convicted of a violation of this Code section shall be punished, in the case of an individual, by imprisonment for not less than one nor more than 15 years or by a fine of not more than \$25,000.00 or both or, if the defendant is a corporation, by a fine of not less than \$10,000.00 nor more than \$75,000.00 or not fewer than 1,000 nor more than 5,000 hours of community service or both.

(d) Notwithstanding any other provision of law, the Department of Human Resources shall make available to any law enforcement agency or district attorney of this state such information as may be necessary to establish that a person has been adjudicated by any court to be mentally incompetent or mentally ill.

(e) The provisions of this Code section shall not apply to:

(1) Any person who has been pardoned for a felony by the President of the United States, the State Board of Pardons and Paroles, or the person or agency empowered to grant pardons under the constitution or laws of any other state or of a foreign nation and, by the terms of the pardon, has expressly been authorized to receive, possess, distribute, or transport a destructive device, explosive, poison gas, or detonator; or

(2) A person who has been convicted of a felony, but who has been granted relief from the disabilities imposed by the laws of the United States with respect to the acquisition, receipt, transfer, shipment, or possession of explosives by the secretary of the United States Department of the Treasury pursuant to 18 U.S.C. 845, may apply to the Board of Public Safety for relief from the disabilities imposed by this Code section in the same manner as is provided in subsection (d) of Code Section 16-11-131. The Board may grant such relief under the same standards and conditions as apply to firearms.

16-7-84.

(a) It shall be unlawful for any person to distribute or to offer to distribute a destructive device, explosive, poison gas, or detonator to any person who is under 21 years of age.

(b) Any person convicted of a violation of this Code section shall be punished, in the case of an individual, by imprisonment for not less than one nor more than three years or by a fine of not more than \$10,000.00; or both or, if the defendant is a corporation, by a fine of not more than \$20,000.00 or not fewer than 3,000 hours of community service or both.

16-7-85.

(a) It shall be unlawful for any person to manufacture, possess, transport, distribute, or use a hoax device or replica of a destructive device or detonator with the intent to cause another to believe that such hoax device or replica is a destructive device or detonator.

(b) Any person convicted of a violation of this Code section shall be punished by imprisonment for not more than one year or by a fine of not more than \$10,000.00; or both or, if the defendant is a corporation, a fine of not less than \$1,000.00 or not fewer than 500 hours of community service or both for each such hoax device or replica; provided, however, that if such person communicates or transmits to another that such hoax device or replica is a destructive device or detonator with the intent to obtain the property of another person or to interfere with the ability of another person to conduct or carry on the ordinary course of business, trade, education, or government, such violation shall be punished by imprisonment for not less than one year nor more than five years or by a fine of not more than \$25,000.00; or both or, if the defendant is a corporation, a fine of not less than \$50,000.00 or not fewer than 1,000 nor more than 10,000 hours of community service or both for each such hoax device or replica.

16-7-86.

It shall be unlawful for any person to attempt or conspire to commit any offense prohibited by this article. Any person convicted of a violation of this Code section shall be punished by imprisonment or community service; by a fine; or by both such punishments not to exceed the maximum punishment prescribed for the offense the commission of which was the object of the attempt or conspiracy.

16-7-87.

It shall be unlawful for any person knowingly to hinder or obstruct any explosive ordinance technician, law enforcement officer, fire official, emergency management official, animal trained to detect destructive devices, or any robot or mechanical device designed or utilized by a law enforcement officer, fire official, or emergency management official of this state or of the United States in the detection, disarming, or destruction of a destructive device. Any person convicted of a violation of this Code section shall be punished as provided in subsection (b) of Code Section 16-10-24.

16-7-88.

(a) If a violation of this article was done with the intent to cause death or bodily injury to another or to cause physical damage to any public building which would require an expenditure of more than \$500.00 to repair or replace, the court shall sentence the defendant to imprisonment for a term of years of not less than one-half the maximum term of imprisonment authorized by law, and no part of such sentence shall be probated, deferred, suspended or withheld.

(b) Any other provision of law to the contrary notwithstanding, no person sentenced under the provision of subsection (a) of this Code section shall be eligible for early release, leave, work release, earned time, good time, or any other program administered by any agency of the executive or judicial branches of this state which would have the effect of reducing or mitigating such sentence until the defendant has completed the minimum sentence provided by subsection (a) of this Code section.

16-7-89.

Each violation of the provisions of this article shall be considered a separate offense.

16-7-90.

It shall be the duty of any person authorized by paragraph (1) or (2) of Code Section 16-7-93 to manufacture, possess, transport, distribute, or use a destructive device, detonator, explosive, or hoax device within the state:

(1) To maintain such records as may be required pursuant to Title 25. Such records may be inspected by the commissioner or the director or such officers' designee or any law enforcement officer or fire official during normal business hours; and

(2) To report promptly the loss or theft of any destructive device, detonator, explosive, or hoax device to the Georgia Bureau of Investigation.

16-7-91.

The commissioner or director or such officers' designees or any law enforcement officer or fire official may obtain an inspection warrant as provided in Code section 25-2-22.1 to conduct a search or inspection of:

- (1) Any person licensed pursuant to Title 25 to manufacture, possess, transport, sell, distribute, or use a destructive device or detonator within the state;
- (2) Any person licensed pursuant to Chapter 7 of Title 2 to manufacture, possess, transport, sell, or distribute or use pesticides; or
- (3) Any property where such pesticide, destructive device, or detonator is manufactured, possessed, transported, distributed, or used.

16-7-92.

In any case where there is reason to believe that a destructive device, detonator, explosive, or hoax device has been manufactured, possessed, transported, distributed or used in violation of this article or Title 25 or that there has been an attempt or a conspiracy to commit such a violation, the Attorney General, any district attorney, the director, or such persons as may be designated in writing by such officials shall have the same power to compel the attendance of witnesses and the production of evidence before such official in the same manner as the state fire marshal as provided in Code Sections 25-2-27, 25-2-28 and 25-2-29.

16-7-93.

The provisions of Code Sections 16-7-82, 16-7-84, 16-7-85 and 16-7-86 shall not apply to:

- (1) Any person authorized to manufacture, possess, transport, distribute, or use a destructive device or detonator pursuant to the laws of the United States, as amended, or pursuant to Title 25 when such person is acting in accordance with such laws and any regulations issued pursuant thereto;
- (2) Any person licensed as a blaster by the commissioner pursuant to Chapter 8 of Title 25, when such blaster is acting in accordance with the laws of the state and any regulations promulgated thereunder and any ordinances and regulations of the political subdivision or authority of the state where blasting operations are being performed;
- (3) Fireworks, as defined by Code Section 25-10-1 and any person authorized by the laws of this state and of the United States to manufacture, possess, distribute, transport, store, exhibit, display, or use fireworks;
- (4) A law enforcement, fire service, or emergency management agency of this state, any agency or authority of a political subdivision of this state, or the United States and any employee or authorized agent thereof while in performance of official duties and any law enforcement officer, fire official, or emergency management official of the United States or any other state while attending training in this state;
- (5) The armed forces of the United States or of this state;
- (6) Research or educational programs conducted by or on behalf of a college, university, or secondary school which have been authorized by the chief executive officer of such educational institution or his or her designee and which is conducted in accordance with the laws of the United States and of this state;
- (7) The use of explosive materials in medicines and medicinal agents in forms prescribed by the most recent published edition of the official United States Pharmacopia or the National Formulary;
- (8) Small arms ammunition and components thereof;
- (9) Commercially manufactured black powder in quantities not to exceed fifty pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices; or
- (10) An explosive which is lawfully possessed in accordance with the rules adopted pursuant to Code Section 16-7-95.

16-7-94.

After consultation with the Commissioner of Agriculture or his or her designee, the Board of Public Safety may except by rule any explosive or quantity of explosive for

use in legitimate agricultural activities. A copy of any such rule shall be furnished to the Commissioner of Agriculture.

16-7-95.

(a) Any property which is used, intended for use, used to facilitate, derived from, or realized through a violation of this article shall be considered contraband and no property interest shall exist therein. Except as provided in subsection (b) of this Code section, such property may be seized and shall be forfeited to the state as provided in Code section 16-13-49.

(b) On application of the seizing law enforcement agency, the Superior Court may authorize the seizing law enforcement agency to destroy or transfer to any agency of this state or of the United States which can safely store or render harmless any destructive device, explosive, poison gas, or detonator which is subject to forfeiture pursuant to this Code section if the court finds that it is impractical or unsafe for the seizing law enforcement agency to store such destructive device, explosive, poison gas, or detonator. Such application may be made at any time after seizure. Any destruction authorized pursuant to this subsection shall be made in the presence of at least one credible witness or shall be recorded on film, video tape, or other electronic imaging method. Any such film, video tape, or other electronic imaging method shall be admissible as evidence in lieu of such destructive device, explosive, poison gas, or detonator. The court may also direct the seizing agency or an agency to which such destructive device, explosive, poison gas, or detonator is transferred to make a report of the destruction, take samples, or both.

16-7-96.

(a) Photographs, video tapes, or other identification or analysis of a destructive device, explosive, poison gas, or detonator duly identified by an explosive ordnance disposal technician or a person qualified as a forensic expert in the area of destructive devices shall be admissible in any civil or criminal trial in lieu of the destructive device or detonator.

(b) If a destructive device, explosive, poison gas, or detonator which has been rendered safe is introduced into evidence in any criminal or civil action, it shall be the duty of the clerk of court immediately to photograph the same and to transfer custody of the destructive device or detonator to the director or his or her designee or an explosive ordnance disposal technician.

16-7-97.

The provisions of this article shall not apply to:

- (1) Fertilizers, propellant actuated devices, or propellant activated industrial tools manufactured, imported, distributed, or used for their intended purposes; or
- (2) A pesticide which is manufactured, stored, transported, distributed, possessed, or used in accordance with Chapter 7 of Title 2, the federal Insecticide, Fungicide, and Rodenticide Act, 61 Stat. 163, as amended, and the federal Environmental Pesticide Control Act of 1972, Pub. L. 92-516, as amended."

SECTION 4.

Said title is further amended by striking in its entirety paragraph (5) of subsection (a) of Code Section 16-8-12, relating to penalties for certain offenses, and inserting in lieu thereof the following:

"(5)(A) As used in this paragraph, the term:

(i) 'Destructive device' means a destructive device as such term is defined by Code Section 16-7-80.

(ii) 'Explosive' means an explosive as such term is defined by Code Section 16-7-80.

(iii) 'firearm' 'Firearm' means any rifle, shotgun, pistol, or similar device which propels a projectile or projectiles through the energy of an explosive.

(B) If the property which was the subject of the theft offense was a destructive device, explosive, or firearm, by imprisonment for not less than one nor more than ten years."

SECTION 5.

Said title is further amended by striking in its entirety Code Section 16-10-28, relating to transmitting a false public alarm, and inserting in lieu thereof the following:

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“16-10-28.

(a) As used in this Code section, the term:

(1) ‘Destructive device’ means a destructive device as such term is defined by Code Section 16-7-80.

(2) ‘Hazardous substance’ means a hazardous substance as such term is defined by Code Section 12-8-92.

(b) A person who transmits in any manner a false alarm to the effect that a ~~bomb or other explosive~~ destructive device or hazardous substance of any nature is concealed in such place that its explosion, detonation, or release would endanger human life or cause injury or damage to property, knowing at the time that there is no reasonable ground for believing that such a ~~bomb or explosive~~ destructive device or hazardous substance is concealed in such place, commits the offense of transmitting a false public alarm and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years.”

SECTION 6.

Said title is further amended by striking in its entirety subsection (a) of Code Section 16-11-130, relating to exemptions from provisions relating to the carrying of a concealed weapon, and inserting in lieu thereof the following:

“(a) Code Sections 16-11-126 through 16-11-128 shall not apply to or affect any of the following persons if such persons are employed in the offices listed below or when authorized by federal or state law, regulations, or order:

(1) Peace officers;

(2) Wardens, superintendents, and keepers of correctional institutions, jails, or other institutions for the detention of persons accused or convicted of an offense;

(3) Persons in the military service of the state or of the United States;

(4) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract;

(5) District attorneys, investigators employed by and assigned to a district attorney’s office, and assistant district attorneys;

~~(5-1)~~(6) State court solicitors; investigators employed by and assigned to a state court solicitor’s office; assistant state court solicitors; the corresponding personnel of any city court expressly continued in existence as a city court pursuant to Article VI, Section X, Paragraph I, subparagraph (5) of the Constitution; and the corresponding personnel of any civil court expressly continued as a civil court pursuant to said provision of the Constitution;

~~(6)~~(7) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;

~~(7)~~(8) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;

~~(8)~~(9) Chief probation officers, probation officers, intensive probation officers, and surveillance officers employed by and under the authority of the Department of Corrections pursuant to Article 2 of Chapter 8 of Title 42, known as the ‘State-wide Probation Act,’ when specifically designated and authorized in writing by the director of Division of Probation;

~~(9)~~(10) Public safety directors of municipal corporations;

(11) Explosive ordnance disposal technicians, as such term is defined by Code Section 16-7-80, and persons certified as provided in Code Section 35-8-13 to handle animals trained to detect explosives, while in the performance of their duties.

~~(10)~~(12) State and federal trial and appellate judges;

~~(11)~~(13) United States Attorneys and Assistant United States Attorneys;

~~(12)~~(14) County medical examiners and coroners and their sworn officers employed by county government; and
~~(13)~~(15) Clerks of the superior courts.”

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SECTION 7.

Said title is further amended by striking in its entirety subsection (c) of Code Section 16-12-123, relating to bus or rail vehicle hijacking and related matters, and inserting in lieu thereof the following:

“(c) Any person who has on or about his or her person or who has placed, attempted to place, or attempted to have placed aboard such bus or rail vehicle any ~~bomb or similar explosive or incendiary~~ destructive device, as such term is defined by Code Section 16-7-80, shall be guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not less than one nor more than 20 years.”

SECTION 8.

Said title is further amended by striking in its entirety division (9)(A)(vi) of Code Section 16-14-3, relating to definitions relative to racketeer influenced organizations, and inserting in lieu thereof the following:

“(vi) ~~Article~~ Articles 3 and 4 of Chapter 7 of this title, relating to arson and destructive devices, respectively;”

SECTION 9.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by striking at the end of paragraph (7) of subsection (a) of Code Section 35-3-4, relating to the powers and duties of the Georgia Bureau of Investigation generally, the word “and”; by striking at the end of paragraph (8) of such subsection the symbol “.” and inserting in lieu thereof the symbol and word “; and”; and by inserting at the end of such subsection the following:

“(9) Identify and investigate violations of Article 4 of Chapter 7 of Title 16.”

SECTION 10.

Said title is further amended by inserting at the end of Chapter 8, relating to the employment and training of peace officers, the following:

“35-8-25.

(a)(1) Any person who is employed by an agency or authority of this state or an agency or authority of a political subdivision of this state as a bomb technician, explosive ordnance disposal technician, handler of an animal trained to detect explosives, or any person who is assigned to such duties shall be required to complete successfully a training program prescribed by the council which shall consist of an initial training program, an apprenticeship, and annual recertification.

(2) The council is authorized to award a distinctive device to persons certified as an explosive ordnance disposal technician or as a handler of an animal trained to detect explosives upon completion of the initial training program and apprenticeship period. The council may also establish and award distinctive devices for certified explosive ordnance disposal technicians who qualify as master or expert explosive ordnance disposal technicians. Such devices may be worn on any law enforcement officer's or fire official's uniform.

(b)(1) The head of any law enforcement agency which employs one or more certified bomb technicians, explosive ordnance disposal technicians, or handlers of animals trained to detect explosives may establish a mutual aid agreement with any other law enforcement agency for the purpose of assisting with the detection, rendering safe, and disposal of destructive devices as such term is defined by Code Section 16-7-80. Any such mutual aid agreement shall be subject to approval of the governing authority of such law enforcement agency.

(2) A political subdivision which is aided pursuant to this subsection shall reimburse the political subdivision providing the aid for any loss or damage to equipment other than fair wear and tear and shall pay any expenses incurred in the operation and maintenance of such equipment; provided, however, that no such claim shall be

allowed unless, within 60 days after the same is sustained or incurred, the political subdivision providing the aid provides to the chief financial officer of the political subdivision receiving the aid an itemized notice of the claim made under oath. The political subdivision which received the aid shall also pay and reimburse the political subdivision furnishing the aid for any overtime compensation paid to any employee furnished under this Code section during the time of the rendering of the aid and shall defray the actual traveling and maintenance expenses of any employee while such employee was engaged in rendering the aid. Such reimbursement shall include any amounts paid or due for compensation due to personal injury or death while such employee was engaged in rendering the aid.

(3) Unless otherwise expressly provided by its terms, a mutual aid agreement established pursuant to this subsection shall not be construed as superseding or amending any mutual aid agreement adopted pursuant to Chapter 6 of Title 25, Chapter 69 of Title 36, or Chapter 3 of Title 38 which applies to emergencies involving explosives or destructive devices.

(c)(1) Whenever a bomb technician, explosive ordnance disposal technician, or handler of an animal trained to detect explosive devices employed by an agency or authority of local government provides assistance at the request of a state agency or authority, such person shall be considered an employee of this state for the purposes of Code Section 50-21-22, subsection (3) of Code Section 34-9-1, and Code Section 45-9-3. Such person shall also be entitled to reimbursement by the requesting agency or authority for actual expenses incurred in the same manner as other employees of the agency or authority.

(2) A state agency or authority receiving assistance from an agency or authority of a local government shall reimburse such political subdivision for any loss or damage, other than fair wear and tear, to any equipment owned by such political subdivision. No claim for the loss, damage, or expense shall be allowed unless, within 60 days after the same is sustained or incurred, the local government submits an itemized notice of the claim under oath to the fiscal officer of the state agency or authority.

(3) A state agency or authority which receives aid from a local government shall also pay and reimburse such political subdivision for any overtime compensation paid to an employee furnished under this Code section during the time of the rendering of the aid. Such reimbursement shall include any amounts paid or due for compensation due to personal injury or death while such employee was engaged in rendering the aid.

(d) An employee of a political subdivision or agency or authority thereof who is engaged in the rendering of outside aid pursuant to a mutual aid agreement adopted pursuant to this Code section shall have the same powers, duties, rights, privileges, and immunities as if such employee was engaged in the performing of his or her duties in the political subdivisions in which he or she is normally employed."

SECTION 11.

This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or in which it becomes law without such approval.

SECTION 12.

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

The following amendments were read and adopted:

Representative Barnes of the 33rd moves to amend the Floor substitute to SB 636 as follows:

By adding after "sporting" on line 15 page 5 "or personal safety"

And by striking on line 15 page 5 "shotgun shells" and insert therein "ammunition"

Representative Barnes of the 33rd moves to amend the Floor substitute to SB 636 by striking in their entirety lines 12 through 18 of page 22 and inserting in lieu thereof the following:

“(a) All property which is subject to forfeiture pursuant to paragraph (9) of subsection (a) of Code Section 16-13-49 which is, directly or indirectly, used or intended for use in any manner to facilitate a violation of this article or any proceeds derived or realized therefrom shall be considered contraband. Except as provided in subsection (b) of this Code section, such property may be seized and shall be forfeited to the state as provided in Code Section 16-13-49. A property interest shall not be subject to forfeiture under this Code section if the owner of such interest or interest holder establishes any of the provisions of subsection (e) of Code Section 16-13-49.”

Representative Smith of the 19th moves to amend the Floor substitute to SB 636 as follows:

On page 21 line 37, strike the word power, and insert the powder.

The following amendment was read:

Representative Joyce of the 1st moves to amend the Floor substitute to SB 636 as follows:

Line 5, page 26 insert after “courts” the words “; and” followed on next line by

“(16) Current and former members of the Georgia General Assembly.”

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

N Allen	N Crews	Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	James	N Parsons	N Smyre
N Ashe	N Cummings	Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	Snow
N Baker	Y Davis, M	Y Johnson, G	N Pinholster	Stallings
Y Bannister	Y Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	N Ponder	N Stancil, S
N Bargeron	N DeLoach, G	Jones	Porter	N Stanley, L
N Barnard	Dix	Y Joyce	N Poston	N Stanley, P
N Barnes	N Dixon, H	Y Kaye	N Powell	N Stephenson
N Bates	E Dixon, S	N Kinnaman	N Purcell, A	Streat
N Benefield	Dobbs	Y Klein	N Purcell, B	Taylor
N Birdsong	Y Ehrhart	N Ladd	N Randall	N Teague
N Bordeaux	Epps	Y Lakly	Randolph	N Teper
N Bostick	Evans	N Lane	Ray	Thomas
N Breedlove	Y Falls	N Lawrence	N Reaves	Tillman
N Brooks, D	Felton	N Lee	N Reichert	Y Titus
N Brooks, T	N Floyd	N Lewis	N Roberts	Towery
Y Brown, J	N Godbee	Y Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	Twiggs
N Buckner	N Greene	Y Maddox	Y Sauder	N Walker, L
N Bunn	Y Grindley	Y Mann	N Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	Martin	N Shanahan	Y Wall
N Byrd	Y Harbin	N McBee	N Shaw	N Watson
N Campbell	Y Harris	N McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	N Mills	N Sinkfield	N White
N Channell	N Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
N Coker	N Holland	N Mosley	Y Smith, C.W	Y Williams, J
N Coleman, B	N Holmes	Y Mueller	N Smith, L	Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	N Woods
N Connell	N Hudson	N Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 35, nays 115.

The amendment was lost.

The following amendment was read and adopted:

Representative Johnson of the 84th moves to amend the Floor substitute to SB 636 as follows:

Page 21 line 36 after "and" add "reloading".

The Floor substitute, as amended, was adopted.

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

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

Y Allen	Y Crews	Y Irvin	Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 163, nays 0.

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

The following Bill of the Senate, having been previously read, was again taken up for consideration:

SB 210. By Senators Johnson of the 1st, Egan of the 40th and Johnson of the 2nd:

A bill to amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to provide that a marital relationship between the defendant and the alleged victim is not a defense to a charge of rape or aggravated sodomy; to provide that the law enforcement agency investigating an alleged rape or aggravated sodomy shall be financially responsible for the cost of a medical examination in the course of which evidence of the alleged crime is collected.

The following amendment was read:

Representative McKinney of the 51st moves to amend the Committee substitute to SB 210 by striking line 9 of page 1 and inserting in lieu thereof the following:

“collecting evidence of the alleged crime; to change the penalty provisions for persons who are convicted of statutory rape; to amend Title 17”

By striking line 35 of page 2 and inserting in lieu thereof the following:

“Said chapter is further amended in Code Section 16-6-3, relating to the crime of statutory rape, by striking subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

‘(b) A person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years; provided, further, that if the victim is 14 or 15 years of age and the person so convicted is no more than three years older than the victim, such person may, in the discretion of the court, shall be punished as for guilty of a misdemeanor.’

SECTION 4.

Title 17 of the Official Code of Georgia Annotated, relating”

By renumbering Section 4 as Section 5.

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

Y Allen	N Crews	N Irvin	Y Parrish	N Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	N Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	N Jenkins	Y Perry	Y Snow
N Baker	N Davis, M	Y Johnson, G	N Pinholster	Y Stallings
Y Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargerone	N DeLoach, G	Y Jones	Y Porter	Y Stanley, L
N Barnard	N Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Powell	N Stephenson
Y Bates	E Dixon, S	N Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
N Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
N Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	N Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
Y Brooks, T	Y Floyd	N Lewis	Roberts	Towery
N Brown, J	Y Godbee	Lifsey	N Rogers	Y Trense
Brush	Y Golden	N Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
N Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
N Bunn	N Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	N Shanahan	E Wall
N Byrd	Y Harbin	Y McBee	N Shaw	Watson
Y Campbell	N Harris	McCall	Y Sherrill	N Watts
Y Canty	Y Heard	McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
N Coker	N Holland	Y Mosley	N Smith, C.W	N Williams, J
Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	N Smith, T	Y Yates
Y Crawford	Y Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 108, nays 55.

The amendment was adopted.

The following amendment was read:

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Representative Coleman of the 142nd, et al. move to amend the Committee substitute to SB 210 by striking line 15 of page 1 and inserting in lieu thereof the following:

“the information to be provided; to change the limitation for the crime of forcible rape; to provide for related”.

By striking line 36 of page 2 and inserting in lieu thereof the following:

“to criminal procedure, is amended in Code Section 17-3-1, relating to limitation on prosecutions, by striking in its entirety subsection (b) and inserting in lieu thereof the following:

‘(b) Prosecution for other crimes punishable by death or life imprisonment must be commenced within seven years after the commission of the crime ; provided, however, that prosecution for the crime of forcible rape must be commenced within 15 years after the commission of the crime.’

SECTION 4.

Said title is further amended by inserting a new chapter”

By renumbering Section 4 as Section 5.

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

N Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	N Culbreth	N James	Y Parsons	N Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
N Bailey	Y Davis, G	Y Jenkins	N Perry	Y Snow
N Baker	N Davis, M	N Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	N Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	Joyce	Y Poston	Y Stanley, P
N Barnes	Y Dixon, H	Y Kaye	Y Powell	N Stephenson
N Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Streath
N Benefield	Y Dobbs	N Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	N Randall	Teague
Y Bordeaux	N Epps	N Lakly	Y Randolph	N Teper
Y Bostick	Y Evans	Y Lane	N Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	N Tillman
Y Brooks, D	Y Felton	N Lee	N Reichert	N Titus
N Brooks, T	Y Floyd	N Lewis	Roberts	Towery
N Brown, J	Y Godbee	N Lifsey	N Rogers	Y Trense
N Brush	Y Golden	N Lord	Y Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	N Martin	N Shanahan	E Wall
Y Byrd	N Harbin	Y McBee	N Shaw	Y Watson
N Campbell	Y Harris	Y McCall	Y Sherrill	N Watts
N Canty	N Heard	Y McClintone	N Shipp	N Westmoreland
Y Carter	Y Heckstall	Y McKinney	N Simpson	N Whitaker
N Chambliss	Y Hegstrom	Y Mills	Sinkfield	N White
N Channell	Y Hembree	Y Mobley, B	N Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	N Smith, L	N Williams, R
Y Coleman, T	N Howard	Y O'Neal	Y Smith, P	N Woods
N Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 102, nays 64.

The amendment was adopted.

The Committee substitute, as amended, was adopted.

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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:

Y Allen	N Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L.
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	E Wall
N Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
N Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W.	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	N Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 163, nays 5.

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

By unanimous consent, SB 519 was postponed until tomorrow.

SB 640. By Senators Abernathy of the 38th, Oliver of the 42nd, Middleton of the 50th and others:

A bill to amend Article 1 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions applicable to the parent and child relationship generally, so as to change the provisions relating to visitation rights of grandparents; to provide for the appointment of a guardian ad litem and for the duties of such guardian ad litem under certain circumstances; to provide for the appointment of a mediator and the duties of such a mediator under certain circumstances.

The following Committee substitute was read:

A BILL

To amend Article 1 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to ~~general provisions~~ applicable to the parent and child relationship generally, so as to change the provisions relating to visitation rights of grandparents; to provide when original actions for grandparent visitation are not authorized; to require certain findings of the court before granting visitation rights to a grandparent; to provide for written findings of fact; to provide for the appointment of a guardian ad litem and mediation under certain circumstances; to provide for a determination of the issue of grandparent visitation rights through mediation or by the court; to provide for the compensation of the guardian ad litem and mediator; 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.

Article 1 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions applicable to the parent and child relationship generally, is amended by striking in its entirety Code Section 19-7-3, relating to visitation rights of grandparents, and inserting in lieu thereof a new Code Section 19-7-3 to read as follows:

“19-7-3.

(a) As used in this Code section, the term ‘grandparent’ means the parent of a parent of a minor child, the parent of a minor child’s parent who has died, and the parent of a minor child’s parent whose parental rights have been terminated.

(b) ~~Any~~ Except as otherwise provided in this subsection, any grandparent shall have the right to file an original action for visitation rights to a minor child or to intervene in and seek to obtain visitation rights in any action in which any court in this state shall have before it any question concerning the custody of a minor child, a divorce of the parents or a parent of such minor child, a termination of the parental rights of either parent of such minor child, or visitation rights concerning such minor child or whenever there has been an adoption in which the adopted child has been adopted by the child’s blood relative or by a stepparent, notwithstanding the provisions of Code Section 19-8-19. This subsection shall not authorize an original action where the parents of the minor child are not separated and the child is living with both of the parents.

(c) Upon the filing of an original action or upon intervention in an existing proceeding under subsection (b) of this Code section, the court may grant any grandparent of the child reasonable visitation rights ~~upon proof of special circumstances which make such visitation rights necessary to~~ if the court finds the health or welfare of the child would be harmed unless such visitation is granted, and if the best interests of the child would be served by such visitation. The court shall make specific written findings of fact in support of its rulings. There shall be no presumption in favor of visitation by any grandparent; ~~and the court shall have discretion to deny such visitation rights.~~ An original action requesting visitation rights shall not be filed by any grandparent more than once during any two-year period and shall not be filed during any year in which another custody action has been filed concerning the child. After visitation rights have been granted to any grandparent, the legal custodian, guardian of the person, or parent of the child may petition the court for revocation or amendment of such visitation rights, for good cause shown, which the court, in its discretion, may grant or deny; but such a petition shall not be filed more than once in any two-year period.

(d) If the court finds that the grandparent or grandparents can bear the cost without unreasonable financial hardship, the court may:

(1) Appoint a guardian ad litem for the minor child; and

(2) Assign the issue of visitation rights of a grandparent for mediation.

(e) In the event that the court does not order mediation or upon failure of the parties to reach an agreement through mediation, the court shall fix a time for the hearing of the issue of visitation rights of the grandparent or grandparents.”

SECTION 2.

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

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SECTION 3.

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

The following amendment was read:

Representative Bordeaux of the 151st moves to amend the Committee substitute to SB 640 as follows:

By adding on line 4, page 3 the following:

“Section 2

The trial court shall award reasonable attorney fees and costs of litigation to a respondent in an action filed pursuant to this act in the event the petitioner does not prevail.”

By renumbering Section 2 & 3 as Sections 3 & 4, respectively.

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

N Allen	Y Crews	Y Irvin	N Parrish	N Smith, W
N Anderson	N Culbreth	James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	N Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	N Stallings
N Bannister	Y Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargeron	N DeLoach, G	N Jones	N Porter	Y Stanley, L
N Barnard	Y Dix	Y Joyce	N Poston	N Stanley, P
N Barnes	N Dixon, H	N Kaye	N Powell	Y Stephenson
N Bates	E Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	N Klein	E Purcell, B	N Taylor
N Birdsong	Y Ehrhart	N Ladd	N Randall	Teague
Y Bordeaux	N Epps	N Lakly	N Randolph	N Teper
N Bostick	Y Evans	N Lane	N Ray	Y Thomas
Y Breedlove	Y Falls	N Lawrence	N Reaves	Y Tillman
Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	N Towerly
N Brown, J	Godbee	N Lifsey	N Rogers	N Trense
Y Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	N Sanders	Y Twiggs
N Buckner	N Greene	N Maddox	N Sauder	N Walker, L
Y Bunn	N Grindley	Y Mann	N Scoggins	N Walker, R.L
N Burkhalter	N Hanner	Martin	N Shanahan	N Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	N Sherrill	N Watts
Y Canty	N Heard	N McClinton	N Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	White
N Channell	N Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	Y Henson	N Mobley, J	N Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	Y Smith, C.W	N Williams, J
N Coleman, B	N Holmes	N Mueller	N Smith, L	N Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	N Yates
N Crawford	N Hugley	N Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 31, nays 139.

The amendment was lost.

The following amendments were read and adopted:

Representatives Bordeaux of the 151st and Lawrence of the 64th move to amend the Committee substitute to SB 640 as follows:

By adding on page 2, line 38, after the word "court" and before the word "may" the following:

" , at the sole expense of the petitioning grandparent or grandparents,"

Representative Barnes of the 33rd moves to amend the Committee substitute to SB 640 as follows:

By adding on line 4, page 3 the following:

Section 2

The trial court may award reasonable attorney fees and costs to a respondent in an action filed pursuant to this Act upon the finding that the petition is brought for the purpose of harassment or any other improper purpose.

By renumbering Section 2 & 3, Section 3 & 4 respectively.

The following amendment was read:

Representative Ehrhart of the 36th moves to amend the Committee substitute to SB 640 by striking in its entirety line 26 of page 2 and inserting in lieu thereof the following:

"any grandparent more than once during any two-year period"

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

N Allen	Y Crews	Y Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	N James	Y Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	Snow
N Baker	Y Davis, M	N Johnson, G	N Pinholster	N Stallings
N Bannister	Y Day	Y Johnson, J	Y Polak	N Stancil, F
Y Barfoot	N DeLoach, B	Y Johnston	N Ponder	N Stancil, S
N Bargeron	Y DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	N Dix	Y Joyce	Y Poston	N Stanley, P
N Barnes	Dixon, H	Y Kaye	N Powell	Y Stephenson
N Bates	E Dixon, S	N Kinnamon	N Purcell, A	Y Streat
N Benefield	Y Dobbs	Y Klein	E Purcell, B	N Taylor
N Birdsong	Y Ehrhart	Y Ladd	N Randall	Teague
Y Bordeaux	N Epps	Y Lakly	N Randolph	Y Teper
N Bostick	Y Evans	N Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	N Lawrence	N Reaves	N Tillman
Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	N Rogers	Y Trense
Y Brush	N Golden	Y Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
N Buckner	Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	N Walker, R.L
N Burkhalter	N Hanner	Martin	N Shanahan	N Wall
Y Byrd	Y Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	Y Sherrill	N Watts
N Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	N White
N Channell	N Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	Y Smith, C	Y Williams, B
Y Coker	N Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	N Smith, L	Y Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
N Connell	N Hudson	Y O'rock	N Smith, T	Y Yates
Y Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 67, nays 101.

The amendment was lost.

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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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	N Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamonn	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	E Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	Y Ladd	Y Randall	Teague
N Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	N McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Cbambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 159, nays 14.

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

SB 67. By Senator Farrow of the 54th:

A bill to amend Code Section 47-13-72 of the O.C.G.A., relating to spouses' benefit coverage under the District Attorneys' Retirement System, so as to provide that members of such retirement system may elect such benefits for a spouse who became a spouse while such member was a member by making such election prior to December 31, 1996, or six months subsequent to such marriage, whichever date is later.

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 Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	E Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 163, nays 0.

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

SB 530. By Senator Gillis of the 20th:

A bill to amend Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, so as to provide that it shall be unlawful to hunt while intoxicated; to define a certain term; to provide for blood alcohol concentration tests; to provide certain presumptions; to provide for an implied consent to test.

The following Committee substitute was read:

A BILL

To amend Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, so as to repeal a certain prohibition relating to hunting small game; provide that it shall be unlawful to hunt while intoxicated; to define a certain term; to provide for blood alcohol concentration tests; to provide certain presumptions; to provide for an implied consent to test; to provide that refusal to submit to such testing shall result in the revocation of hunting privileges; to provide for notice of rights; to provide for penalties; to provide for matters relative to the foregoing; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, is amended by striking in its entirety Code Section

27-3-1.1, relating to acts prohibited on wildlife management areas, and inserting in lieu thereof the following:

“27-3-1.1.

It shall be unlawful for any person on any wildlife management area owned or operated by the department:

- (1) To possess a firearm during a closed hunting season for that area unless such firearm is unloaded and stored in a motor vehicle so as not to be readily accessible;
- (2) To possess a loaded firearm in a motor vehicle during a legal open hunting season for that area;
- (3) To be under the influence of drugs, intoxicating liquors, beers, or wines. The determination of whether any person is under the influence of drugs or intoxicating liquors, beers, or wines may be made in accordance with Code Section ~~40-6-392~~ 27-3-7;
- (4) To hunt within 50 yards of any road which receives regular maintenance for the purpose of public vehicular access;
- (5) To target practice, except where an authorized shooting range is made available by the department, and then only in a manner consistent with the rules for shooting ranges promulgated by the board;
- (6) To drive a vehicle around a closed gate, cable, sign, or other structure or device intended to prevent vehicular access to a road entering onto or within such an area;
- (7) To hunt within any posted safety zone;
- (8) To camp upon or drive a motor vehicle over any permanent pasture or area planted in crops;
- (9) While hunting bears in any such area opened to bear hunting, to kill a female bear with cub(s) or to kill a cub weighing less than 75 pounds;
- (10) To fail to report the killing of a deer, bear, or turkey in the manner specified by the rules of the department for that wildlife management area on the date killed to the state game and fish checking station on the area;
- ~~(11) To hunt small game during a managed deer or turkey or bear hunt;~~
- ~~(12)~~(11) To construct any tree stand or to hunt from any tree stand except a portable or natural tree stand; or
- ~~(13)~~(12) To trap except with a special trapping permit issued by the department.”

SECTION 2.

Said article is further amended by striking in its entirety Code Section 27-3-7, relating to hunting while intoxicated, which reads as follows:

“27-3-7.

It shall be unlawful for any person to hunt in this state while under the influence of any drugs, intoxicating wines, beers, or liquor. A determination of whether the person is under the influence of drugs, intoxicating liquors, beers, or wines may be made in accordance with Code Section 40-6-392.”

and inserting in lieu thereof the following:

“27-3-7.

(a) As used in this Code section, the term ‘hunt’ or ‘hunting’ means the act of hunting, as such term is defined in Code Section 27-1-2, while in possession of or using a firearm, bow, or any other device which serves to launch a projectile.

(b) A person shall not hunt while:

- (1) Under the influence of alcohol to the extent that it is less safe for the person to hunt;
- (2) Under the influence of any drug to the extent that it is less safe for the person to hunt;
- (3) Under the combined influence of alcohol and any drug to the extent that it is less safe for the person to hunt;
- (4) The person’s alcohol concentration is 0.10 grams or more at any time within three hours after such hunting from alcohol consumed before such hunting ended; or
- (5) Subject to the provisions of subsection (c) of this Code section, there is any amount of marijuana or a controlled substance, as defined in Code Section 16-13-21,

present in the person's blood or urine, or both, including the metabolites and derivatives of each or both without regard to whether or not any alcohol is present in the person's breath or blood.

(c) The fact that any person is charged with violating this Code section is or has been legally entitled to use a drug shall not constitute a defense against any charge of violating this Code section; provided, however, that such person shall not be in violation of this Code section unless such person is rendered incapable of hunting safely as a result of using a drug other than alcohol which such person is legally entitled to use.

(d) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person in violation of subsection (b) of this Code section, evidence of the amount of alcohol or drug in a person's blood, urine, breath, or other bodily substance at the alleged time, as determined by a chemical analysis of the person's blood, urine, breath, or other bodily substance shall be admissible. Where such a chemical test is made, the following provisions shall apply:

(1) Chemical analysis of the person's blood, urine, breath, or other bodily substance, to be considered valid under this Code section, shall have been performed according to methods approved by the Division of Forensic Sciences of the Georgia Bureau of Investigation on a machine which was operated with all the electronic and operating components prescribed by its manufacturer properly attached and in good working order and by an individual possessing a valid permit issued by the Division of Forensic Sciences for this purpose. The Division of Forensic Sciences of the Georgia Bureau of Investigation shall approve satisfactory techniques or methods to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits, along with requirements for properly operating and maintaining any testing instruments, and to issue certificates certifying that instruments have met those requirements, which certificates and permits shall be subject to termination or revocation at the discretion of the Division of Forensic Sciences;

(2) When a person undergoes a chemical test at the request of a law enforcement officer, only a physician, registered nurse, laboratory technician, emergency medical technician, or other qualified person may withdraw blood for the purpose of determining the alcoholic content therein, provided that this limitation shall not apply to the taking of breath or urine specimens. No physician, registered nurse, or other qualified person or employer thereof shall incur any civil or criminal liability as a result of the medically proper obtaining of such blood specimens when requested in writing by a law enforcement officer;

(3) The person tested may have a physician or a qualified technician, chemist, registered nurse, or other qualified person of his or her own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The justifiable failure or inability to obtain an additional test shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer; and

(4) Upon the request of the person who shall submit to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to such person or such person's attorney. The arresting officer at the time of arrest shall advise the person arrested of his or her rights to a chemical test or tests according to this Code section.

(e) In the event of a hunting accident involving a fatality, the investigating coroner or medical examiner having jurisdiction shall direct that a chemical blood test to determine the blood alcohol concentration or the presence of drugs be performed on the dead person and that the results of such test be properly recorded on his or her report.

(f) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person hunting in violation of subsection (b) of this Code section, the amount of alcohol in the person's blood at the time alleged, as shown by chemical analysis of the person's blood, urine, breath, or other bodily substance, shall give rise to the following presumptions:

(1) If there was at that time a blood alcohol concentration of 0.05 grams or less, it shall be presumed that the person was not under the influence of alcohol, as prohibited by paragraphs (1), (2), and (3) of subsection (b) of this Code section;

(2) If there was at that time a blood alcohol concentration in excess of 0.05 grams but less than 0.08 grams, such fact shall not give rise to any presumption that the person was or was not under the influence of alcohol, as prohibited by paragraphs (1), (2), and (3) of subsection (b) of this Code section, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcohol, as prohibited by paragraphs (1), (2), and (3) of subsection (b) of this Code section;

(3) If there was at that time a blood alcohol concentration of 0.08 grams or more, it shall be presumed that the person was under the influence of alcohol, as prohibited by paragraphs (1), (2), and (3) of subsection (b) of this Code section; and

(4) If there was at that time or within three hours after hunting, from alcohol consumed before such hunting ended, a blood alcohol concentration of 0.10 or more grams, the person shall be in violation of paragraph (4) of subsection (b) of this Code section.

(g)(1) Any person who exercises the privilege of hunting in this state shall be deemed to have given consent, subject to subsection (d) of this Code section, to a chemical test or tests of his or her blood, breath, urine, or other bodily substances for the purpose of determining the presence of alcohol or any other drug, if arrested for any offense arising out of acts alleged to have been committed while such person was hunting in violation of subsection (b) of this Code section. Subject to subsection (d) of this Code section, the requesting law enforcement officer shall designate which test or tests shall be administered.

(2) At the time a chemical test or tests are requested, the arresting officer shall read to the person the following implied consent warning:

‘Georgia law requires you to submit to state administered chemical tests of your blood, breath, urine, or other bodily substances for the purpose of determining if you are under the influence of alcohol or drugs. If you refuse this testing and you are convicted of hunting while under the influence of alcohol or drugs, your privilege to hunt in this state will be suspended for a period of two years. Your refusal to submit to the required testing may be offered into evidence against you at trial. If you consent to the test, the results may be offered into evidence against you. After first submitting to the required state tests, you are entitled to additional chemical tests of your blood, breath, urine, or other bodily substances at your own expense and from qualified personnel of your own choosing. Will you submit to the state administered chemical tests of your (designate which tests) under the implied consent law?’

(h) Any person who is dead, unconscious, or otherwise in a condition rendering such person incapable of refusal shall be deemed not to have withdrawn the consent provided by subsection (g) of this Code section, and the test or tests may be administered, subject to subsection (d) of this Code section.

(i)(1) If a person refuses, upon the request of a law enforcement officer, to submit to a chemical test designated by the law enforcement officer as provided in subsection (g) of this Code section, no test shall be given; provided, however, that subject to the provisions of paragraphs (2) and (3) of this subsection, such refusal shall be admissible in any legal action; and provided, further, that upon conviction of a violation of subsection (b) of this Code section, in addition to any other punishment imposed, such person’s privileges to hunt in this state shall be suspended by operation of law for a period of two years. The fact that such person was not in possession of a valid hunting license at the time of the violation shall have no effect on the suspension of his or her hunting privilege.

(2) If in any legal action a party desires to present evidence of the refusal of a person charged with violating subsection (b) of this Code section to submit to a chemical test designated by a law enforcement officer as provided in subsection (g) of this Code section, the party desiring to present such evidence shall request the judge presiding over such legal proceeding to hold a hearing to determine the admissibility of such evidence after notice to the person alleged to have refused to submit to such testing and to the law enforcement officer.

(3) The scope of the hearing shall be limited to the following issues:

- (A) Whether the law enforcement officer had reasonable grounds to believe the person was hunting while under the influence of alcohol or a controlled substance and was lawfully placed under arrest for violating subsection (b) of this Code section;
- (B) Whether at the time of the request for the test or tests the officer informed the person of the person's implied consent rights and the consequence of submitting or refusing to submit to such test; and
- (C) Whether the person refused to submit to the test.
- (4) It shall be unlawful during any period of a person's hunting privilege suspension for such person to:
- (A) Hunt without a license in violation of Code Section 27-2-1;
- (B) Possess a current Georgia hunting license; or
- (C) Hunt in any situation where a hunting license is not required.
- (5) Any person convicted of hunting while intoxicated while his or her hunting privileges are suspended pursuant to this subsection shall be guilty of a misdemeanor of a high and aggravated nature and, upon conviction thereof, shall be punished by a fine of not more than \$5,000.00 or by imprisonment for not longer than 12 months or both."

SECTION 3.

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

The following amendments were read and adopted:

Representative Carter of the 166th moves to amend the Committee substitute to SB 530 as follows:

By striking all of the language after the word "misdemeanor" on line 7, page 8, and by putting a period after the word "misdemeanor" on line 7. page 8.

Representative Sauder of the 29th moves to amend the Committee substitute to SB 530 as follows:

Page 2, Line 18, Item 10, delete words "the killing of" and insert thereof "if he or she kills"

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:

Y Allen	Y Brush	Y Cummings	Y Greene	Johnson, G
Y Anderson	Y Buck	Y Davis, G	Y Grindley	Y Johnson, J
Y Ashe	Y Buckner	Y Davis, M	Y Hanner	Y Johnston
Y Bailey	Y Bunn	Y Day	Y Harbin	Y Jones
Y Baker	Y Burkhalter	DeLoach, B	Y Harris	Y Joyce
Y Bannister	Y Byrd	Y DeLoach, G	Y Heard	Y Kaye
Y Barfoot	Y Campbell	Y Dix	Y Heckstall	Y Kinnamon
Y Barger	Y Canty	Y Dixon, H	Y Hegstrom	Y Klein
Y Barnard	Y Carter	E Dixon, S	Y Hembree	Y Ladd
Y Barnes	Y Chambliss	Y Dobbs	Y Henson	Y Lakly
Y Bates	Y Channell	Y Ehrhart	Y Holland	Y Lane
Y Benefield	Y Childers	Y Epps	Y Holmes	Y Lawrence
Y Birdsong	Y Coker	Y Evans	Y Howard	Y Lee
Y Bordeaux	Y Coleman, B	Y Falls	Y Hudson	Y Lewis
Y Bostick	Y Coleman, T	Y Felton	Y Hugley	Y Lifsey
Y Breedlove	Y Connell	Y Floyd	Y Irvin	Y Lord
Y Brooks, D	Y Crawford	Y Godbee	Y James	N Lucas
Y Brooks, T	Y Crews	Y Golden	Y Jamieson	Y Maddox
Y Brown, J	Y Culbreth	Y Goodwin	Y Jenkins	Y Mann

Martin	Y Pinholster	Y Sauder	Y Snelling	Turnquest
Y McBee	Y Polak	Y Scoggins	Y Snow	Y Twiggs
Y McCall	Y Ponder	Y Shanahan	Y Stallings	Y Walker, L
Y McClinton	Y Porter	Y Shaw	Y Stancil, F	Y Walker, R.L
McKinney	Y Poston	Y Sherrill	Y Stancil, S	Y Wall
Y Mills	Y Powell	Y Shipp	Y Stanley, L	Y Watson
Y Mobley, B	Y Purcell, A	Y Simpson	Y Stanley, P	Y Watts
Y Mobley, J	E Purcell, B	Y Sinkfield	Y Stephenson	Y Westmoreland
Y Mosley	Y Randall	Y Skipper	Y Streat	Whitaker
Y Mueller	Y Randolph	Y Smith, C	Y Taylor	Y White
Y O'Neal	Y Ray	Y Smith, C.W	Y Teague	Wiles
Y Orrock	Y Reaves	Y Smith, L	Y Teper	Y Williams, B
Parham	Y Reichert	Y Smith, P	Y Thomas	Y Williams, J
Y Parrish	Y Roberts	Y Smith, T	Y Tillman	Y Williams, R
Y Parsons	Y Rogers	Y Smith, V	Y Titus	Y Woods
Y Pelote	Y Royal	Y Smith, W	Y Towery	Yates
Y Perry	N Sanders	Y Smyre	Y Trense	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 157, nays 2.

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

SB 53. By Senator Boshears of the 6th:

A bill to amend Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions applicable to penal institutions, so as to establish a program of registration for persons who have committed certain crimes against minors or who have committed sexually violent offenses; to define certain terms; to provide for a court determination of a sexually violent predator.

The following Committee substitute was read:

A BILL

To amend Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions applicable to penal institutions, so as to establish a program of registration for persons who have committed certain crimes against minors or who have committed sexually violent offenses; to define certain terms; to provide for a court determination of a sexually violent predator; to create the Sexual Offender Registration Review Board which will assist the court in determining which offenders are sexually violent predators; to provide procedures in connection with making such determinations; to provide for the appointment, terms of office, compensation, and duties of the members of such board; to provide for registration requirements upon release, parole, supervised release, or probation of certain offenders; to provide for registration with the Georgia Bureau of Investigation; to require certain state officials to perform certain duties; to provide that the Georgia Crime Information Center shall create certain criminal justice information systems to facilitate carrying out the provisions of this Act; to provide for the transfer of certain information to local law enforcement agencies, the Federal Bureau of Investigation, and law enforcement agencies in other states; to provide for continuing registration and verification through local law enforcement agencies; to require each sheriff to maintain a register of information concerning certain offenders based on information received from the Georgia Bureau of Investigation; to provide for verification of information; to provide for notification of sheriffs of changes of address of certain convicted persons; to provide for registration for changes of address to another state; to provide for length of registration; to provide a penalty for violations of this Act or for the provision of false information; to provide for release of information; to provide immunity to certain officials for good faith conduct; to provide for applicability with respect to another law; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions applicable to penal institutions, is amended by adding at the end thereof a new Code Section 42-1-12 to read as follows:

“42-1-12.

(a) As used in this Code section, the term:

(1) ‘Appropriate state official’ means:

(A) With respect to an offender who is sentenced to probation without any sentence of incarceration in the state prison system, the sentencing court;

(B) With respect to an offender who is sentenced to a period of incarceration in a prison under the jurisdiction of the Department of Corrections and who is subsequently released from prison or placed on probation, the commissioner of corrections or his or her designee; and

(C) With respect to an offender who is placed on parole, the chairperson of the State Board of Pardons and Paroles or his or her designee.

(2) ‘Board’ means the Sexual Offender Registration Review Board.

(3) ‘Conviction’ includes a final judgment of conviction entered upon a verdict or finding of guilty of a crime or upon a plea of guilty. Unless otherwise required by federal law, a defendant who is discharged without adjudication of guilt and who is not considered to have a criminal conviction pursuant to Article 3 of Chapter 8 of this title, relating to first offenders, shall not be subject to the registration requirements of this Code section.

(4)(A) ‘Criminal offense against a victim who is a minor’ means any criminal offense under Title 16 of this Code that consists of:

(i) Kidnapping of a minor, except by a parent;

(ii) False imprisonment of a minor, except by a parent;

(iii) Criminal sexual conduct toward a minor;

(iv) Solicitation of a minor to engage in sexual conduct;

(v) Use of a minor in a sexual performance;

(vi) Solicitation of a minor to practice prostitution; or

(vii) Any conduct that by its nature is a sexual offense against a minor.

(B) For purposes of this paragraph, conduct which is criminal only because of the age of the victim shall not be considered a criminal offense if the perpetrator is 18 years of age or younger.

(5) ‘Mental abnormality’ means a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.

(6) ‘Predatory’ means an act directed at a stranger or a person with whom a relationship has been established or promoted for the primary purpose of victimization.

(7) ‘Sexually violent offense’ means a conviction for violation of Code Section 16-6-1, relating to rape; Code Section 16-6-2, relating to aggravated sodomy; Code Section 16-6-4, relating to aggravated child molestation; Code Section 16-6-22.1, relating to sexual battery; or Code Section 16-6-22.2, relating to aggravated sexual battery; or an offense that has as its element engaging in physical contact with another person with intent to commit such an offense; or a conviction in a federal court or court of another state or territory for a felony offense which under the laws of this state would be classified as a violation of a Code section listed in this paragraph.

(8) ‘Sexually violent predator’ means a person who has been convicted on or after July 1, 1996, of a sexually violent offense and who suffers from a mental abnormality or personality disorder or attitude that places the person at risk of perpetrating any future predatory sexually violent offenses.

(b)(1)(A)(i) On and after July 1, 1996, a person who is convicted of a criminal offense against a victim who is a minor or who is convicted of a sexually violent offense shall register his or her name and current address; place of employment,

if any; the crime of which convicted; and the date released from prison or placed on parole, supervised release, or probation with the Georgia Bureau of Investigation for the time period specified in paragraph (1) of subsection (g) of this Code section. libtool.com.cn

(ii) A person who has previously been convicted of a criminal offense against a victim who is a minor or who has previously been convicted of a sexually violent offense and who is released from prison or placed on parole, supervised release, or probation on or after July 1, 1996, shall register his or her name and current address; place of employment, if any; the crime of which convicted; and the date released from prison or placed on parole, supervised release, or probation with the Georgia Bureau of Investigation for the time period specified in paragraph (1) of subsection (g) of this Code section.

(B) A person who is a sexually violent predator shall register the information required under subparagraph (A) of this paragraph with the Georgia Bureau of Investigation until such requirement is terminated under paragraph (2) of subsection (g) of this Code section.

(2)(A) A determination that a person is a sexually violent predator and a determination that a person is no longer a sexually violent predator shall be made by the sentencing court after receiving a report by the Sexual Offender Registration Review Board.

(B) The Sexual Offender Registration Review Board shall be composed of three professionals licensed under Title 43 of this Code and knowledgeable in the field of the behavior and treatment of sexual offenders. The members of such board shall be appointed by the commissioner of human resources for terms of four years with initial terms commencing September 1, 1996. After the initial terms specified in this subparagraph, members of the board shall take office on the first day of September immediately following the expired term of that office and shall serve for a term of four years and until the appointment of their respective successors. No member shall serve on the board more than two consecutive terms. Vacancies occurring on the board, other than those caused by expiration of a term of office, shall be filled in the same manner as the original appointment to the position vacated for the remainder of the unexpired term and until a successor is appointed. Members shall be entitled to an expense allowance and travel cost reimbursement the same as members of certain other boards and commissions as provided in Code Section 45-7-21.

(C) Upon a determination that an offender is guilty of a sexually violent offense, the court may request a report from the Sex Offender Registration Review Board as to the likelihood that the offender suffers from a mental abnormality or personality disorder that would make the person likely to engage in a predatory sexually violent offense. The report shall be requested as a matter of course for any offender with a history of sexually violent offenses. The court shall provide the Sex Offender Registration Review Board with any information available to assist the board in rendering an opinion. The board shall have 60 days from receipt of the court's request to respond with its report. Within 60 days of receiving the report, the court shall issue a ruling as to whether or not the offender shall be classified as a sexually violent predator. If the court determines the offender to be a sexually violent predator, such fact shall be communicated in writing to the appropriate state official and to the Georgia Bureau of Investigation.

(D) An offender who has been determined to be a sexually violent predator and who is required to register under this Code section may make application to the board to have such registration requirements terminated on the grounds that such person no longer suffers from a mental abnormality or personality disorder that would make the person likely to engage in a predatory sexually violent offense. Such an application may be made by the offender and heard by the board only after the offender has been released on parole or probation or from incarceration for a period of three years and not more than once every two years thereafter. If the board determines that such offender should no longer be classified as a sexually violent

predator, such information shall be forwarded to the sentencing court, where a final decision on the matter shall be rendered. If the court concurs with the board's recommendation, such information shall be forwarded to the Georgia Bureau of Investigation and the registration requirements of this Code section shall no longer apply to such offender. If such a determination is not made by the court to terminate the registration requirements, the offender shall be required to continue to comply with the registration requirements of this Code section.

(3)(A) If a person who is required to register under this Code section is released from prison or placed on parole, supervised release, or probation, the appropriate state official shall:

- (i) Inform the person of the duty to register and obtain the information required under subparagraph (b)(1)(A) for such registration;
- (ii) Inform the person that, if the person changes residence address, the person shall give the new address to the sheriff with whom the person last registered;
- (iii) Inform the person that, if the person changes residence to another state, the person shall register the new address with the sheriff with whom the person last registered, and that the person shall also register with a designated law enforcement agency in the new state not later than ten days after establishing residence in the new state if the new state has a registration requirement;
- (iv) Obtain fingerprints and a photograph of the person if such fingerprints and photograph have not already been obtained in connection with the offense that triggered the initial registration; and
- (v) Require the person to read and sign a form stating that the duty of the person to register under this Code section has been explained.

(B) In addition to the requirements of subparagraph (A) of this paragraph, for a person required to register under subparagraph (B) of paragraph (1) of this subsection, the appropriate state official shall obtain the name of the person; descriptive physical and behavioral information to assist law enforcement personnel in identifying the person; known current or proposed residence addresses of the person; place of employment, if any; offense history of the person; and documentation of any treatment received for any mental abnormality or personality disorder of the person; provided, however, that the appropriate state official shall not be required to obtain any information already on the criminal justice information system of the Georgia Crime Information Center.

(C) The Georgia Crime Information Center shall create criminal justice information system network transaction screens by which appropriate state officials shall enter original data required by this Code section. Screens shall also be created for sheriffs' offices for the entry of record confirmation data, changes of residence, employment or other pertinent data, and to assist in offender identification.

(c) The appropriate state official shall, within three days after receipt of information described in paragraph (3) of subsection (b) of this Code section, forward such information to the Georgia Bureau of Investigation. Once the data is entered into the Criminal Justice Information System by the appropriate state official or sheriff, the Georgia Crime Information Center shall immediately notify the sheriff of the county where the person expects to reside. The Georgia Bureau of Investigation shall also immediately transmit the conviction data and fingerprints to the Federal Bureau of Investigation. It shall be the duty of the sheriff of each county within this state to maintain a register of the names and addresses of all offenders whose names have been provided by the Georgia Bureau of Investigation to the sheriff under this Code section. The Georgia Bureau of Investigation shall establish operating policies and procedures concerning record ownership, quality, verification, modification, and cancellation and shall perform mail out and verification duties on a quarterly basis. The Georgia Bureau of Investigation shall send each month criminal justice information system network messages to sheriffs listing offenders due for verification. The bureau shall also create a photo image file from original entries and provide such entries to sheriffs to assist in offender identification and verification.

(d)(1) For a person required to register under subparagraph (b)(1)(A) of this Code section, on each anniversary of the person's initial registration date during the period

in which the person is required to register under this Code section the following applies:

- (A) The Georgia Bureau of Investigation shall mail a nonforwardable verification form to the last reported address of the person;
 - (B) The person shall be required as a condition of parole or probation to respond directly to the sheriff within ten days after receipt of the form;
 - (C) The verification form stating that the person still resides at the address last reported to the Georgia Bureau of Investigation shall be signed by the person and retained by the sheriff; and
 - (D) If the person fails to respond directly to the sheriff within ten days after receipt of the form, the person shall be in violation of this Code section unless the person proves that he or she has not changed the residence address.
- (2) The provisions of paragraph (1) of this subsection shall be applied to a person required to register under subparagraph (b)(1)(B) of this Code section, except that such person must verify the registration every 90 days after the date of the initial release on probation by the court or the initial release by the Department of Corrections or commencement of parole.
- (e) A change of address by a person required to register under this Code section reported to the Georgia Bureau of Investigation shall be immediately reported to the sheriff of the county where the person resides. The Georgia Bureau of Investigation shall, if the person changes residence to another state, notify the law enforcement agency with which the person must register in the new state if the new state has a registration requirement.
- (f) A person who has been convicted of an offense which requires registration under this Code section shall register the new address with a designated law enforcement agency in another state to which the person moves not later than ten days after such person establishes residence in the new state if the new state has a registration requirement.
- (g)(1) A person required to register under subparagraph (b)(1)(A) of this Code section shall continue to comply with this Code section until ten years have elapsed since the person was released from prison or placed on parole, supervised release, or probation.
- (2) The requirement of a person to register under subparagraph (b)(1)(B) of this Code section shall terminate upon a determination, made in accordance with paragraph (2) of subsection (b) of this Code section, that the person no longer suffers from a mental abnormality or personality disorder that would make the person likely to engage in a predatory sexually violent offense.
- (h) Any person who is required to register under this Code section and who fails to comply with the requirements of this Code section or who provides false information shall be guilty of a misdemeanor.
- (i) The information collected under the state registration program shall be treated as private data except that:
- (1) Such information may be disclosed to law enforcement agencies for law enforcement purposes;
 - (2) Such information may be disclosed to government agencies conducting confidential background checks;
 - (3) The Georgia Bureau of Investigation or any sheriff maintaining records required under this Code section is authorized to release relevant information collected under this Code section that is necessary to protect the public concerning a specific person required to register under this Code section, except that the identity of a victim of an offense that requires registration under this Code section shall not be released; and
 - (4) It shall be the responsibility of the sheriff maintaining records required under this Code section to enforce the criminal provisions of this Code section. The sheriff may request the assistance of the Georgia Bureau of Investigation upon his or her discretion.
- (j) Law enforcement agencies, employees of law enforcement agencies, members of the Sex Offender Registration Review Board, and state officials shall be immune from liability for good faith conduct under this Code section.

(k) The provisions of this Code section shall be in addition to and not in lieu of the provisions of Code Section 42-9-44.1, relating to conditions for parole of sexual offenders.

(l) The ~~Board of Public Safety~~ is authorized to promulgate rules and regulations necessary for the Georgia Bureau of Investigation and the Georgia Crime Information Center to implement and carry out the provisions of this Code section."

SECTION 2.

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

The following amendment was read and adopted:

Representatives Barnard of the 154th, Dobbs of the 92nd and Barnes of the 33rd move to amend the Committee substitute to SB 53 by striking from line 32 of page 1 the words "a penalty" and inserting in lieu thereof the word "penalties"

By adding on line 26 of page 9 between the word "misdemeanor" and the period the following:

"; provided, however, that upon the conviction of the third or subsequent offense under this subsection, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than three years"

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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	E Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 166, nays 0.

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

Representatives Lawrence of the 64th and Dobbs of the 92nd stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

SB 705. By Senators Madden of the 47th and Marable of the 52nd:

A bill to amend Chapter 10A of Title 43 of the Official Code of Georgia Annotated, the "Professional Counselors, Social Workers, and Marriage and Family Therapists Licensing Law," so as to change the prohibitions against using certain titles and designations; to change the provisions relating to eligibility for licensure; to change the provisions regarding licensure in marriage and family counseling; to provide for associate marriage and family therapists.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 166, nays 0.

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

SB 721. By Senators Turner of the 8th, Broun of the 46th, Harbison of the 15th and others:

A bill to amend Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, so as to specify qualifications and service level for certain personnel of the commissioner of banking and finance; to change provisions relating to various fees which the Department of Banking and Finance may charge; to change provisions relating to payment of certain deposits of and checks payable to intestate deceased persons.

The following amendment was read:

Representative Teper of the 61st, et al. move to amend SB 721 by striking from lines 4 through 12 on page 25 the following:

“that a mortgage lender licensed or registered under this article which is a subsidiary shall comply with this provision by annually providing a consolidated audited financial statement of its parent company and a financial statement, which may be unaudited, of the licensee or registrant which is prepared in accordance with generally accepted accounting principles.”,

and inserting in lieu thereof the following:

“that a:

(1) A mortgage lender licensed or registered under this article which is a subsidiary shall comply with this ~~provision~~ subsection by annually providing a consolidated audited financial statement of its parent company and a financial statement, which may be unaudited, of the licensee or registrant which is prepared in accordance with generally accepted accounting principles; and

(2) A mortgage lender who has been continuously in the mortgage lending business for at least ten years without committing any of the offenses listed in Code Section 7-1-1013 and who directly or indirectly makes, originates, purchases, or services 100 or fewer new mortgage loans per year shall only be required to submit an unaudited financial statement prepared in accordance with generally accepted accounting principles.

The department may by regulation establish minimum standards for audits and reports under this Code section.”

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

N Allen	Y Buck	Y Davis, M	N Harbin	Y Joyce
Y Anderson	N Buckner	Y Day	N Harris	N Kaye
N Ashe	N Bunn	DeLoach, B	Y Heard	N Kinnamon
N Bailey	Y Burkhalter	N DeLoach, G	N Heckstall	N Klein
Y Baker	N Byrd	N Dix	Y Hegstrom	N Ladd
N Bannister	N Campbell	Dixon, H	N Hembree	N Lakly
Y Barfoot	N Canty	E Dixon, S	Y Henson	N Lane
Y Bargerone	N Carter	Y Dobbs	Y Holland	Y Lawrence
N Barnard	N Chambliss	N Ehrhart	Y Holmes	N Lee
N Barnes	Y Channell	N Epps	N Howard	Y Lewis
N Bates	N Childers	N Evans	N Hudson	N Lifsey
N Benefield	N Coker	N Falls	N Hugley	N Lord
N Birdsong	N Coleman, B	N Felton	N Irvin	Lucas
N Bordeaux	N Coleman, T	N Floyd	N James	N Maddox
N Bostick	N Connell	Y Godbee	N Jamieson	Y Mann
Y Breedlove	N Crawford	N Golden	N Jenkins	N Martin
Brooks, D	N Crews	N Goodwin	N Johnson, G	Y McBee
Y Brooks, T	Y Culbreth	N Greene	N Johnson, J	Y McCall
N Brown, J	Y Cummings	N Grindley	N Johnson	Y McClinton
Brush	N Davis, G	Hanner	Y Jones	N McKinney

Y Mills	E Poston	N Shaw	N Stallings	Y Twiggs
Y Mobley, B	N Powell	Y Sherrill	N Stancil, F	N Walker, L
Y Mobley, J	N Purcell, A	N Shipp	N Stancil, S	N Walker, R.L
N Mosley	N Purcell, B	Y Simpson	N Stanley, L	N Wall
N Mueller	Y Randall	N Sinkfield	N Stanley, P	N Watson
Y O'Neal	Y Randolph	Y Skipper	Y Stephenson	N Watts
Y Orrock	N Ray	N Smith, C	N Streat	Y Westmoreland
Parham	N Reaves	N Smith, C.W	N Taylor	N Whitaker
N Parrish	N Reichert	N Smith, L	Teague	White
N Parsons	Y Roberts	Y Smith, P	Y Teper	N Wiles
N Pelote	Y Rogers	N Smith, T	N Thomas	N Williams, B
N Perry	N Royal	Y Smith, V	N Tillman	N Williams, J
N Pinholster	N Sanders	N Smith, W	N Titus	N Williams, R
Y Polak	N Sauder	N Smyre	N Towery	N Woods
N Ponder	N Scoggins	N Snelling	N Trense	N Yates
Y Porter	N Shanahan	N Snow	Y Turnquest	Murphy, Spkr

On the adoption of the amendment, the ayes were 49, nays 119.

The amendment was lost.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 170, nays 0.

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

SB 592. By Senators Perdue of the 18th, Thomas of the 10th, Johnson of the 1st and others:

A bill to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to provide that health benefit policies provide for the direct access of patients to services of an obstetrician or a gynecologist; to provide for disclosures; to provide for legislative intent and findings; to provide for a definition.

The following Committee substitute was read:

A BILL

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To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to provide that health benefit policies provide for the direct access of patients to services of an obstetrician or a gynecologist; to provide for disclosures; to provide for legislative intent and findings; to provide for definitions; to provide a short title; to provide an effective date; 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 "Women's Access to Health Care Act."

SECTION 2.

Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, is amended by adding a new Code section at the end thereof, to be designated Code Section 33-24-58, to read as follows:

"33-24-58.

(a) The General Assembly finds and declares that the specialty of obstetrics and gynecology is devoted to health care of women throughout their lifetimes.

(b) As used in this Code section, the term 'health benefit policy' means any individual or group plan, policy, or contract for health care services issued, delivered, issued for delivery, or renewed in this state by a health care corporation, health maintenance organization, accident and sickness insurer, fraternal benefit society, nonprofit hospital service corporation, nonprofit medical service corporation, or similar entity.

(c) No health benefit policy which is issued, delivered, issued for delivery, or renewed in this state on or after July 1, 1996, shall require as a condition to the coverage of services of an obstetrician or gynecologist who is within the health benefit policy network of health care providers that an enrollee, subscriber, or insured first obtain a referral from another physician; provided, however, that the services covered by this subsection shall be limited to those services defined by the published recommendations of the American College of Obstetricians and Gynecologists for training as an obstetrician or gynecologist, including but not limited to diagnosis, treatment, and referral.

(d) Each health benefit policy which is issued, delivered, issued for delivery, or renewed in this state on or after July 1, 1996, shall disclose to enrollees, subscribers, or insureds, in clear, accurate language, such person's right to direct access to obstetricians and gynecologists as provided in this Code section. Such information shall be disclosed to each such person at the time of enrollment or otherwise first becoming an enrollee, subscriber, or insured, and at least annually thereafter."

SECTION 3.

This Act shall become effective on July 1, 1996.

SECTION 4.

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

The following amendment was read and adopted:

Representative Martin of the 47th moves to amend the Committee substitute to SB 592 as follows:

By striking on lines 10-11 of page 2 the following:

"American College of Obstetricians and Gynecologist"

And inserting on lieu thereof the following:

“Accreditation Council for Graduate Medical Education”

The Committee substitute, as amended, was adopted.

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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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twigg
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 170, nays 0.

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

Pursuant to Rule 137 this is an explanation of my vote on SB 592 as the primary sponsor of this bill in the House. The bill as it passed the Senate was changed by the House Insurance Committee in two ways. First, coverage for services provided to an enrollee, subscriber, or insured by an obstetrician or gynecologist without a referral are those services provided by an obstetrician or gynecologist who is within the health benefit policy network of health care providers. Second, the services that can be provided under this section are limited to those services for which obstetricians and gynecologists are trained. This training includes four years of accredited, clinically oriented graduate medical education of which three years must be focused upon reproductive health care and ambulatory primary health care for women including health maintenance, disease prevention, diagnosis, treatment, consultation and referral.

I believe this is good public policy and voted for it for that reason.

/s/ Jim Martin

Representative
House District 47

HR 832. www.libtool.com.cn By Representative Williams of the 63rd:

A resolution urging the Metropolitan Atlanta Rapid Transit Authority (MARTA) to devise an adequate parking plan and provide preferential parking.

The following amendment was read and adopted:

The Committee on Transportation moves to amend HR 832 by striking lines 24 through 29 of page 1 and inserting in lieu thereof the following:

“Authority is urged to devise a plan to ensure that adequate parking is available and to report this plan to the Metropolitan”

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

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

Y Allen	N Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
N Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	E Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	N Towery
Y Brown, J	Godbee	Y Lifsey	Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	N Sauder	Y Walker, L
Bunn	N Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	N Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
N Coker	Y Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, as amended, the ayes were 141, nays 20.

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

SB 387. By Senators Taylor of the 12th, Brown of the 26th and Middleton of the 50th:

A bill to amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, so as to enact the Southern Regional Emergency Management Compact; to provide a short title; to provide for the purpose and authorities of said compact; to provide for general implementation; to provide for the responsibilities of each state which is a party to the compact; to provide for limitations; to provide for licenses and permits; to provide for liabilities and immunities.

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 Allen	Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	N Johnson, G	Y Pinholster	Y Stallings
N Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	N DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	E Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	E Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
N Breedlove	N Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towerly
N Brown, J	Y Godbee	Y Lifsey	Y Rogers	Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	Grindley	N Mann	Y Scoggins	N Walker, R.L.
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 146, nays 23.

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

SR 413. By Senators Dean of the 31st and Marable of the 52nd:

A resolution authorizing the conveyance of certain state owned real property located in Bartow County, Georgia, to the City of Cartersville.

The following Committee substitute was read and adopted:

A RESOLUTION

Authorizing the conveyance of certain state owned real property located in Bartow County, Georgia, to the City of Cartersville; authorizing the conveyance of certain state owned real

property located in Carroll County, Georgia; to provide an effective date; to repeal conflicting laws; and for other purposes.

WHEREAS: www.libtool.com.cn

(1) The State of Georgia is the owner of certain real property containing approximately 2.5 acres located in the City of Cartersville, Bartow County, Georgia;

(2) Said real property is described as follows:

All those certain tracts or parcels of land situate, lying and being in the City of Cartersville, Georgia, and in Land Lot 455 of Bartow County, Georgia, and being more particularly described as the depot tracts lying on either side of the mainline of the Western and Atlantic Railroad Valuation Map No. V2/S21 as filed in the State of Georgia Archives Building, Fulton County, Georgia, and being more particularly described on a map on file in the State Properties Commission (said tract or property shall be more particularly described by a plat of survey obtained by the City of Cartersville and presented to the State Properties Commission for approval);

(3) The State of Georgia currently has a portion of the above-described property leased to CSX Transportation, Inc., (formerly known as the Louisville and Nashville Railroad Company and Seaboard System Railroad) until December 31, 2019; and

(4) The City of Cartersville is interested in using the depot and adjoining property for public purposes; and

WHEREAS:

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

(2) Said real property is all that tract or parcel of land lying and being in the City of Carrollton, Carroll County, Georgia, containing approximately 1.73 acres and located in Land Lot 125 of the 10th Land District and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented by the grantee to the State Properties Commission for approval;

(3) Said property is under the custody of the Department of Natural Resources;

(4) The subject property is presently utilized by the Georgia Water and Waste Water Institute which is a nonprofit corporation;

(5) The City of Carrollton, Carroll County, conveyed the subject property to the state in 1976 for the consideration of \$10.00;

(6) The City of Carrollton, Carroll County, is desirous of obtaining the subject property in order to provide a public service; and

(7) The Department of Natural Resources has declared the property surplus to its needs and has recommended the property be conveyed to the City of Carrollton, Carroll County.

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 Bartow 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 2.

That the conveyance of the above-described real property shall be conditioned upon the lessee of the Western and Atlantic Railroad, CSX Transportation, Inc., (formerly known as the Louisville and Nashville Railroad Company, and Seaboard System Railroad) conveying its interest in a portion of said property to the State of Georgia by appropriate instrument.

SECTION 3.

That the conveyance of the above-described real property shall be conditioned upon the City of Cartersville releasing its interest in that portion of the above-described property presently leased to the City of Cartersville by CSX Transportation, Inc.

SECTION 4.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to convey the above-described real property by appropriate instrument to the City of Cartersville for a consideration of \$10.00 as long as the property is utilized for public purposes and upon such further considerations, terms, and conditions as directed by the State Properties Commission.

SECTION 5.

That the above-described real property is conveyed only for public purposes by the City of Cartersville and its successors and assigns to continue to use the said property for public purposes; and, should said property be permanently abandoned or the use thereof for public purposes be permanently discontinued, said real property shall revert to the State of Georgia.

SECTION 6.

That the conveyance of said property shall be conditioned upon the City of Cartersville constructing a railroad depot facility to the requirements of CSX Transportation, Inc., as replacement for subject property depot and the deeding of such depot to the State of Georgia as consideration for the State of Georgia and CSX Transportation, Inc., vacating the present depot site.

SECTION 7.

That if the City of Cartersville determines the need to convey all or a portion of the above-described property to a private person or corporation or other entity, then, before any such disposition, the State Properties Commission shall have first approved both the disposition and the monetary consideration for said disposition, which consideration shall not be less than the fair market value of such property. Any such State Properties Commission approval shall be conditioned on said monetary consideration, less any incurred expenses of disposition which have been approved by the State Properties Commission, being received and deposited by the State Properties Commission into the treasury of the State of Georgia.

SECTION 8.

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

SECTION 9.

That the authorization in this resolution to convey the above-described property to the City of Cartersville shall expire April 30, 1999.

ARTICLE II.
SECTION 10.

That the State of Georgia is the owner of the above-described real property 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 11.

That the above-described real property shall be conveyed by appropriate instrument to the City of Carrollton, Carroll County, by the State of Georgia, acting by and through the State Properties Commission, for a consideration of \$10.00, so long as the property is used for public purposes, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 12.

That the authorization in this resolution to convey the above-described property to the City of Carrollton, Carroll County, shall expire three years after the date that this resolution becomes effective.

SECTION 13.

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

SECTION 14.

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

ARTICLE III.
SECTION 15.

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

SECTION 16.

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 ayes were 103, nays 0.

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

SB 657. By Senators Ragan of the 11th, Cagle of the 49th and Guhl of the 45th:

A bill to amend Chapter 12 of Title 2 of the Official Code of Georgia Annotated, relating to commercial fertilizers, liming materials, and soil amendments, so as to revise, modernize, and supersede the law relating to liming materials; to provide for a short title; to provide for definitions; to regulate the sale and distribution of agricultural liming materials in this state; to provide for administration.

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

On the passage of the Bill, the ayes were 91, nays 0.

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

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SR 528. By Senator Perdue of the 18th:

A resolution authorizing the leasing of certain real property owned by the State of Georgia in Bibb County, Georgia.

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

On the adoption of the Resolution, the ayes were 92, nays 0.

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

HR 981. By Representatives Felton of the 43rd, Lane of the 146th, Barnes of the 33rd, Walker of the 141st, Smith of the 175th and others:

A resolution requesting Congress to devolve the unemployment insurance system back to state control.

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

On the adoption of the Resolution, the ayes were 100, nays 0.

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

SB 159. By Senators Clay of the 37th, Burton of the 5th and Boshears of the 6th:

A bill to amend Article 1 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions applicable to public health and morals and various offenses against public health and morals, so as to change the definition of the offense of contributing to the delinquency, unruliness, or deprivation of a minor.

The following Committee substitute was read and adopted:

A BILL

To amend Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against the person, so as to provide for first and second degrees of the offense of cruelty to children; to provide for penalties; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against the person, is amended by striking in its entirety Code Section 16-5-70, relating to cruelty to children, and inserting in lieu thereof the following:

“16-5-70.

(a) A parent, guardian, or other person supervising the welfare of or having immediate charge or custody of a child under the age of 18 commits the offense of cruelty to children in the first degree when such person willfully deprives the child of necessary sustenance to the extent that the child's health or well-being is jeopardized.

(b) Any person commits the offense of cruelty to children in the first degree when such person maliciously causes a child under the age of 18 cruel or excessive physical or mental pain. Any person commits the offense of cruelty to children in the second degree when such person intentionally allows a minor to witness the commission of a forcible felony.

(c) A person convicted of the offense of cruelty to children in the first degree as provided in this Code section shall be punished by imprisonment for not less than five nor more than 20 years.

(d) A person convicted of the offense of cruelty to children in the second degree shall be punished as for a misdemeanor upon the first or second conviction. Upon conviction of a third or subsequent offense of cruelty to children in the second degree, the defendant shall be guilty of a felony and shall be sentenced to a fine not less than \$1,000.00 nor more than \$5,000.00 or imprisonment for not less than one year nor more than three years or shall be sentenced to both fine and imprisonment."

SECTION 2.

This Act shall become effective on July 1, 1996, and shall apply to acts or omissions occurring after July 1, 1996.

SECTION 3.

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 ayes were 97, nays 0.

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

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Thursday, March 14, 1996**www.libtool.com.cn

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:

Allen	Coleman, B	Jamieson	Pelote	Snelling
Anderson	Culbreth	Jenkins	Perry	Snow
Ashe	Cummings	Johnson, G	Polak	Stallings
Bailey	Davis, G	Johnson, J	Ponder	Stancil, F
Bannister	Davis, M	Johnston	Porter	Stancil, S
Barfoot	DeLoach, B	Kaye	Powell	Stanley, P
Bargeron	DeLoach, G	Kinnamon	Purcell, B	Stephenson
Barnard	Dix	Klein	Randolph	Streat
Barnes	Dixon, H	Ladd	Ray	Taylor
Bates	Epps	Lakly	Reaves	Teper
Benefield	Evans	Lane	Reichert	Thomas
Birdsong	Felton	Lifsey	Rogers	Tillman
Bordeaux	Floyd	Lord	Royal	Titus
Bostick	Godbee	Maddox	Sanders	Towery
Brooks, T	Golden	Mann	Sauder	Trense
Brown, J	Greene	Martin	Shanahan	Turnquest
Brush	Harbin	McBee	Shaw	Twiggs
Buckner	Harris	McCall	Shipp	Walker, R.L
Bunn	Heard	McClinton	Simpson	Watts
Byrd	Hegstrom	Mills	Skipper	Whitaker
Campbell	Hembree	Mobley, J	Smith, C	Wiles
Canty	Holland	Mosley	Smith, C.W	Williams, B
Carter	Howard	Mueller	Smith, L	Williams, J
Chambliss	Hudson	O'Neal	Smith, P	Williams, R
Channell	Hugley	Parham	Smith, T	Yates
Childers	Irvin	Parrish	Smith, V	Murphy, Spkr
Coker	James	Parsons		

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

Representatives Pinholster of the 15th, Orrock of the 56th, Lewis of the 14th, Coleman of the 142nd, Buck of the 135th, Sherrill of the 62nd, Day of the 153rd, Lawrence of the 64th, Crews of the 78th, Roberts of the 162nd, Westmoreland of the 104th, Goodwin of the 79th, Joyce of the 1st, Crawford of the 129th, Sinkfield of the 57th, McKinney of the 51st, Mobley of the 69th, Smyre of the 136th, Teague of the 58th, Smith of the 174th, Dobbs of the 92nd, Heckstall of the 55th, Grindley of the 35th, Brooks of the 103rd, Burkhalter of the 41st and Jones of the 71st.

They wish to be recorded as present.

Prayer was offered by the Reverend William G. Hester, Pastor, Asbury Memorial United Methodist Church, Savannah, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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 Bill of the House was introduced, read the first time and referred to the committee:

HB 1906. By Representatives Culbreth of the 132nd and Buck of the 135th:

A bill to amend Article 1 of Chapter 3 of Title 19, relating to general provisions relative to marriage, so as to change provisions relating to marriage of applicants under the age of majority in certain circumstances; to provide for parental consent or parental agreement to support the pregnancy and child in certain circumstances.

Referred to the Committee on Judiciary.

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

HR 1292. By Representative Watson of the 139th:

A resolution creating the House Competitive Natural Gas Service Study Committee.

Referred to the Committee on Rules.

By unanimous consent, the following Bill and Resolutions of the House and Senate were read the second time:

HR 1256
SB 784
SR 621

Representative Childers of the 13th District, Chairman of the Committee on Health & Ecology, submitted the following report:

Mr. Speaker:

Your Committee on Health & Ecology 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 551 Do Pass

Respectfully submitted,
/s/ Childers of the 13th
Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker. www.libtool.com.cn

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills and Resolutions of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HB 1740	Do Pass, by Substitute	HB 1903	Do Pass
HB 1885	Do Pass	HB 1904	Do Pass
HB 1895	Do Pass	HB 1905	Do Pass
HB 1896	Do Pass	HR 1233	Do Pass
HB 1897	Do Pass	SB 731	Do Pass
HB 1898	Do Pass	SB 773	Do Pass, as Amended
HB 1899	Do Pass	SB 781	Do Pass, by Substitute
HB 1900	Do Pass	SB 783	Do Pass
HB 1901	Do Pass	SR 578	Do Pass, by Substitute
HB 1902	Do Pass		

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HOUSE RULES CALENDAR
THURSDAY, MARCH 14, 1996

Mr. Speaker and Members of the House:

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

SB 19 Textbooks relating to disclosure of contributions
(Newbill of the 56th)

SB 46 Lottery for Educ. Acct. appropriations for computer training
(Broun of the 46th)

SB 368 Rehabilitation Counselors exempt licensing, cert. requirements
(Madden of the 47th)

SB 446 Welfare Fraud definitions, penalties
(Boshears of the 6th)

SB 494 Controlled Substance Sale, Distribution trying upon accusation
(Oliver of the 42nd)

SB 495 Pharmacists licensing, adulterated drugs, etc.
(Madden of the 42nd)

SB 498 Trademarks prohibit forged, counterfeit
(Henson of the 55th)

SB 499 Elections bd. mbr. appt. to assume county elec. supt. duties
(Madden of the 47th)

SB 500 Water Pollution Control; cert. sewer system violations; penalty
(Langford of the 29th)

SB 516 Local Bds. of Ed. with Budget Deficit corrective action plan
(Griffin of the 25th)

SB 542 Professional Counselor License; exemp cert. Labor Dept employees
(Madden of the 47th)

SB 545 Land Bank Auth. dissolution, board
(Slotin of the 39th)

SB 563 Motor Veh. proof of insurance, cert. recently acquired veh.

- SB 567 (Taylor of the 12th) Local Govt. provisions on multiyear lease, purchase (Starr of the 44th)
- SB 584 State Employees proper, improper political activity (Henson of the 55th)
- SB 585 Alc. bev. sale, consumption on premises cert. counties (Broun of the 46th)
- SB 611 Deprived Child Removed from Home reunification services (Oliver of the 42nd)
- SB 624 Firearm Possession cert. exemptions (Bowen of the 13th)
- SR 457 Convey state prop., cert. counties (Starr of the 44th)
- SR 567 New Drug, Biologics Development petition Congress to facilitate (Ralston of the 51st)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Lee of the 94th
Chairman

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

HB 1740. By Representative Connell of the 115th:

A bill to amend an Act establishing the compensation of certain officials in Richmond County, so as to change the compensation of certain officials.

The following Committee substitute was read and adopted:

A BILL

To amend an Act establishing the compensation of certain officials in Richmond County, approved April 12, 1982 (Ga. L. 1982, p. 3941), as amended, particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6068), so as to change the compensation of certain officials; to provide for the payment of such compensation; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act establishing the compensation of certain officials in Richmond County, approved April 12, 1982 (Ga. L. 1982, p. 3941), as amended, particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6068), is amended by striking in its entirety Section 1 thereof and inserting in lieu thereof a new Section 1 to read as follows:

“SECTION 1.

(a) The following officials of Richmond County, Georgia, shall receive an annual salary, payable from the funds of Richmond County, Georgia, as follows:

(1) Clerk of superior court and state court.....	\$ 52,300.00
(2) Judge of the probate court.....	40,071.00
(3) Tax commissioner.....	58,600.00
(4) Judge of the state court.....	68,004.00
(5) Solicitor of the state court.....	32,000.00
(6) Coroner.....	46,000.00
(7) Judge of the civil court.....	51,267.00

(8) Associate judge of the civil court.....	51,852.00
(9) District attorney.....	14,904.00
(10) Judge of the superior court.....	19,981.00
(11) Sheriff.....	59,000.00

(b) The compensation provided for in subsection (a) of this section shall be paid in equal monthly installments.”

SECTION 2.

During calendar year 1996, the coroner shall receive in addition to his or her normal salary, the sum of \$6,000.00 to be paid in equal monthly installments beginning the month in which this Act becomes effective and paid through December, 1996.

SECTION 3.

Section 1 of this Act shall become effective on January 1, 1997. The remaining provisions of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

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 ayes were 93, nays 7.

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

HB 1885. By Representatives Poston of the 3rd and Snow of the 2nd:

A bill to amend an Act placing the judge of the probate court and the clerk of the Superior Court of Catoosa County on an annual salary in lieu of fees, so as to increase the clerical help allowance of the judge of the probate court and the clerk of the superior court.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1895. By Representatives Stallings of the 100th, Simpson of the 101st and Snelling of the 99th:

A bill to amend an Act providing a new charter for the City of Villa Rica, so as to change the corporate limits of the City of Villa Rica.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1896. By Representatives Walker of the 87th and Stancil of the 91st:

A bill to amend an Act incorporating the City of Social Circle, so as to change the maximum penalties in the recorder's court.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1897. By Representative Birdsong of the 123rd:

A bill to create the Twiggs County Recreation Authority.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1898. By Representative Holland of the 157th:

A bill to provide a new charter for the City of Sycamore.

The following substitute, offered by Representative Holland of the 157th, was read and adopted:

A BILL

To provide a new charter for the City of Sycamore; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for ordinances and codes; to provide for a mayor and mayor pro tempore and certain duties, powers, and other matters relative thereto; to provide for administrative affairs and responsibilities; to provide for boards, commissions, and authorities; to provide for a city attorney, a city clerk, a city treasurer, a city accountant, and other personnel and matters relating thereto; to provide for rules and regulations; to provide for a municipal court and the judge or judges thereof and other matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and procedures; to provide for the right of certiorari; to provide for elections; to provide for taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting, and appropriations; to provide for city contracts and purchasing; to provide for the conveyance of property; to provide for bonds for officials; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal a specific Act; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I INCORPORATION AND POWERS

SECTION 1.10.

Name.

The City of Sycamore, in Turner County, Georgia, is reincorporated by the enactment of this charter and is constituted and declared a body politic and corporate under the name and style Sycamore, Georgia, and by that name shall have perpetual succession.

SECTION 1.11.

Corporate boundaries.

- (a) The boundaries of this city shall be those existing on the earliest effective date of the adoption of this charter with such alterations as may be made from time to time in the manner provided by law. The boundaries of this city at all times shall be shown on a map, a written description, or any combination thereof, to be retained permanently in the office of city hall and to be designated, as the case may be: "Official Map (or Description) of the corporate limits of the City of Sycamore, Georgia." Photographic, typed, or other copies of such map or description certified by the city clerk shall be admitted as evidence in all courts and shall have the same force and effect as with the original map or description.
- (b) The city council may provide for the redrawing of any such map by ordinance to reflect lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes the entire map or maps which it is designated to replace.

SECTION 1.12.

Powers and construction.

- (a) This city shall have all powers possible for a city to have under the present or future Constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter. This city shall have all the powers of self-government not otherwise prohibited by this charter or by general law.
- (b) The powers of this city shall be construed liberally in favor of the city. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this city. These powers shall include, but not be limited to, the following:

- (1) Air and water pollution. To regulate the emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams or bodies of water within the corporate limits of the city;
- (2) Animal regulations. To regulate and license or to prohibit the keeping or running at large of animals and fowl and to provide for the impoundment of same if in violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane destruction of animals and fowl when not redeemed as provided by ordinance; and to provide punishment for violation of ordinances enacted under this charter;
- (3) Appropriations and expenditures. To make appropriations for the support of the government of the city; to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the city;
- (4) Building regulation. To regulate and to license the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air-conditioning codes; and to regulate all housing and building trades;
- (5) Business regulation and taxation. To levy and to provide for collection of license fees and taxes on privileges, occupations, trades, and professions; to license and regulate the same; to provide for the manner and method of payment of such licenses and taxes; and to revoke such licenses after due process for failure to pay any city taxes or fees;
- (6) Condemnation. To condemn property inside or outside the corporate limits of the city for present or future use and for any corporate purpose deemed necessary by the governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A. or such other applicable laws as are now or may hereafter be enacted;
- (7) Contracts. To enter into contracts and agreements with other governmental entities and with private persons, firms, and corporations;
- (8) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists within or outside the city and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

- (9) Fire regulations. To fix and establish fire districts and from time to time to extend, enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting; and to prescribe penalties and punishment for violations thereof;
- (10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection and disposal and other sanitary service charge, tax, or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business in the city benefiting from such services; to enforce the payment of such charges, taxes, or fees; and to provide for the manner and method of collecting such service charges;
- (11) General health, safety, and welfare. To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards;
- (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to powers and duties of the city and the general welfare of its citizens on such terms and conditions as the donor or grantor may impose;
- (13) Health and sanitation. To prescribe standards of health and sanitation and to provide for the enforcement of such standards;
- (14) Jail sentences. To provide that persons given jail sentences in the municipal court may work out such sentences in any public works or on the streets, roads, drains, and squares or other public property in the city; or to provide for commitment of such persons to any jail; or to provide for commitment of such persons to any county work camp or county jail by agreement with the appropriate county officials;
- (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control over all traffic, including parking upon or across the streets, roads, alleys, and walkways of the city;
- (16) Municipal agencies and delegation of power. To create, alter, or abolish departments, boards, offices, commissions, and agencies of the city and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to the same;
- (17) Municipal debts. To appropriate and borrow money for the payment of debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized by this charter or the laws of the State of Georgia;
- (18) Municipal property ownership. To acquire, dispose of, and hold in trust or otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the city;
- (19) Municipal property protection. To provide for the preservation and protection of property and equipment of the city and the administration and use of same by the public; and to prescribe penalties and punishment for violations thereof;
- (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including but not limited to a system of waterworks, sewers and drains, sewage disposal, gas works, electric light plants, transportation facilities, public airports, and any other public utility; and to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties and to provide for the withdrawal of service for refusal or failure to pay the same; and to authorize the extension of water, sewerage, and electrical distribution systems, and all necessary appurtenances by which such utilities are distributed, inside and outside the corporate limits of the city and to provide utility services to persons, firms, and corporations inside the corporate limits of the city as provided by ordinance;
- (21) Nuisance. To define a nuisance and provide for its abatement whether on public or private property;
- (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the authority of this charter and the laws of the State of Georgia;
- (23) Planning and zoning. To provide comprehensive city planning for development by zoning; and to provide subdivision regulation and the like as the city council deems necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;

(24) Police and fire protection. To exercise the power of arrest through duly appointed police officers and to establish, operate, or contract for a police and a fire-fighting agency;

(25) ~~Public hazards; removal.~~ To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;

(26) Public improvements. To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; and to provide any other public improvements inside or outside the corporate limits of the city; to regulate the use of public improvements; and, for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A. or such other applicable laws as are now or may hereafter be enacted;

(27) Public peace. To provide for the prevention and punishment of drunkenness, riots, and public disturbances;

(28) Public transportation. To organize and operate or contract for such public transportation systems as are deemed beneficial;

(29) Public utilities and services. To grant franchises or make contracts for public utilities and public services and to prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as such powers are not in conflict with valid regulations of the Georgia Public Service Commission;

(30) Regulation of roadside areas. To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights of way of streets and roads or within view thereof, within or abutting the corporate limits of the city; and to prescribe penalties and punishments for violations of such ordinances;

(31) Retirement. To provide and maintain a retirement plan for officers and employees of the city;

(32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the corporate limits of the city; and to negotiate and execute leases over, through, under, or across any city property or the right of way of any street, road, alley, and walkway or portion thereof within the corporate limits of the city for bridges, passageways, or any other purpose or use between buildings on opposite sides of the street and for other bridges, overpasses, and underpasses for private use at such location and to charge a rental therefor in such manner as may be provided by ordinance; and to authorize and control the construction of bridges, overpasses, and underpasses within the corporate limits of the city; and to grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities and for private use; and to require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

(33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining, and extending of a sewage disposal plant and sewerage system and to levy on those to whom sewers and sewerage systems are made available a sewer service fee, charge, or sewer tax for the availability or use of the sewers; to provide for the manner and method of collecting such service charges and for enforcing payment of the same; and to charge, impose, and collect a sewer connection fee or fees to those connected with the system;

(34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish, and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by others; and to provide for the separate collection of glass, tin, aluminum,

cardboard, paper, and other recyclable materials and to provide for the sale of such items;

(35) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops, ~~the manufacture, sale,~~ or transportation of any alcoholic beverages, and the use and sale of firearms; to regulate the transportation, storage, and use of combustible, explosive, and inflammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property; to regulate and control the conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; and to license, tax, regulate, or prohibit professional fortunetelling, palmistry, adult bookstores, and massage parlors;

(36) Special assessments. To levy and provide for the collection of special assessments to cover the costs for any public improvements;

(37) Taxes—ad valorem. To levy and provide for assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;

(38) Taxes—other. To levy and collect such other taxes as may be allowed now or in the future by law;

(39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to regulate the parking of such vehicles;

(40) Urban redevelopment. To organize and operate an urban redevelopment program; and

(41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; to exercise all implied powers necessary to execute all powers granted in this charter as fully and completely as if such powers were fully stated in this charter; and to exercise all powers now or in the future authorized to be exercised by other municipal governments under other laws of the State of Georgia; provided, however, that no listing of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

SECTION 1.13.

Exercise of powers.

All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or employees shall be carried into execution as provided by this charter. If this charter makes no provision, such shall be carried into execution as provided by ordinance or as provided by pertinent laws of the State of Georgia.

ARTICLE II GOVERNMENT STRUCTURE

SECTION 2.10.

City council creation; number; election.

The legislative authority of the government of this city, except as otherwise specifically provided in this charter, shall be vested in a city council to be composed of a mayor and five councilmembers. The city council established in this charter shall in all respects be a successor to and continuation of the city governing authority under prior law. The mayor and councilmembers shall be elected in the manner provided by this charter.

SECTION 2.11.

City councilmembers;

terms and qualifications for office.

The members of the city council shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or councilmember unless that person shall have been a resident of the city immediately prior

to the date of the election of mayor or members of the city council for a period of time as provided in Code Section 45-2-1 of the O.C.G.A.; each shall continue to reside therein during that person's period of service and to be registered and qualified to vote in municipal elections of this city.

SECTION 2.12.

Vacancy; filling of vacancies; suspensions.

(a) The office of mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this charter or the general laws of the State of Georgia. A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, as provided for in this charter.

(b) Upon the suspension from the office of mayor or councilmember in any manner authorized by the general laws of the State of Georgia, the city council or those remaining shall appoint a successor for the duration of the suspension. If the suspension becomes permanent, then the office shall become vacant and shall be filled for the remainder of the unexpired term, if any, as provided for in this charter.

SECTION 2.13.

Compensation and expenses.

The mayor and councilmembers shall receive compensation and expenses for their services as provided by ordinance.

SECTION 2.14.

Holding other office;

voting when personally interested.

(a) Except as authorized by law, no councilmember or the mayor shall hold any other city office or city employment during the term for which that person was elected.

(b) No member of the city council or the mayor shall vote upon, sign, or veto any ordinance, resolution, contract, or other matter in which that person is personally interested.

SECTION 2.15.

Inquiries and investigations.

The city council may make inquiries and investigations into the affairs of the city and conduct of any department, office, or agency thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the city council shall be punished as may be provided by ordinance.

SECTION 2.16.

General power and authority of the city council.

Except as otherwise provided by this charter, the city council shall be vested with all the powers of government of this city as provided by Article I of this charter.

SECTION 2.17.

Eminent domain.

The city council is empowered to acquire, construct, operate, and maintain public ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports, hospitals, and charitable, educational, recreational, sport, curative, corrective, detentive, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the city and to regulate the use thereof and, for such purposes, property may be condemned under procedures established under general law as applicable now or as provided in the future.

SECTION 2.18.

Organizational meetings.

The city council shall hold an organizational meeting on the second Thursday in January of each year following the year in which an election is held. The meeting shall be called to order by the city clerk and the oath of office shall be administered to the newly elected

members as follows: "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor) (councilmember) of this city and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and the United States of America." [AmericanLibtool.com.cn](http://www.AmericanLibtool.com.cn)

SECTION 2.19.

Meetings.

- (a) The city council shall hold regular meetings at such times and places as prescribed by ordinance.
- (b) Special meetings of the city council may be held on call of the mayor or three members of the city council. Notice of such special meeting shall be served on all other members personally, or by telephone personally, at least 24 hours in advance of the meeting. Such notice to councilmembers shall not be required if the mayor and all councilmembers are present when the special meeting is called. Such notice of any special meeting may be waived by a councilmember in writing before or after such a meeting and attendance at the meeting shall also constitute a waiver of notice on any business transacted in such councilmember's presence. Only the business stated in the call may be transacted at the special meeting.
- (c) All meetings of the city council shall be public to the extent required by law and notice to the public of special meetings shall be given as required by law.

SECTION 2.20.

Rules of procedure.

- (a) The city council shall adopt its rules of procedure and order of business consistent with the provisions of this charter and shall provide for the keeping of a journal of its proceedings, which shall be a public record.
- (b) All committees and committee chairpersons and officers of the city council shall be appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power to appoint new members to any committee at any time.

SECTION 2.21.

Quorum; voting.

- (a) The mayor or mayor pro tempore and three members of the council shall constitute a quorum and shall be authorized to transact the business of the city council. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal, but any member of the city council shall have the right to request a roll-call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of three councilmembers shall be required for the adoption of any ordinance, resolution, or motion.
- (b) In the event vacancies in office result in less than a quorum of councilmembers holding office, then the remaining councilmembers in office shall constitute a quorum and shall be authorized to transact the business of the city council. A vote of a majority of the remaining councilmembers shall be required for the adoption of any ordinance, resolution, or motion.

SECTION 2.22.

Ordinance form; procedures.

- (a) Every proposed ordinance should be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "The City Council of Sycamore hereby ordains ...," and every ordinance shall so begin.
- (b) An ordinance may be introduced by any councilmember and be read at a regular or special meeting of the city council. Ordinances shall be considered and adopted or rejected by the city council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided for in Section 2.24 of this charter. Upon introduction of any ordinance, the clerk shall as soon as possible distribute a copy to the mayor and each councilmember and shall file a reasonable number of copies in the office of the clerk and at such other public places as the city council may designate.

SECTION 2.23.

Action requiring an ordinance.

Acts of the city council which have the force and effect of law shall be enacted by ordinance. www.libtool.com.cn

SECTION 2.24.

Emergencies.

To meet a public emergency affecting life, health, property, or public peace, the city council may convene on call of the mayor or two councilmembers and may promptly adopt an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted, with or without amendment, or rejected at the meeting at which it is introduced, but the affirmative vote of at least two councilmembers or the mayor or mayor pro tempore and one councilmember shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency continues to exist. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

SECTION 2.25.

Codes of technical regulations.

(a) The city council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally, except that: (1) the requirements of subsection (b) of Section 2.21 of this charter for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and (2) a copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the city clerk pursuant to Section 2.26 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the city clerk for distribution or for purchase at a reasonable price.

SECTION 2.26.

Signing; authenticating;
recording; codification; printing.

(a) The clerk shall authenticate by the clerk's signature and record in full in a properly indexed book kept for that purpose all ordinances adopted by the city council.

(b) The city council shall provide for the preparation of a general codification of all the ordinances of the city having the force and effect of law. The general codification shall be adopted by the city council by ordinance and shall be published promptly, together with all amendments thereto and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as "The Code of the City of Sycamore, Georgia." Copies of the code shall be furnished to all officers, departments, and agencies of the city and made available for purchase by the public at a reasonable price as fixed by the city council.

(c) The city council shall cause each ordinance and each amendment to this charter to be printed as soon as practicable following its adoption, and the printed ordinances and charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the city council. Following publication of the first code under this charter and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for incorporation therein. The city council shall make such further arrangements

as deemed desirable with reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the code.

www.libtool.com.cn **SECTION 2.27.**

Election of mayor; forfeiture; compensation.

The mayor shall be elected and shall serve for a term of four years and until the mayor's successor is elected and qualified. The mayor shall be a qualified elector of this city and shall have been a resident of the city immediately preceding the mayor's election for a period of time as provided in Code Section 45-2-1 of the O.C.G.A. The mayor shall continue to reside in this city during the period of the mayor's service. The mayor shall forfeit the office of mayor on the same grounds and under the same procedure as for councilmembers. The compensation of the mayor shall be established in the same manner as for councilmembers.

SECTION 2.28.

Mayor pro tempore.

By a majority vote, the city council shall elect a councilmember to serve as mayor pro tempore. The mayor pro tempore shall assume the duties and powers of the mayor during the mayor's disability or absence. Any such disability or absence shall be declared by a majority vote of the city council.

SECTION 2.29.

Powers and duties of mayor.

The mayor shall:

- (1) Preside at all meetings of the city council;
- (2) Be the head of the city for the purpose of service of process and for ceremonial purposes and be the official spokesperson for the city and the chief advocate of policy;
- (3) Have the power to administer oaths and to take affidavits;
- (4) Sign as a matter of course on behalf of the city all written and approved contracts, ordinances, and other instruments executed by the city which by law are required to be in writing;
- (5) Vote on matters before the city council and be counted toward a quorum as any other councilmember;
- (6) Prepare and submit to the city council a recommended annual operating budget and recommended capital budget; and
- (7) Fulfill such other executive and administrative duties as the city council shall by ordinance establish.

SECTION 2.30.

Mayor pro tempore; selection; duties.

By a majority vote, the city council shall elect a councilmember to serve as mayor pro tempore. The mayor pro tempore shall preside at all meetings of the city council and shall assume the duties and powers of the mayor upon the mayor's disability or absence. In the event of the mayor's disability or absence, the mayor pro tempore shall be compensated at the same rate as the mayor. The city council by a majority vote shall elect a new presiding officer from among its members for any period in which the mayor pro tempore is disabled, absent, or acting as mayor. Any such absence or disability shall be declared by majority vote of all councilmembers.

ARTICLE III
ADMINISTRATIVE AFFAIRS

SECTION 3.10.

Administrative and service departments.

(a) Except as otherwise provided in this charter, the city council by ordinance shall prescribe the functions or duties and establish, abolish, or alter all nonelective offices, positions of employment, departments, and agencies of the city as necessary for the proper administration of the affairs and government of this city.

(b) Except as otherwise provided by this charter or by law, the directors of departments and other appointed officers of the city shall be appointed solely on the basis of their respective administrative and professional qualifications.

(c) All appointed officers and directors of departments shall receive such compensation as prescribed by ordinance.

(d) There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the direction and supervision of the mayor, be responsible for the administration and direction of the affairs and operations of that director's department or agency.

(e) All directors under the supervision of the mayor shall be nominated by the mayor with confirmation of appointment by the city council. The mayor may suspend or remove directors under the mayor's supervision. The director involved may appeal to the city council which, after a hearing, may override the mayor's action by a vote of three councilmembers.

SECTION 3.11.

Boards, commissions, and authorities.

(a) The city council shall create by ordinance such boards, commissions, and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the city council deems necessary and shall by ordinance establish the composition, period of existence, duties, and powers thereof.

(b) All members of the boards, commissions, and authorities of the city shall be appointed by the city council for such terms of office and in such manner as shall be provided by ordinance, except where other appointing authority, terms of office, or manner of appointment is prescribed by this charter or by law.

(c) The city council by ordinance may provide for the compensation and reimbursement for actual and necessary expenses of the members of any board, commission, or authority.

(d) Except as otherwise provided by charter or by law, no member of any board, commission, or authority shall hold any elective office in the city.

(e) Any vacancy on a board, commission, or authority of the city shall be filled for the unexpired term in the manner prescribed in this charter for original appointment, except as otherwise provided by this charter or by law.

(f) No member of a board, commission, or authority shall assume office until that person has executed and filed with the clerk of the city an oath obligating that person to perform faithfully and impartially the duties of that person's office. Such oath shall be prescribed by ordinance and administered by the mayor.

(g) Any member of a board, commission, or authority may be removed from office for cause by a vote of three members of the city council.

(h) Except as otherwise provided by this charter or by law, each board, commission, or authority of the city shall elect one of its members as chairperson and one member as vice chairperson and may elect as its secretary one of its own members or may appoint as secretary an employee of the city. Each board, commission, or authority of the city government may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or general law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the city.

SECTION 3.12.

City attorney.

The mayor shall nominate and the city council shall confirm and appoint a city attorney and shall provide for the payment of such attorney or attorneys for services rendered to the city. The city attorney shall be responsible for representing and defending the city in all litigation in which the city is a party; may be the prosecuting officer in the municipal court; shall at the option of the council attend the meetings of the city council as directed; shall advise the city council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be required of the city attorney by virtue of such person's position as city attorney.

SECTION 3.13.

City clerk.

The mayor shall nominate and the city council shall confirm and appoint a city clerk who shall not be a council member. The city clerk shall be custodian of the official city seal; maintain the city council's records as required by this charter; and perform such other duties as may be required by the city council.

SECTION 3.14.

City treasurer.

The mayor shall nominate and the city council shall confirm and appoint a city treasurer to collect all taxes, licenses, fees, and other moneys belonging to the city subject to the provisions of this charter and the ordinances of the city and to enforce all laws of Georgia relating to the collection of delinquent taxes and sale or foreclosure for nonpayment of taxes by the city. The city treasurer shall also be responsible for the general duties of a treasurer and fiscal officer.

SECTION 3.15.

City accountant.

The mayor shall nominate and the city council shall confirm and appoint a city accountant to perform the duties of an accountant.

SECTION 3.16.

Position classification and pay plans.

The mayor shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the city council for approval. Such plan may apply to all employees of the city and any of its agencies, departments, boards, commissions, or authorities. When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this section, elected and appointed city officials are not city employees. The city clerk, city treasurer, and city accountant shall receive such compensation as provided by the authority which appoints them to their respective offices.

SECTION 3.17

Personnel policies.

The city council shall adopt rules and regulations consistent with this charter concerning:

- (1) The method of employee selection and probationary periods of employment;
- (2) The administration of the position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan;
- (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected;
- (4) Such dismissal hearings as due process may require; and
- (5) Such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.

SECTION 3.18.

Consolidation of functions.

The council may consolidate any two or more of the positions of town clerk, town tax collector, and town accountant or any other positions or may assign the functions of any one or more of such positions to the holder or holders of any other positions. The council may adopt rules and regulations consistent with this charter concerning:

- (1) The method of selecting employees including, but not limited to, probationary periods of employment;
- (2) Establishment of position classifications and pay plans, methods of promotion and applications of service ratings, and transfer of employees within the classification plan;
- (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoffs shall be effected;
- (4) Such dismissal hearings as due process may require; and

- (5) Such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.

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**ARTICLE IV
JUDICIAL BRANCH**

SECTION 4.10.

Creation; name.

There shall be a court to be known as the Municipal Court of the City of Sycamore.

SECTION 4.11.

Chief judge; associate judge.

- (a) The municipal court shall be presided over by a chief judge and such part-time, full-time, or stand-by judges as shall be provided by ordinance. The method of selection and terms of such judges shall be provided by ordinance.
- (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless that person shall have attained the age of 21 years and shall be a member of the State Bar of Georgia. All judges shall be appointed by the city council.
- (c) Compensation of the judges shall be fixed by ordinance.
- (d) Judges may be removed for cause by a vote of three members of the city council.
- (e) Before assuming office, each judge shall take an oath, given by the mayor, that such judge will honestly and faithfully discharge the duties of the judge's office to the best of the judge's ability and without fear, favor, or partiality. The oath shall be entered in the minutes of the city council journal required in Section 2.20 of this charter.

SECTION 4.12.

Convening.

The municipal court shall be convened at regular intervals as provided by ordinance.

SECTION 4.13.

Jurisdiction; powers.

- (a) The municipal court shall try and punish violations of this charter, all city ordinances, and such other violations as provided by law.
- (b) The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$200.00 or ten days in jail.
- (c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for 90 days or both such fine and imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing, as now or hereafter provided by law.
- (d) The municipal court shall have authority to establish a schedule of fees to defray the cost of operations and shall be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to superior courts for violations of state law.
- (e) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before such court and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for that person's appearance and shall fail to appear at the time fixed for trial, that person's bond shall be forfeited by the judge presiding at such time and an execution issued thereon by serving the defendant and the defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the city or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.
- (f) The municipal court shall have the same authority as superior courts to compel the production of evidence in the possession of any party; to enforce obedience to its orders, judgments, and sentences; and to administer such oaths as are necessary.

(g) The municipal court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summonses, subpoenas, and warrants which may be served and executed by any officer as authorized by this charter or by law.

(h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of persons charged with offenses against any ordinance of the city, and each judge of the municipal court shall have the same authority as a magistrate of the state to issue warrants for offenses against state laws committed within the city.

(i) The municipal court is specifically vested with all the jurisdiction and powers throughout the geographic area of this city granted by law to municipal courts and particularly by such laws as authorize the abatement of nuisances and prosecution of traffic violations.

SECTION 4.14.

Certiorari.

The right of certiorari from the decision and judgment of the municipal court shall exist in all criminal cases and ordinance violation cases, and such certiorari shall be obtained under the sanction of a judge of the Superior Court of Turner County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

SECTION 4.15.

Rules for court.

With the approval of the city council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the city council may adopt in part or in toto the rules and regulations applicable to superior courts. The rules and regulations made or adopted shall be filed with the city clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to such proceedings.

ARTICLE V

ELECTIONS AND REMOVAL

SECTION 5.10.

Applicability of general law.

All primaries and elections shall be held and conducted in accordance with Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code," as now or hereafter amended.

SECTION 5.11.

Election of the city council and mayor.

(a) There shall be a municipal general election biennially on the Tuesday next following the first Monday in November.

(b) There shall be elected the mayor and three councilmembers at one election and at every other election thereafter. The remaining city council seats shall be filled at the election alternating with the first election so that a continuing body is created as provided for in the initial election held under this charter pursuant to Section 7.12 of this charter. Persons elected to such offices shall take office and begin their terms of office on the first day of January immediately following their election.

SECTION 5.12.

Election of councilmembers.

At any municipal election, the candidate receiving the highest number of votes shall fill the lowest numbered post to be filled at that election; the candidate receiving the second highest number of votes shall fill the next lowest numbered post to be filled at that election; and if applicable, the candidate receiving the third highest number of votes shall fill the third lowest numbered post to be filled at that election.

SECTION 5.13.

Special elections; vacancies.

In the event that the office of mayor or councilmember shall become vacant for any cause whatsoever, the city council or those remaining shall order a special election to fill the balance of the unexpired term of such official; provided, however, if such vacancy occurs

within 24 months of the expiration of the term of that office, the city council or those members remaining shall appoint a successor for the remainder of the term. In all other respects, the special election shall be held and conducted in accordance with Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code," as now or hereafter amended.

SECTION 5.14.

Other provisions.

Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe such rules and regulations as it deems appropriate to fulfill any options and duties under Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code."

SECTION 5.15.

Removal or suspension of officers.

The mayor or any councilmember may be removed or suspended from office in the manner provided by general law.

**ARTICLE VI
FINANCE**

SECTION 6.10.

Property tax.

The city council may assess, levy, and collect an ad valorem tax on all real and personal property within the corporate limits of the city that is subject to such taxation by the state and county. This tax is for the purpose of raising revenues to defray the costs of operating the city government, of providing governmental services, for the repayment of principal and interest on general obligations, and for any other public purpose as determined by the city council in its discretion.

SECTION 6.11.

Millage rate; due dates; payment methods.

The city council by ordinance shall establish a millage rate for the city property tax, a due date, and the time period within which these taxes must be paid. The city council by ordinance may provide for the payment of these taxes by installments or in one lump sum, as well as authorize voluntary payment of taxes prior to the time when due.

SECTION 6.12.

Occupation and business taxes.

The city council by ordinance shall have the power to levy such occupation or business taxes as are not denied by law. Such taxes may be levied on both individuals and corporations who transact business in this city or who practice or offer to practice any profession or calling in this city to the extent such persons have a constitutionally sufficient nexus to this city to be so taxed. The city council may classify businesses, occupations, professions, or callings for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in Section 6.18 of this charter.

SECTION 6.13.

Licenses; permits; fees.

The city council by ordinance shall have the power to require any individuals or corporations who transact business in this city or who practice or offer to practice any profession or calling in this city to obtain a license or permit for such activity from the city and pay a reasonable fee for such license or permit where such activities are not now regulated by general law in such a way as to preclude city regulation. Such fees may reflect the total cost to the city of regulating the activity and, if unpaid, shall be collected as provided in Section 6.18 of this charter. The city council by ordinance may establish reasonable requirements for obtaining or keeping such licenses as the public health, safety, and welfare necessitate.

SECTION 6.14.

Franchises.

The city council shall have the power to grant franchises for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, cable television, gas companies, transportation companies, and other similar organizations. The city council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, no franchise shall be granted for a period in excess of 35 years and no franchise shall be granted unless the city receives just and adequate compensation therefor. The city council shall provide for the registration of all franchises with the city clerk in a registration book kept by the city clerk. The city council may provide by ordinance for the registration within a reasonable time of all franchises previously granted.

SECTION 6.15.

Service charges.

The city council by ordinance shall have the power to assess and collect fees, charges, and tolls for sewers, sanitary and health services, or any other services provided or made available within and outside the corporate limits of the city for the total cost to the city of providing or making available such services. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.16.

Special assessments.

The city council by ordinance shall have the power to assess and collect the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners under such terms and conditions as are reasonable. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.17.

Construction; other taxes.

This city shall be empowered to levy any other tax allowed now or hereafter by law, and the specific mention of any right, power, or authority in this article shall not be construed as limiting in any way the general powers of this city to govern its local affairs.

SECTION 6.18.

Collection of delinquent taxes and fees.

The city council by ordinance may provide generally for the collection of delinquent taxes, fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by whatever reasonable means as are not precluded by law. This shall include providing for the dates when the taxes or fees are due; late penalties or interest; issuance and execution of fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city licenses for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.

SECTION 6.19.

General obligation bonds.

The city council shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the laws of the state. Such bonding authority shall be exercised in accordance with the laws governing bond issuance by municipalities in effect at the time such issue is undertaken.

SECTION 6.20.

Revenue bonds.

Revenue bonds may be issued by the city council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program, or venture for which they were issued.

SECTION 6.21.

Short-term loans.

The city may obtain short-term loans and must repay such loans not later than December 31 of each year, unless otherwise provided by law.

SECTION 6.22.

Fiscal year.

The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, agency, and activity of the city government.

SECTION 6.23.

Budget ordinance.

The city council shall provide an ordinance on the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvement program, and a capital budget, including requirements as to the scope, content, and form of such budgets and programs. The city council shall also comply with the budgeting and auditing provisions of Chapter 81 of Title 36 of the O.C.G.A.

SECTION 6.24.

Operating budget.

On or before a date fixed by the city council but not later than 30 days prior to the beginning of each fiscal year, the mayor shall submit to the city council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other comments and information as the mayor may deem pertinent. The operating budget, the capital improvements budget, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

SECTION 6.25.

Adoption.

(a) The city council may amend the operating budget proposed by the mayor, except that the budget as finally amended and adopted must provide for all expenditures required by state law or by other provisions of this charter and for all debt service requirements for the ensuing fiscal year. The total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues.

(b) The city council shall by ordinance adopt the final operating budget for the ensuing fiscal year not later than June 30 of each year. If the city council fails to adopt the budget by said date, the amounts appropriated for operation for the then current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated accordingly, until such time as the city council adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting out the estimated revenues in detail by sources and making appropriations according to fund and by organizational unit, purpose, or activity as set out in the budget preparation ordinance adopted pursuant to Section 6.23 of this charter.

(c) The amount set out in the adopted operating budget for each organizational unit shall constitute the annual appropriation for such, and no expenditure shall be made or encumbrance created in excess of the otherwise unencumbered balance of the appropriations or allotments thereof to which it is chargeable.

SECTION 6.26.

Levy of taxes.

Following adoption of the operating budget, the city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates set by such ordinance shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total

amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expense of the general government of this city.

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Changes in appropriations.

The city council by ordinance may make changes in the appropriations contained in the current operating budget at any regular meeting or special or emergency meeting called for such purposes, but any additional appropriations may be made only from an existing unexpended surplus.

SECTION 6.28.

Capital improvements.

(a) On or before the date fixed by the city council, but not later than 30 days prior to the beginning of each fiscal year, the mayor shall submit to the city council a proposed capital improvements budget with the mayor's recommendations as to the means of financing the improvements proposed for the ensuing fiscal year. The city council shall have the power to accept, with or without amendments, or reject the proposed program and proposed means of financing. The city council shall not authorize an expenditure for the construction of any building, structure, work, or improvement unless the appropriations for such project are included in the capital improvements budget, except to meet a public emergency as provided in Section 2.24 of this charter.

(b) The city council shall adopt by ordinance the final capital improvements budget for the ensuing fiscal year not later than June 30 of each year. No appropriations provided for in a prior capital improvements budget shall lapse until the purpose for which the appropriations were made shall have been accomplished or abandoned; provided, however, the mayor may submit amendments to the capital improvements budget at any time during the fiscal year, accompanied by the mayor's recommendations. Any such amendments to the capital improvements budget shall become effective only upon adoption by ordinance.

SECTION 6.29.

Audits.

There shall be an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the city council. The audit shall be conducted according to generally accepted accounting principles. Any audit of any funds by the state or federal government may be accepted as satisfying the requirements of this charter. Copies of all audit reports shall be available at printing costs to the public.

SECTION 6.30.

Procurement and property management.

No contract with the city shall be binding on the city unless:

- (1) It is in writing;
- (2) It is drawn or submitted and reviewed by the city attorney and, as a matter of course, is signed by the city attorney to indicate such drafting or review; and
- (3) It is made or authorized by the city council and such approval is entered in the city council journal of proceedings pursuant to Section 2.20 of this charter.

SECTION 6.31.

Purchasing.

The city council may by ordinance prescribe procedures for a system of centralized purchasing for the city.

SECTION 6.32.

Sale of property.

(a) The city council may sell and convey any real or personal property owned or held by the city for governmental or other purposes as now or hereafter provided by law.

(b) The city council may quitclaim any rights it may have in property not needed for public purposes upon report by the mayor and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the city has no readily ascertainable monetary value.

(c) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the city a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the city council may authorize the mayor to execute and deliver in the name of the city a deed conveying said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for the rights of way of said street, avenue, alley, or public place when such exchange is deemed to be in the best interest of the city. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

ARTICLE VII GENERAL PROVISIONS

SECTION 7.10.

Bonds for officials.

The officers and employees of this city, both elected and appointed, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the city council shall from time to time require by ordinance or as may be provided by law.

SECTION 7.11.

Prior ordinances.

All ordinances, resolutions, rules, and regulations now in force in the city not inconsistent with this charter are declared valid and of full effect and force until amended or repealed by the city council.

SECTION 7.12.

First election under this charter.

The mayor and councilmembers serving on the effective date of this Act shall continue to serve for the remainder of their terms and until their successors are duly elected and qualified. The successors to the mayor and three councilmembers whose terms expire on December 31, 1997, shall be elected at the municipal election held on the Tuesday next following the first Monday in November, 1997, and quadrennially thereafter. Each councilmember so elected shall be elected from city-wide Council Post 1, 2, or 3. Two councilmembers shall be elected at a municipal election held on the Tuesday next following the first Monday in November, 1999, and quadrennially thereafter. Each councilmember so elected shall be elected from city-wide Council Post 4 or 5. At the time of qualifying, each candidate shall declare which council post he or she seeks to represent. Such election shall be held in compliance with Chapter 2 of Title 21 of the Official Code of Georgia Annotated, the "Georgia Election Code."

SECTION 7.13.

Existing personnel and officers.

Except as specifically provided otherwise by this charter, all personnel and officers of this city and their rights, privileges, and powers shall continue beyond the time this charter takes effect for a period of 90 days before or during which time the existing city council shall pass a transition ordinance detailing the changes in personnel and appointed officers required or desired and arranging such titles, rights, privileges, and powers as may be required or desired to allow a reasonable transition.

SECTION 7.14.

Pending matters.

Except as specifically provided otherwise by this charter, all rights, claims, actions, orders, contracts, and legal or administrative proceedings shall continue, and any such ongoing work or cases shall be completed by such city agencies, personnel, or offices as may be provided by the city council.

SECTION 7.15.

Definitions and construction.

(a) Section captions in this charter are informative only and shall not be considered as a part thereof.

(b) The word "shall" is mandatory and the word "may" is permissive.

(c) The singular shall include the plural, the masculine shall include the feminine, and vice versa.

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SECTION 7.16.

Specific repealer.

An Act entitled "An Act to provide and establish a new charter for the Town of Sycamore, in the County of Turner," approved August 19, 1912 (Ga. L. 1912, p. 1424), and all amendatory Acts thereto are repealed.

SECTION 7.17

Effective date.

This Act shall become effective on July 1, 1996.

SECTION 7.18.

General repealer.

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, was agreed to, by substitute.

On the passage of the Bill, by substitute, the ayes were 93, nays 7.

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

HB 1899. By Representative Smith of the 19th:

A bill to amend an Act creating the Board of Commissioners of Dawson County, so as to change the provisions relating to the county manager.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1900. By Representatives Smith of the 169th and Mosley of the 171st:

A bill to amend an Act establishing the State Court of Pierce County, so as to provide for the compensation of the judge and solicitor.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1901. By Representatives Birdsong of the 123rd and Jenkins of the 110th:

A bill to amend an Act creating a new board of commissioners of Jones County, so as to change the provisions relating to the annual publication of the name, department, and salary of each county employee.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1902. By Representative Greene of the 158th:

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A bill to create the Board of Commissioners of Stewart County.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1903. By Representatives Poston of the 3rd and Snow of the 2nd:

A bill to amend an Act implementing the constitutional amendment creating the Catoosa County Development Authority, so as to change the number of voting members required to take action by the authority.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1904. By Representative Floyd of the 138th:

A bill to amend an Act providing for a new charter for the City of Hawkinsville, so as to provide for authority to lease or otherwise dispose of municipally owned property generally; to provide for authority to lease the Hawkinsville Harness Horse Training Facility.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HB 1905. By Representatives Smith of the 169th and Mosley of the 171st:

A bill to provide a new charter for the City of Offerman.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

HR 1233. By Representative Greene of the 158th:

A resolution creating the Stewart County Governmental Consolidation Study Committee.

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

On the adoption of the Resolution, the ayes were 93, nays 7.

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

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SB 731. By Senators Starr of the 44th and Glanton of the 34th:

A bill to be entitled an Act to provide a new charter for the City of Jonesboro; to provide for reincorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for inquiries and investigations.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

SB 781. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:

A bill to amend an Act providing for the appointment of the chief magistrate of the Magistrate Court of Clayton County, as amended, so as to provide for qualifications for the chief magistrate and magistrates.

The following Committee substitute was read and adopted:

A BILL

To amend an Act providing for the appointment of the chief magistrate of the Magistrate Court of Clayton County, approved March 21, 1984 (Ga. L. 1984, p. 4411), as amended, particularly by an Act approved April 5, 1993 (Ga. L. 1993, p. 4501), so as to provide for qualifications for the chief magistrate and magistrates; to provide for the number and appointment of magistrates; to provide for the salaries of the chief magistrate and other magistrates; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for the appointment of the chief magistrate of the Magistrate Court of Clayton County, approved March 21, 1984 (Ga. L. 1984, p. 4411), as amended, particularly by an Act approved April 5, 1993 (Ga. L. 1993, p. 4501), is amended by striking subsection (a) of Section 2 and inserting in lieu thereof the following:

“(a) The chief magistrate shall be elected by the voters of Clayton County at the general election next preceding the expiration of the term of the incumbent chief magistrate in a partisan election in the same manner as county officers are elected for a four-year term beginning on the first day of January following his or her election, as provided for in subsection (d) of Code Section 15-10-20 of the O.C.G.A. Successors to the chief magistrate shall likewise be elected quadrennially thereafter for terms beginning on the first day of January following their election. The chief magistrate shall have been a member in good standing of the State Bar of Georgia for at least three years prior to taking office and shall retain such membership as long as he or she remains in office.”

SECTION 2.

Said Act is further amended by inserting at the end of Section 2 the following:

“(c) In addition to the chief magistrate, there shall be up to two full-time and four part-time magistrates, dependent upon the appropriation of sufficient funds by the governing authority of Clayton County, appointed by the chief magistrate with the approval of a majority of the judges of the Superior Court of Clayton County. The chief magistrate shall be responsible for assigning duties among the magistrates. Each full-time or part-time magistrate first taking office after July 1, 1996, shall have been a member in good standing of the State Bar of Georgia for at least three years prior to taking office and shall retain such membership as long as he or she remains in office.

(d) The chief magistrate shall be compensated in the amount of \$65,000.00 per year, and each full-time magistrate shall be compensated in the amount of \$48,000.00 per year, such salaries to be paid in monthly installments from the funds of Clayton County. Each part-time magistrate shall be compensated in the amount of \$20.00 per hour for not more than 30 hours in any calendar week, such sum to be paid monthly from the funds of Clayton County.”

SECTION 3.

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 ayes were 93, nays 7.

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

SB 783. By Senator Cheeks of the 23rd:

A bill to amend an Act providing for the continued existence of the Richmond County Department of Health and for the management and control of such department by the Richmond County Board of Health, as amended, so as to change the composition of said board of health; to provide for appointments and terms of office.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

SB 773. By Senators Day of the 48th and Cagle of the 49th:

A bill to create the Forsyth County Water and Sewerage Authority; to authorize the authority to acquire, construct, add to, extend, improve, equip, operate, and maintain projects embracing sources of water supply, small watershed projects, works of improvements for watersheds, projects for watershed protection and flood control and prevention.

The following amendment was read and adopted:

The Committee on State Planning and Community Affairs Local moves to amend SB 773 by inserting at the end of line 30 on page 6 the following:

“provided, however, that the authority shall not have the power to enter into any inter-governmental contract which would cause an ad valorem tax to be levied on property within the corporate limits of the City of Cumming as such limits exist on July 1, 1996, without the express approval of the governing authority of such city;”

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

On the passage of the Bill, as amended, the ayes were 93, nays 7.

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

By unanimous consent, the following Resolution of the Senate was withdrawn from the Local Calendar and recommitted to the Committee on State Planning and Community Affairs Local:

SR 578. By Senator Cagle of the 49th:

A resolution to create the Gainesville-Hall County Task Force on Governmental Unification.

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

Mr. Speaker:

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

HB 449. By Representatives Shanahan of the 10th and Cummings of the 27th:

A bill to amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees' Retirement System of Georgia, so as to provide that members with prior service as a narcotics agent with the Georgia Bureau of Investigation shall be eligible to obtain creditable service for such prior service.

HB 655. By Representative Watson of the 139th:

A bill to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions concerning offenses involving dangerous instrumentalities and practices, so as to change the definition of the offense of destroying or injuring a police dog; to make it unlawful to knowingly and intentionally destroy or cause serious or debilitating physical injury to an accelerant detection dog.

HB 1283. By Representatives Lane of the 146th and Godbee of the 145th:

A bill to amend Code Section 31-7-75.1 of the Official Code of Georgia Annotated, relating to the requirement that proceeds from the sale of hospitals owned by political subdivisions or hospital authorities shall be held in trust for indigent care, so as to provide for an exception to such requirement when the hospital purchaser by contract agrees to fund commensurate indigent care.

HB 1367. By Representatives Coleman of the 142nd and Buck of the 135th:

A bill to amend Code Section 48-8-111 of the Official Code of Georgia Annotated, relating to procedures regarding the imposition of the special county 1 percent sales and use tax, so as to change the period of time which must elapse prior to resubmitting an imposition question.

HB 1388. By Representative Kinnamon of the 4th:

A bill to amend Title 11 of the Official Code of Georgia Annotated, known as the "Uniform Commercial Code," so as to revise provisions relating to negotiable instruments and bank deposits and collections; to change certain definitions; to provide that an explicit reservation of rights is not effective as to an accord and satisfaction.

HB 1398. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to change provisions relating to types of insurance; to change provisions relating to casualty insurance so that they shall refer to credit default insurance rather than credit insurance.

HB 1519. By Representative Davis of the 60th:

A bill to amend Article 3 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state symbols, so as to designate the official folk dance of the State of Georgia.

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 853. By Representative Coleman of the 142nd:

A resolution authorizing the conveyance of certain state owned real property located in Dodge County.

The Senate has adopted, as amended, by the requisite constitutional majority the following resolution of the House:

HR 734. By Representatives Buck of the 135th, Day of the 153rd, Jamieson of the 22nd, Skipper of the 137th, Royal of the 164th and others:

A resolution proposing an amendment to the Constitution so as to provide that intangible personal property may be a separate class of property for purposes of taxation; to authorize the repeal of any intangible personal property tax by general law without approval in a referendum.

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

HB 1030. By Representatives Chambless of the 163rd, Reichert of the 126th, Baker of the 70th, Martin of the 47th, Hart of the 116th and others:

A bill to amend Title 29 of the Official Code of Georgia Annotated, relating to guardians and wards, so as to repeal a provision that certain sales of property of wards shall be made under the rules and restrictions prescribed for sales by administrators of estates; to provide rules for public sales by guardians and sale of perishable property, property that is liable to deteriorate from keeping, property that is expensive to keep, real property, wild lands, livestock.

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

- HB 6. By Representatives Buck of the 135th, Royal of the 164th, Jamieson of the 22nd, Skipper of the 137th, Culbreth of the 132nd and others:

A bill to amend Chapter 6 of Title 48 of the Official Code of Georgia Annotated, relating to taxation of intangibles, so as to repeal the intangible personal property tax; to remove the limitation on the maximum amount of such tax payable with respect to any single note.

- HB 1101. By Representatives Buck of the 135th, Day of the 153rd, Jamieson of the 22nd, Skipper of the 137th, Royal of the 164th and others:

A bill to amend Title 48 of the Official Code of Georgia Annotated, known as the "Georgia Public Revenue Code," so as to repeal the intangible personal property tax; to change the definition of the term "intangible personal property" as it applies to said title; to change certain references to the intangible personal property tax laws; to provide that certain provisions of former laws relating to intangible personal property taxes shall be applicable to other provisions of law.

- HB 1317. By Representatives Poston of the 3rd, McBee of the 88th, Heard of the 89th, Scoggins of the 24th and Teper of the 61st:

A bill to amend Article 3 of Chapter 7 of Title 2 of the Official Code of Georgia Annotated, known as the "Georgia Pesticide Use and Application Act of 1976," so as to provide definitions; to require the posting of notices by certain governmental agencies concerning the application or use of pesticides or hazardous chemicals in certain buildings or any public park, schoolyard, or playground.

- HB 1487. By Representatives Buck of the 135th, Culbreth of the 132nd, Taylor of the 134th, Hugley of the 133rd, Smith of the 102nd and others:

A bill to amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to county and municipal excise tax levies on charges to the public for rooms, lodgings, and accommodations, so as to provide authorization with certain conditions for certain counties and municipalities to levy such tax.

The Senate has agreed to the House amendment to the following bills of the Senate:

- SB 613. By Senators Marable of the 52nd, Middleton of the 50th, Dean of the 31st and others:

A bill to amend Code Section 20-2-101 of the Official Code of Georgia Annotated, relating to appointment of school superintendents, so as to provide for appointments of school superintendents prior to the expiration of their contracts or terms and provide for vacancies; to provide when certain notices and announcements regarding the employment of such superintendents are not required.

- SB 671. By Senator Thomas of the 10th:

A bill to amend Article 3 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated, relating to physical examination of state employees, so as to change provisions relating to medical and physical fitness requirements for state employees and prospective state employees; to eliminate references to the State Employees' Health Service of the Department of Human Resources.

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

- SB 316. By Senators Tysinger of the 41st, Oliver of the 42nd and Broun of the 46th:
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A bill to amend Article 27 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, known as the "Georgia Trade Secrets Act of 1990," so as to change the definition of "trade secret"; to provide that information regarding actual or potential customers or suppliers is a trade secret without regard to the form of such information in certain circumstances.
- SB 493. By Senators Oliver of the 42nd, Starr of the 44th, Farrow of the 54th and others:
A bill to amend Code Section 19-15-4, relating to the Statewide Child Abuse Prevention Panel, so as to change the panel's attachment for administrative purposes; to change the agency providing staff support for the panel.
- SB 591. By Senators Thompson of the 33rd, Starr of the 44th and Kemp of the 3rd:
A bill to amend Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weight of vehicles and loads, so as to change the weight limitation on vehicles hauling solid waste and recovered materials.

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

- SR 64. By Senators Thompson of the 33rd, Hooks of the 14th, Perdue of the 18th and others:
A resolution proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the creation of enterprise zones by counties or municipalities; to provide for exemptions, credits, or reductions of taxes, or any combination thereof, within such zones with respect to taxes levied by a county or municipality; to provide for limitations and requirements; to provide for the submission of this amendment for ratification or rejection.

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

- SB 372. By Senators Tysinger of the 41st, Thomas of the 10th and Burton of the 5th:
A bill to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County, as amended, so as to provide for the Presiding Officer of the Commission and not the Chief Executive Officer to preside over and prepare the agenda for Commission meetings and authorize the Commission to contract for consultants and legal counsel.
- SB 785. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:
A bill to amend an Act entitled "An Act to reincorporate the City of Forest Park" in the County of Clayton, as amended, so as to change the corporate limits.

- SB 786. By Senator Griffin of the 25th:
A bill to amend an Act creating the Board of Commissioners of Hancock County, as amended, so as to change the provisions relating to per diem allowances of the chairperson and members of the board of commissioners; to provide an effective date.
- SB 788. By Senators Ragan of the 11th and Taylor of the 12th:
A bill to provide that the judge of the Probate Court of Baker County shall also serve as the chief magistrate of the Magistrate Court of Baker County; to provide for the compensation of such judge for service as chief magistrate; to provide an effective date.
- SB 787. By Senator Griffin of the 25th:
A bill to amend an Act placing the sheriff, the judge of the probate court, and the clerk of the superior court of Hancock County on annual salaries in lieu of the fee system of compensation so as to change the provisions relating to the personnel of the sheriff and the compensation thereof; to provide for budgets.

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

- HB 1707. By Representatives Lakly of the 105th and Westmoreland of the 104th:
A bill to provide a homestead exemption from certain ad valorem taxes levied by Fayette County for county purposes and to provide a homestead exemption from certain Fayette County School District ad valorem taxes for educational purposes.
- HB 1745. By Representatives Johnson of the 84th, Coleman of the 80th, Breedlove of the 85th and others:
A bill to amend an Act known as the "Gwinnett County Merit System Act" authorizing Gwinnett County and the governing authority thereof to appoint a Merit System Board, so as to change the qualifications for members of the Merit System Board.
- HB 1863. By Representatives Dixon of the 168th and Smith of the 169th:
A bill to amend an Act creating the State Court of Ware County, so as to change the term of office of the solicitor of said court.
- HB 1879. By Representative Powell of the 23rd:
A bill to create the City of Hartwell Recreation Authority.
- HB 1880. By Representatives Mann of the 5th, Kinnamon of the 4th and Lifsey of the 6th:
A bill to increase the homestead exemption from Whitfield County ad valorem taxes for county purposes and provide for conditions and procedures relating thereto.

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

HB 1502. By Representative Ashe of the 46th:

A bill to provide a new charter for the City of Atlanta.

HB 1447. www.libtool.com.cn
By Representative McKinney of the 51st:

A bill to re-create a system of state courts of limited jurisdiction for each city of this state having a population of 300,000 or more according to the United States decennial census of 1990 or any future such census so as to give to such courts jurisdiction to try offenses against the traffic laws of this state and offenses against traffic ordinances committed within the territorial jurisdiction of such cities.

HB 1682. By Representatives Orrock of the 56th, Irvin of the 45th, Baker of the 70th and Klein of the 39th:

A bill to amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions of local government law applicable to counties only, so as to provide procedures for a governing authority of a county with a population of 400,000 or more to appropriate money for and make grants or contributions to charitable organizations with activities in the county.

HB 1580. By Representative Crews of the 78th:

A bill to amend Article 1 of Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relating to marriage, so as to change the provisions relating to prerequisites to a valid marriage.

The Senate has adopted, as amended, by the requisite constitutional majority the following resolutions of the House:

HR 876. By Representative Jenkins of the 110th:

A resolution compensating Ms. Sylvia A. Cone.

HR 884. By Representative Davis of the 60th:

A resolution compensating Ms. Margaret C. Ritchie.

HR 973. By Representative Barnes of the 33rd:

A resolution compensating Mr. Terry Wanzer.

HR 1017. By Representative Holland of the 157th:

A resolution compensating Mr. Nathaniel A. Blakney.

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

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

HB 1788. By Representatives Hanner of the 159th and Baker of the 70th:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Water Quality Control Act," so as to provide the Board of Natural Resources with authority to promulgate regulations governing the discharge of pollutants into waters of the state.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the committees:

SB 372. By Senators Tysinger of the 41st and Thomas of the 10th:

A bill to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County, as amended, so as to provide for the Presiding Officer of the Commission and not the Chief Executive Officer to preside over and prepare the agenda for Commission meetings and authorize the Commission to contract for consultants and legal counsel.

Referred to the Committee on State Planning & Community Affairs Local.

SB 785. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:

A bill to amend an Act entitled "An Act to reincorporate the City of Forest Park" in the County of Clayton, as amended, so as to change the corporate limits.

Referred to the Committee on State Planning & Community Affairs Local.

SB 786. By Senator Griffin of the 25th:

A bill to amend an Act creating the Board of Commissioners of Hancock County, as amended, so as to change the provisions relating to per diem allowances of the chairperson and members of the board of commissioners; to provide an effective date.

Referred to the Committee on State Planning & Community Affairs Local.

SB 787. By Senator Griffin of the 25th:

A bill to amend an Act placing the sheriff, the judge of the probate court, and the clerk of the superior court of Hancock County on annual salaries in lieu of the fee system of compensation so as to change the provisions relating to the personnel of the sheriff and the compensation thereof; to provide for budgets.

Referred to the Committee on State Planning & Community Affairs Local.

SB 788. By Senators Ragan of the 11th and Taylor of the 12th:

A bill to provide that the judge of the Probate Court of Baker County shall also serve as the chief magistrate of the Magistrate Court of Baker County; to provide for the compensation of such judge for service as chief magistrate; to provide an effective date.

Referred to the Committee on State Planning & Community Affairs Local.

The Speaker Pro Tem assumed the Chair.

The following Resolutions of the House were read and adopted:

- HR 1280. By Representatives Jamieson of the 22nd, Williams of the 114th, Trense of the 44th, Parham of the 122nd, Smith of the 109th and others:
A resolution commending Honorable Willou Smith.
- HR 1281. By Representative Smith of the 102nd:
A resolution commending Margie Arrant Palmer.
- HR 1282. By Representative Smith of the 102nd:
A resolution commending Tommy L. Mann.
- HR 1283. By Representative Powell of the 23rd:
A resolution honoring Sarah E. Knowles on the occasion of her 100th birthday.
- HR 1284. By Representative Powell of the 23rd:
A resolution commending Ellis Foster.
- HR 1285. By Representative Smith of the 169th:
A resolution commending Brian K. DePratter.
- HR 1286. By Representative Smith of the 169th:
A resolution commending Timothy Allen Pafford.
- HR 1287. By Representative Smith of the 169th:
A resolution commending David Lamar DePratter.
- HR 1288. By Representatives Turnquest of the 73rd and Baker of the 70th:
A resolution commending Franklin Ross.
- HR 1289. By Representatives Cummings of the 27th and Murphy of the 18th:
A resolution commending Walter Oneal (W.O.) Chaney.
- HR 1290. By Representative Poston of the 3rd:
A resolution expressing regret at the passing of John Steed Blackwood Wylie.
- HR 1291. By Representative Poston of the 3rd:
A resolution expressing regret at the passing of John Aaron Moss.

Representative Chambless of the 163rd arose to a point of personal privilege and addressed the House.

Representative Joyce of the 1st arose to a point of personal privilege and addressed the House.

Representative Bostick of the 165th arose to a point of personal privilege and addressed the House.

Representative Woods of the 32nd arose to a point of personal privilege and addressed the House.

Representative Holland of the 157th arose to a point of personal privilege and addressed the House.

Representative Teper of the 61st arose to a point of personal privilege and addressed the House.

Representative Poston of the 3rd arose to a point of personal privilege and addressed the House.

The following Bills of the House were taken up for the purpose of considering the Senate amendments thereto:

HB 1745. By Representatives Johnson of the 84th, Coleman of the 80th, Breedlove of the 85th, Crews of the 78th, Stephenson of the 25th and others:

A bill to amend an Act known as the "Gwinnett County Merit System Act" authorizing Gwinnett County and the governing authority thereof to appoint a Merit System Board, so as to change the qualifications for members of the Merit System Board.

The following Senate amendment was read:

Amend HB 1745 by striking lines 5 and 6 of page 1 and inserting in lieu thereof the following:

"change the provisions relating to selection of board members, qualifications for members of the Merit System Board, and terms of appointment and vacancies; to change the provisions relating to political"

By striking lines 15 and 16 of page 1 and inserting in lieu thereof the following:

"striking paragraphs (2), (3), and (4) of Section 3 of said Act and inserting in lieu thereof new paragraphs (2), (3), and (4) to read as"

By deleting the quotation marks on line 18 and line 33 of page 1 and by adding between lines 17 and 18 of page 1 the following:

"(2) Selection of board members. The governing authority shall select one candidate from each commissioner district for appointment to said board. The candidates shall be appointed to the county merit system board by the governing authority. When four members of the county merit system board have been selected in the manner set forth above, an election shall be called by the Gwinnett County Elections Board to select the fifth candidate for nomination to the county merit system board. Only those individuals who would fall within the category of classified employees of Gwinnett County shall have the right to vote for the fifth candidate to the merit system board. There shall be 30 days from the date the election is called by the elections board until the date the election shall be held. Any person desiring to have his or her name placed on the ballot must submit to the elections board a petition signed by at least 10 percent of the employees of Gwinnett County who would fall within the classification of classified employees as defined herein, at least ten days prior to the date of the election. In the event no individual receives over 50 percent of the votes cast in said election, there shall be an election held by the elections board within ten days of the date

of the first election. A ballot shall be prepared by the elections board on which shall be placed the names of two individuals receiving the greatest number of votes cast. When a candidate is selected by the individuals who would fall within the class defined herein as classified employees, this individual shall be appointed to the merit system board by the governing authority as the fifth member of said board. The persons appointed to fill subsequent posts on the board shall be selected for appointment in the same manner as provided herein for the selection of the original members of the board.”

By adding following line 33 of page 1 the following:

“(4) Terms of appointment; vacancies. The governing authority shall appoint the original members of the board for staggered terms. The length of the terms of the original members of the board shall be in the discretion of the governing authority, but shall not exceed four years. The person appointed from Commissioner District No. 1 shall fill Post No. 1 on the board. The person appointed from Commissioner District No. 2 shall fill Post No. 2 on the board. The person appointed from Commissioner District No. 3 shall fill Post No. 3 on the board. The person appointed from Commissioner District No. 4 shall fill Post No. 4 on the board. The person selected by the classified employees by the method set forth herein and appointed to the board shall fill Post No. 5 on the board. After the expiration of the terms of the members appointed to each respective post, the terms of members filling all subsequent posts shall be for four years. A vacancy in the membership of said board caused by a member’s death, resignation, disqualification, or other condition shall be filled by appointment of the governing authority for the unexpired term of such member. No election is required to be held by the classified employees in order for the governing authority to appoint a person to fill an unexpired term for Post No. 5 on the board.”

Representative Johnson of the 84th moved that the House agree to the Senate amendment to HB 1745.

On the motion the ayes were 110, nays 0.

The motion prevailed.

HB 1879. By Representative Powell of the 23rd:

A bill to create the City of Hartwell Recreation Authority.

The following Senate amendment was read:

Amend HB 1879 by striking lines 17 and 18 of page 2 and inserting in lieu thereof the following:

“person shall be at least 21 years of age, a resident of the City of Hartwell for at least two years prior to the date of”

Representative Powell of the 23rd moved that the House agree to the Senate amendment to HB 1879.

On the motion the ayes were 110, nays 0.

The motion prevailed.

HB 1707. By Representatives Lakly of the 105th and Westmoreland of the 104th:

A bill to provide a homestead exemption from certain ad valorem taxes levied by Fayette County for county purposes and to provide a homestead exemption from certain Fayette County School District ad valorem taxes for educational purposes.

The following Senate amendment was read:

Amend HB 1707 by striking line 1 of page 1 and inserting in lieu thereof the following:

“To provide for residents of specified ages a homestead exemption from certain ad valorem”

By striking lines 5 and 6 of page 1 and inserting in lieu thereof the following:

“to provide for all county residents a homestead exemption from certain ad valorem taxes for county purposes; to provide for definitions; to specify the terms and conditions of the exemptions and the procedures relating”

By striking line 10 of page 2 and inserting in lieu thereof the following:

“(a) Each resident of Fayette County is granted an exemption on that person’s homestead from all ad valorem taxes for county purposes in the amount of \$5,000.00 of the assessed value of such homestead.

(b) The value of a homestead in excess of the amount exempted by this section shall remain subject to taxation.

SECTION 5.

The exemptions granted by this Act shall be claimed and”

By striking lines 24 and 25 of page 2 and inserting in lieu thereof the following:

“The exemptions granted by this Act shall be in addition to any other homestead exemption from”

By striking line 30 of page 2 and inserting in lieu thereof the following:

“The exemptions granted by this Act shall not apply to or”

By striking line 2 of page 3 and inserting in lieu thereof the following:

“The exemptions granted by this Act shall apply to all tax”

By striking line 19 of page 3 and inserting in lieu thereof the following:

“() YES Shall the provisions of an Act be approved which provide a”

By striking line 23 of page 3 and inserting in lieu thereof the following:

“persons who are 62 or older and which provide”

By striking lines 29 through 39 of page 3 and inserting in lieu thereof the following:

“and

() YES Shall the provisions of an Act be approved which provide a homestead exemption from Fayette County ad valorem taxes levied for county purposes in the amount of \$5,000.00 of assessed value?
 () NO

All persons desiring to vote for approval of Sections 2 and 3 of this Act shall vote “Yes,” on the first ballot question, and those persons desiring to vote for rejection of Sections 2 and 3 of this Act shall vote “No.” All persons desiring to vote for approval of Section 4 of this Act shall vote “Yes,” on the second ballot question, and those persons desiring to vote for rejection of Section 4 of this Act shall vote “No” on the second ballot question. If more than one-half of the votes cast on the first ballot question are for approval of Sections 2 and 3 of this Act, then Sections 1, 2, 3, 5, 6, 7, 8, 9, and 10 of this Act shall become of full force and effect immediately. If more than one-half of the votes cast on the second ballot question are for approval of Section 4 of this Act, then Sections 1, 4, 5, 6, 7, 8, 9, and 10 of this Act shall become of full force and effect immediately. If the election is not

conducted as provided in this section, Sections 1 through 10 of this Act shall not become effective. If Sections 2 and 3 of this Act are not approved, such sections shall not become effective. If Section 4 of this Act is not approved, Section 4 shall not become effective. If Sections 2, 3, and 4 of this Act are not approved, Sections 1 through 10 of this Act shall not become effective. Any section of this Act which does not become effective shall be automatically repealed on the first day of January, 1997.”

By striking line 2 of page 4 and inserting in lieu thereof the following:

“Except as otherwise provided in Section 11 of this Act, this”

By renumbering former Sections 5, 6, 7, 8, 9, 10, 11, and 12 of this Act as Sections 6, 7, 8, 9, 10, 11, 12, and 13, respectively.

Representative Lakly of the 105th moved that the House agree to the Senate amendment to HB 1707.

On the motion the ayes were 110, nays 0.

The motion prevailed.

HB 1863. By Representatives Dixon of the 168th and Smith of the 169th:

A bill to amend an Act creating the State Court of Ware County, so as to change the term of office of the solicitor of said court.

The following Senate amendment was read:

Amend HB 1863 by striking the quotation marks at the end of line 28 of page 1 and by inserting at the end of said line the following:

“The solicitor shall have been admitted to practice law in the State of Georgia for at least one year preceding the date he or she takes office and shall possess such other qualifications as are provided by Code Section 15-7-24 of the O.C.G.A.”

Representative Dixon of the 168th moved that the House agree to the Senate amendment to HB 1863.

On the motion the ayes were 110, nays 0.

The motion prevailed.

HB 1880. By Representatives Mann of the 5th, Kinnamon of the 4th and Lifsey of the 6th:

A bill to increase the homestead exemption from Whitfield County ad valorem taxes for county purposes and provide for conditions and procedures relating thereto.

The following Senate amendment was read:

Amend HB 1880 by striking from lines 23 and 24 on page 1 the following:

“following amounts of the assessed value of that homestead:”,

and inserting in lieu thereof the following:

“amount of \$20,000.00.”

By striking lines 25 through 29 on page 1.

By inserting on line 30 on page 1 before the word "value" the following:

"assessed"

By striking from lines 28 and 29 on page 3 the following:

"for 1997, \$30,000.00 for 1998, and \$40,000.00 for 1999 and following years"

Representative Mann of the 5th moved that the House agree to the Senate amendment to HB 1880.

On the motion the ayes were 110, nays 0.

The motion prevailed.

Under the general order of business, established by the Committee on Rules, the following Bill of the Senate was taken up for consideration and read the third time:

SB 19. By Senators Newbill of the 56th, Clay of the 37th, Gochenour of the 27th and others:

A bill to amend Article 19 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to textbooks, so as to provide for disclosure of the making and accepting of contributions and expenditures with respect to textbooks; to provide for definitions; to provide for the filing and contents of disclosure reports; to provide for fees; to provide for powers, duties, and authority of the State Ethics Commission.

The following amendments were read and adopted:

The Committee on Rules moves to amend SB 19 as follows:

Line 8, page 2 (b) Any vendor who, either directly or through another person, makes a gift to a public employee with whom the vendor is selling or contracting or with whom the vendor is attempting to sell or contract.....

Line 25, page 1... provided, however, that any single item valued \$100.00 or less shall not be a gift.

Representative Smith of the 175th moves to amend SB 19 by striking lines 22 through 26 of page 1 and inserting in lieu thereof the following:

"(2) 'Gift' means a gratuity, subscription, membership, trip, meal, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value."

By striking lines 8 through 14 of page 2 and inserting in lieu thereof the following:

"(b) Any vendor who, either directly or through another person, makes a gift or gifts to one or more public employees exceeding in the aggregate \$250.00 in value during any calendar year shall file a disclosure report with the commission in the form specified by the commission listing the amount and date of receipt, the name and mailing address of any vendor making the gift, and the name, address, and position of each public employee receiving such a gift."

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

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	E Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 158, nays 1.

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

Representative Randall of the 127th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The Speaker Pro Tem announced the House in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

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The Speaker called the House to order.

Representative Randall of the 127th District, Chairman of the Committee on Special Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Special Judiciary 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 711 Do Pass, by Substitute

Respectfully submitted,
/s/ Randall of the 127th
Chairman

Representative Watson of the 139th District, Chairman of the Committee on Industry, submitted the following report:

Mr. Speaker:

Your Committee on Industry has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 614 Do Pass, by Substitute
SB 674 Do Pass, by Substitute

Respectfully submitted,
/s/ Watson of the 139th
Chairman

Representative Chambless of the 163rd District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 130 Do Pass, by Substitute
SB 658 Do Pass, by Substitute

Respectfully submitted,
/s/ Chambless of the 163rd
Chairman

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

Mr. Speaker:

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

HB 1278. www.libtool.com.cn By Representatives Mobley of the 69th, Randall of the 127th, Martin of the 47th and Falls of the 125th:

A bill to amend Article 1 of Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relating to marriage, so as to provide that no common-law marriage shall be entered into in this state on or after July 1, 1996; to provide that otherwise valid common-law marriages, entered into prior to July 1, 1996, shall not be affected and shall continue to be recognized in this state.

HB 1518. By Representative Holmes of the 53rd:

A bill to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to exempt nonjudicial candidates in nonpartisan primaries or elections from filing notices of candidacy; to provide for registration of voters who are not county residents by deputy registrars.

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

HB 1192. By Representatives Royal of the 164th, Bates of the 179th, Smith of the 12th and others:

A bill to amend Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to annexation, so as to revise substantially provisions regarding annexation pursuant to resolution and referendum and annexation by local Act of the General Assembly; to provide for definitions; to provide for annexation standards and requirements.

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

HB 1403. By Representatives Buck of the 135th, Jamieson of the 22nd, Skipper of the 137th and Culbreth of the 132nd:

A bill to amend Code Section 48-13-51 of the Official Code of Georgia Annotated, relating to county and municipal levies on the furnishing for value to the public of any rooms, lodgings, or accommodations, so as to change certain provisions regarding the levy and collection of such tax.

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

HB 1404. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

HB 1589. By Representatives Dixon of the 150th, Mosley of the 171st, Johnson of the 84th and others:

A bill to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for an ad valorem property tax exemption for property used in or as a part of certain water conservation facilities; to provide for income tax credits for water conservation facilities and qualified water conservation investment property and for shifts from ground-water usage.

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

HB 1494. By Representative Byrd of the 170th:

A bill to amend Article 4 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to insurance of workers' compensation liability generally, so as to create a merit rating plan for certain workers' compensation claims.

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

SR 567. By Senator Ralston of the 51st:

A resolution memorializing the Congress of the United States to amend the federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biologics.

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 Allen	Y Chambless	Goodwin	Ladd	Y Pinholster
Y Anderson	Y Channell	Y Greene	Y Lakly	Y Polak
Y Ashe	Y Childers	Y Grindley	Lane	Ponder
Bailey	Coker	Y Hanner	Lawrence	Porter
Baker	Coleman, B	Y Harbin	Y Lee	Poston
Bannister	Coleman, T	Y Harris	Lewis	Powell
Y Barfoot	Y Connell	Y Heard	Y Lifsey	Y Purcell, A
Y Bargeron	Crawford	Y Heckstall	Lord	Y Purcell, B
Barnard	Y Crews	Y Hegstrom	Lucas	Randall
Barnes	Y Culbreth	Y Hembree	Y Maddox	Y Randolph
Bates	Cummings	Henson	Y Mann	Y Ray
Y Benefield	Y Davis, G	Y Holland	Martin	Y Reaves
Y Birdsong	Y Davis, M	Y Holmes	Y McBee	Y Reichert
Bordeaux	Y Day	Y Howard	McCall	Roberts
Bostick	DeLoach, B	Y Hudson	Y McClinton	Y Rogers
Breedlove	DeLoach, G	Hugley	McKinney	Y Royal
Brooks, D	Dix	Y Irvin	Mills	Y Sanders
Brooks, T	Dixon, H	James	Y Mobley, B	Sauder
Y Brown, J	Dixon, S	Jamieson	Y Mobley, J	Y Scoggins
Y Brush	Y Dobbs	Jenkins	Y Mosley	Y Shanahan
Y Buck	Ehrhart	Johnson, G	Mueller	Y Shaw
Buckner	Epps	Johnson, J	Y O'Neal	Y Sherrill
Bunn	Y Evans	Y Johnston	Orrock	Y Shipp
Burkhalter	E Falls	Jones	Parham	Y Simpson
Byrd	Felton	Y Joyce	Y Parrish	Sinkfield
Campbell	Y Floyd	Kaye	Y Parsons	Y Skipper
Canty	Godbee	Y Kinnamon	Y Pelote	Smith, C
Carter	Y Golden	Klein	Y Pery	Smith, C.W

Y Smith, L	Y Stallings	Teague	Twiggs	White
Y Smith, P	Y Stancil, F	Teper	Y Walker, L	Y Wiles
Smith, T	Stancil, S	Thomas	Y Walker, R.L	Williams, B
Y Smith, V	Y Stanley, L	Tillman	Wall	Williams, J
Y Smith, W	Y Stanley, P	Y Titus	Watson	Y Williams, R
Y Smyre	Y Stephenson	Towery	Y Watts	Y Woods
Y Snelling	Streath	Y Trense	Y Westmoreland	Y Yates
Snow	Y Taylor	Turnquest	Y Whitaker	Murphy, Spkr

On the adoption of the Resolution, the ayes were 93, nays 0.

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

Representative Lewis of the 14th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SB 567. By Senators Starr of the 44th, Cheeks of the 23rd and Ray of the 19th:

A bill to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to revise and change certain provisions regarding multiyear lease, purchase, or lease purchase contracts; to provide for additional conditions, limitations, restrictions, and related matters.

The following amendment was read and adopted:

The Committee on State Planning and Community Affairs moves to amend SB 567 on line 12 of page 3 by inserting after the word "to" the following:

"the acquisition of"

By deleting the word "general" on line 20 of page 3 and inserting in lieu thereof the following:

"governmental"

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

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

Y Allen	Byrd	Ehrhart	Y Irvin	Y McBee
Y Anderson	Y Campbell	Y Epps	James	McCall
Y Ashe	Canty	Y Evans	Y Jamieson	Y McClinton
Y Bailey	Y Carter	E Falls	Jenkins	McKinney
Baker	Y Chambless	Y Felton	Y Johnson, G	Mills
Y Bannister	Channell	Y Floyd	Y Johnson, J	Y Mobley, B
Y Barfoot	Y Childers	Y Godbee	Y Johnston	Y Mobley, J
Y Bargeron	Y Coker	Y Golden	Jones	Y Mosley
Y Barnard	Y Coleman, B	Goodwin	Y Joyce	Y Mueller
Y Barnes	Coleman, T	Y Greene	Kaye	Y O'Neal
Y Bates	Y Connell	Y Grindley	Y Kinnamon	Y Orrock
Y Benefield	Y Crawford	Y Hanner	Y Klein	Y Parham
Y Birdsong	Y Crews	Y Harbin	Y Ladd	Y Parrish
Bordeaux	Y Culbreth	Y Harris	Y Lakly	Y Parsons
Y Bostick	Y Cummings	Y Heard	Y Lane	Y Pelote
Breedlove	Y Davis, G	Heckstall	Lawrence	Y Perry
Y Brooks, D	Y Davis, M	Y Hegstrom	Y Lee	Y Pinholster
Brooks, T	Y Day	Y Hembree	Y Lewis	Y Polak
Y Brown, J	DeLoach, B	Henson	Y Lifsey	Y Ponder
Y Brush	Y DeLoach, G	Y Holland	Lord	Y Porter
Y Buck	Y Dix	Y Holmes	Lucas	Poston
Buckner	Dixon, H	Y Howard	Y Maddox	Powell
Bunn	Y Dixon, S	Y Hudson	Y Mann	Y Purcell, A
Burkhalter	Y Dobbs	Hugley	Y Martin	Y Purcell, B

Randall	Y Shaw	Y Smith, W	Teague	Y Watson
Y Randolph	Y Sherrill	Y Smyre	Y Teper	Y Watts
Y Ray	Y Shipp	Y Snelling	Y Thomas	Y Westmoreland
Y Reaves	Y Simpson	Y Snow	Tillman	Y Whitaker
Y Reichert	Y Sinkfield	Y Stallings	Y Titus	White
Roberts	Y Skipper	Y Stancil, F	Towery	Y Wiles
Y Rogers	Y Smith, C	Y Stancil, S	Y Trense	Y Williams, B
Y Royal	Y Smith, C.W	Y Stanley, L	Turnquest	Williams, J
Y Sanders	Y Smith, L	Stanley, P	Twiggs	Y Williams, R
Y Sauder	Y Smith, P	Y Stephenson	Y Walker, L	Y Woods
Y Scoggins	Y Smith, T	Y Streat	Y Walker, R.L	Y Yates
Y Shanahan	Y Smith, V	Taylor	Wall	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 135, nays 0.

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

SB 542. By Senator Madden of the 47th:

A bill to amend Code Section 43-10A-7 of the Official Code of Georgia Annotated, relating to licensing requirements and exceptions applicable to professional counselors, social workers, and marriage and family therapists, so as to provide an exception with respect to persons engaged in the practice of a specialty as an employee of the Department of Labor.

The following Committee substitute was read and withdrawn:

A BILL

To amend Code Section 43-10A-7 of the Official Code of Georgia Annotated, relating to licensing requirements and exceptions applicable to professional counselors, social workers, and marriage and family therapists, so as to provide exceptions with respect to certain persons employed by the Department of Technical and Adult Education or its educational units or engaged in the practice of a specialty as an employee of the Department of Labor; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-10A-7 of the Official Code of Georgia Annotated, relating to licensing requirements and exceptions applicable to professional counselors, social workers, and marriage and family therapists, is amended by striking in their entirety paragraphs (16) and (17) of subsection (b) and inserting in lieu thereof new paragraphs (16), (17), and (18) to read as follows:

“(16) Any person engaged in the practice of professional counseling as an employee or student peer counselor of the University System of Georgia or its educational units, the Department of Technical and Adult Education or its educational units, or of a public or private college or university within this state, but only when engaged in that practice as such an employee or student peer counselor and excepting the use of psychotherapeutic techniques to evaluate and treat emotional and mental illness, disorder, or dysfunction; ~~and~~

(17) Persons who engage in the practice of professional counseling, excluding the use of psychotherapy, as employees of organizations which maintain, now or in the future, accreditation from the Commission on Accreditation of Rehabilitation Facilities or the national Accreditation Council for Agencies Serving the Blind and Visually Handicapped, but only when those persons are providing those services as employees of those organizations pursuant to contracts between such organizations and the state or a department, agency, county, municipality, or political subdivision of the state; such persons shall be exempt until January 1, 2000; and

(18) Persons engaged in the practice of a specialty as an employee of the Department of Labor, but only when engaged in such practice as an employee of such department.”

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SECTION 2.

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

The following substitute, offered by Representative Kinnamon of the 4th, was read and adopted:

A BILL

To amend Code Section 43-10A-7 of the Official Code of Georgia Annotated, relating to licensing requirements and exceptions applicable to professional counselors, social workers, and marriage and family therapists, so as to provide for an exception with respect to persons who are training to be addiction counselors; to provide for conditions; to provide for limitation of services; to exempt certain persons who engage in the practice of professional counseling from certain licensing and other requirements; to provide exceptions with respect to certain persons employed by the Department of Technical and Adult Education or its educational units or engaged in the practice of a specialty as an employee of the Department of Labor; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-10A-7 of the Official Code of Georgia Annotated, relating to licensing requirements and exceptions applicable to professional counselors, social workers, and marriage and family therapists, is amended by adding a new paragraph immediately following paragraph (15) of subsection (b), to be designated paragraph (15.1), to read as follows:

“(15.1) Persons who are training to be addiction counselors but only when such persons are:

- (A) Employed by an agency or facility that is licensed to provide addiction counseling;
- (B) Supervised and directed by a supervisor who meets the qualifications established by the Georgia Addiction Counselor’s Association or any other similar private association of addiction counselors which includes among its certification requirements the criteria specified in paragraph (15) of this subsection;
- (C) Graduated from high school or have a General Educational Development (GED) equivalency diploma; and
- (D) Actively seeking certification in accordance with the requirements of paragraph (15) of this subsection.

No person shall qualify for the exception provided under this paragraph for a period in excess of three years. Services which may be provided under this paragraph shall be limited to those practices sanctioned by the certifying association and shall in any event be limited to the provision of chemical dependency treatment in the following settings: screening; intake; orientation; assessment for addiction diseases; treatment planning; individual, family, and group addiction counseling; case management; crises intervention; client education; referral, reporting, and record keeping; and consultation with other professionals in regard to client treatment and services. Persons exempt under this paragraph shall not use any title indicating or implying that they are licensed under this chapter.”

SECTION 2.

Said Code section is further amended by striking in their entirety paragraphs (16) and (17) of subsection (b) and inserting in lieu thereof new paragraphs (16), (17), and (18) to read as follows:

“(16) Any person engaged in the practice of professional counseling as an employee or student peer counselor of the University System of Georgia or its educational units,

the Department of Technical and Adult Education or its educational units, or of a public or private college or university within this state, but only when engaged in that practice as such an employee or student peer counselor and excepting the use of psychotherapeutic techniques to evaluate and treat emotional and mental illness, disorder, or dysfunction; ~~and~~

(17) Persons who engage in the practice of professional counseling, excluding the use of psychotherapy, as employees of organizations which maintain, now or in the future, accreditation from the Commission on Accreditation of Rehabilitation Facilities or the national Accreditation Council for Agencies Serving the Blind and Visually Handicapped, but only when those persons are providing those services as employees of those organizations pursuant to contracts between such organizations and the state or a department, agency, county, municipality, or political subdivision of the state; ~~such persons shall be exempt until January 1, 2000; and~~

(18) Persons engaged in the practice of a specialty as an employee of the Department of Labor, but only when engaged in such practice as an employee of such department."

SECTION 3.

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, by substitute.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
N Barnard	Y Dix	Y Joyce	Poston	Stanley, P
Y Barnes	Dixon, H	Kaye	Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Twiggs
Buckner	Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	N Scoggins	Y Walker, R.L
Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Y Sherrill	Y Watts
Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	N Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	White
Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 133, nays 5.

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

Representative Mobley of the 86th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

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SB 624. By Senators Bowen of the 13th and Clay of the 37th:

A bill to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to provide certain additional exemptions from the provisions of Code Section 16-11-126 through 16-11-128; to provide an effective date.

The following amendments were read and adopted:

Representatives Crews of the 78th, Jenkins of the 110th and Randall of the 127th move to amend SB 624 by adding on line 3 of page 1 between the word "as" and the word "to" the following:

"to change the provisions relating to the prohibition against granting a license to any person convicted of certain drug offenses; to change the definition of the term 'convicted';"

By adding between lines 12 and 13 on page 1 the following:

"entirety paragraph (5) of subsection (a) of Code Section 16-11-129, relating to procurement of a license to carry a pistol or revolver, and inserting in lieu thereof a new paragraph (5) to read as follows:

'(5)(A) Any person, the provisions of paragraph (3) of this subsection notwithstanding, who has been convicted of an offense arising out of the unlawful manufacture, distribution, possession, or use of a controlled substance or other dangerous drug.

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

(i) "Controlled substance" means any drug, substance, or immediate precursor included in the definition of controlled substances in paragraph (4) of Code Section 16-13-21.

(ii) "Convicted" means a plea of guilty, a finding of guilt by a court of competent jurisdiction, the acceptance of a plea of nolo contendere, or the affording of first offender treatment by a court of competent jurisdiction irrespective of the pendency or availability of an appeal or an application for collateral relief; provided, however, that the term "convicted" shall not include any person placed on probation as a first offender for a misdemeanor violation who has fulfilled the terms and conditions of probation and who has been discharged and had the proceedings against him or her dismissed without court adjudication of guilt.

(iii) "Dangerous drug" means any drug defined as such in Code Section 16-13-71.'

SECTION 2.

Said part is further amended by striking in its"

By renumbering Sections 2 and 3 on page 3 as Sections 3 and 4, respectively.

Representatives Twiggs of the 8th and Scoggins of the 24th move to amend SB 624 by striking in their entirety lines 1 through 7 on page 1 and inserting in lieu thereof the following:

"To amend Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices, so as to provide certain additional

exemptions from the provisions of Code Sections 16-11-126 through 16-11-128; to change the time period during which the exemption from the Brady law regulations granted for certain loan or pawn transactions involving the transfer of handguns is applicable; to provide an effective date; to repeal conflicting laws; and for other purposes.”

By striking in their entirety lines 10 through 12 on page 1 and inserting in lieu thereof the following:

“Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices, is amended by striking in its”

By adding between lines 14 and 15 on page 3 the following:

“SECTION 2.

Said article is further amended by striking in its entirety subsection (b) of Code Section 16-11-181, relating to the transfer of handguns as collateral for loan or in pawn transfer, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) Notwithstanding any other provisions of this part, in any case where a person has transferred a handgun as collateral for a loan or as pledged goods in a pawn transaction and such transaction has been carried out pursuant to the provisions of this part, upon such person reclaiming or redeeming the handgun from the dealer or upon such person transferring any other handgun as collateral or pledged goods to the same dealer or reclaiming the same at any time ~~during the calendar year as the original transaction with from~~ such dealer, the provisions of this part shall not apply to such transfers ~~subsequent to the original transfer during such calendar year.~~”

By renumbering Sections 2 and 3, lines 15 through 20, on page 3 as Sections 3 and 4, respectively.

Representative Shaw of the 176th, et al. move to amend SB 624 by striking from the end of line 34 of page 2 the word “and”.

By striking the period at the end of line 35 of page 2 and inserting in lieu thereof the following:

“; and”

By adding between lines 35 and 36 on page 2 the following:

“(14) Elected constitutional executive officers and members of the General Assembly.”

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:

Y Allen	Y Breedlove	Y Childers	Y Dixon, H	Y Harbin
Y Anderson	Y Brooks, D	Y Coker	Y Dixon, S	Y Harris
Y Ashe	Brooks, T	Y Coleman, B	Y Dobbs	Y Heard
Y Bailey	Y Brown, J	Coleman, T	Ehrhart	Y Heckstall
Y Baker	Brush	Y Connell	Y Epps	Y Hegstrom
Y Bannister	Y Buck	Y Crawford	Evans	Y Hembree
Y Barfoot	Y Buckner	Y Crews	Y Falls	Y Henson
Y Barger	Y Bunn	Y Culbreth	Y Felton	Y Holland
Y Barnard	Burkhalter	Y Cummings	Y Floyd	Y Holmes
Y Barnes	Y Byrd	Y Davis, G	Y Godbee	Y Howard
Y Bates	Y Campbell	Y Davis, M	Y Golden	Y Hudson
Y Benefield	Canty	Y Day	Goodwin	Hugley
Y Birdsong	Y Carter	DeLoach, B	Y Greene	Y Irvin
Y Bordeaux	Y Chambless	Y DeLoach, G	Y Grindley	James
Y Bostick	Y Channell	Y Dix	Hanner	Jamieson

Y Jenkins	Y McBee	Powell	Y Smith, C	Tillman
Y Johnson, G	McCall	Y Purcell, A	Y Smith, C.W	Y Titus
Y Johnson, J	Y McClinton	Y Purcell, B	Y Smith, L	Towery
Y Johnson	McKinney	Randall	Y Smith, P	Y Trense
Jones	Y Mills	Y Randolph	Y Smith, T	Y Turnquest
Y Joyce	N Mobley, B	Y Ray	Y Smith, V	Y Twiggs
Kaye	Y Mobley, J	Y Reaves	Y Smith, W	Y Walker, L
Y Kinnamon	Y Mosley	Y Reichert	Y Smyre	Y Walker, R.L
Y Klein	Y Mueller	Roberts	Y Snelling	Y Wall
Y Ladd	O'Neal	Y Rogers	Y Snow	Y Watson
Y Lakly	Y Orrock	Y Royal	Y Stallings	Y Watts
Y Lane	Y Parham	Y Sanders	Y Stancil, F	Y Westmoreland
Y Lawrence	Y Parrish	Y Sauder	Y Stancil, S	Y Whitaker
Y Lee	Y Parsons	Scoggins	Y Stanley, L	Y White
Y Lewis	Pelote	Y Shanahan	Stanley, P	Y Wiles
Y Lifsey	Y Perry	Y Shaw	Stephenson	Y Williams, B
Y Lord	Y Pinholster	Y Sherrill	Y Streat	Y Williams, J
Lucas	Y Polak	Y Shipp	Y Taylor	Y Williams, R
Maddox	Y Ponder	Y Simpson	N Teague	Y Woods
Y Mann	Y Porter	Sinkfield	N Teper	Y Yates
Y Martin	Poston	Y Skipper	Thomas	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 139, nays 3.

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

SB 498. By Senators Henson of the 55th and Marable of the 52nd:

A bill to amend Part 1 of Article 16 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to registration and use of trademarks and service marks, so as to prohibit the creation and use of forged or counterfeit trademarks and service marks and the manufacture, possession, sale, offering for sale, transportation, or use of certain goods or property containing or relating to forged or counterfeit trademarks and service marks.

The following Committee substitute was read and adopted:

A BILL

To amend Part 1 of Article 16 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to registration and use of trademarks, service marks, or copyrighted or registered designs, so as to prohibit the creation and use of forged or counterfeit trademarks, service marks, or copyrighted or registered designs and the manufacture, possession, sale, offering for sale, transportation, or use of certain goods or property containing or relating to forged or counterfeit trademarks, service marks, or copyrighted or registered designs; to provide for a definition; to prohibit the forging or counterfeiting of trademarks, service marks, or copyrighted or registered designs and the use of forged or counterfeited trademarks, service marks, or copyrighted or registered designs; to provide that certain conduct shall constitute the offense of trademark, service mark, or copyrighted or registered design counterfeiting; to provide that certain conduct shall constitute the offense of selling or offering for sale counterfeit goods or services; to provide for penalties; to provide a statement of legislative findings and purpose; to provide for the forfeiture of certain goods and property; to provide for the destruction, sale, or other disposition of goods and other property; to provide for procedures; to provide for exceptions; to provide for restraining orders and other remedies; to provide for bonds; to provide for the property which is subject to forfeiture; to provide for other matters relating to trademarks, service marks, or copyrighted or registered designs and the creation, registration, enforcement, and protection thereof; to provide for other matters relative to the foregoing; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 16 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to registration and use of trademarks, service marks, or copyrighted or registered

designs, is amended by adding at the end of said part a new Code Section 10-1-454 to read as follows:

“10-1-454 www.libtool.com.cn

(a) As used in this Code section, the term ‘forged or counterfeited trademark, service mark, or copyrighted or registered design’ means any mark or design which is identical to, substantially indistinguishable from, or an imitation of a trademark, service mark, or copyrighted or registered design which is registered for those types of goods or services with the Secretary of State pursuant to this part or registered on the Principal Register of the United States Patent and Trademark Office or registered under the laws of any other state or protected by the federal Amateur Sports Act of 1978, 36 U.S.C. Section 380, whether or not the offender knew such mark or design was so registered or protected, if the use of such trademark, service mark, or copyrighted or registered design has not been authorized by the owner thereof. The unregistered symbols, emblems, trademarks, insignias, and words covered by the federal Amateur Sports Act of 1978, 36 U.S.C. Section 380, shall be afforded protection under the trademark law in the same manner as registered trademarks, service marks, and copyrighted or registered designs.

(b) Any person who knowingly and willfully forges or counterfeits any trademark, service mark, or copyrighted or registered design, without the consent of the owner of such trademark, service mark, or copyrighted or registered design, or who knowingly possesses any tool, machine, device, or other reproduction instrument or material with the intent to reproduce any forged or counterfeited trademark, service mark, or copyrighted or registered design shall be guilty of the offense of trademark, service mark, or copyrighted or registered design counterfeiting and, upon conviction, shall be punished as follows:

(1) If the goods or services to which the forged or counterfeit trademarks, service marks, or copyrighted or registered designs are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail sale value of \$100,000.00 or more, such person shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less than five nor more than 20 years and by a fine not to exceed \$200,000.00 or twice the retail sale value of the goods or services, whichever is greater;

(2) If the goods or services to which the forged or counterfeit trademarks, service marks, or copyrighted or registered designs are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail sale value of \$10,000.00 or more but less than \$100,000.00, such person shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less than two nor more than ten years and by a fine not to exceed \$20,000.00 or twice the retail sale value of the goods or services, whichever is greater;

(3) If the goods or services to which the forged or counterfeit trademarks, service marks, or copyrighted or registered designs are attached or affixed, or in connection with which they are used, or to which the offender intended they be attached or affixed, or in connection with which the offender intended they be used, have, in the aggregate, a retail sale value of less than \$10,000.00, such person shall be guilty of a misdemeanor of a high and aggravated nature; or

(4) If a person who violates this subsection previously has been convicted of another violation of this subsection, such person shall be guilty of a felony and, upon conviction of the second or subsequent such violation, shall be punished by imprisonment for not less than ten nor more than 20 years and by a fine not to exceed \$200,000.00 or twice the retail sale value of the goods or services, whichever is greater.

(c) Any person who sells or resells or offers for sale or resale or who purchases and keeps or has in his or her possession with the intent to sell or resell any goods he or she knows or should have known bear a forged or counterfeit trademark or copyrighted or registered design or who sells or offers for sale any service which is sold or offered for sale in conjunction with a forged or counterfeit service mark or copyrighted or registered design, knowing the same to be forged or counterfeited, shall be guilty of the

offense of selling or offering for sale counterfeit goods or services and, upon conviction, shall be punished as follows:

(1) If the goods or services sold or offered for sale to which the forged or counterfeit trademarks, service marks, or copyrighted or registered designs are attached or affixed, or in connection with which they are used, have, in the aggregate, a retail sale value of \$10,000.00 or more, such person shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less than one nor more than five years and by a fine not to exceed \$50,000.00 or twice the retail sale value of the goods or services, whichever is greater;

(2) If the goods or services to which the forged or counterfeit trademarks, service marks, or copyrighted or registered designs are attached or affixed, or in connection with which they are used, have, in the aggregate, a retail sale value of less than \$10,000.00, such person shall be guilty of a misdemeanor of a high and aggravated nature; or

(3) If a person who violates this subsection previously has been convicted of another violation of paragraph (1) of this subsection, such person shall be guilty of a felony and, upon conviction of the second or subsequent such violation, shall be punished by imprisonment for not less than five nor more than ten years and by a fine not to exceed \$100,000.00 or twice the retail sale value of the goods or services, whichever is greater.

(d)(1) The State of Georgia finds and declares that the citizens of this state have a right to receive those goods and services which they reasonably believe they are purchasing or for which they contract. The state further finds that the manufacture and sale of counterfeit goods or goods which are not what they purport to be and the offering of services through the use of counterfeit service marks constitutes a fraud on the public and results in economic disruption to the legitimate businesses of this state. In order to protect the citizens and businesses of this state it is necessary to take appropriate actions to remove counterfeit goods from the channels of commerce and prevent the manufacture, sale, and distribution of such goods or the offering of such services through the use of counterfeit service marks.

(2) For the purposes expressed in paragraph (1) of this subsection, a person who is convicted of or pleads nolo contendere to a felony offense under this Code section shall forfeit to the State of Georgia such interest as the person may have in:

(A) Any goods, labels, products, or other property containing or constituting forged or counterfeit trademarks, service marks, or copyrighted or registered designs or constituting or directly derived from gross profits or other proceeds obtained from such offense;

(B) Any property or any interest in any property, including but not limited to any reproduction equipment, scanners, computer equipment, printing equipment, plates, dies, sewing or embroidery equipment, motor vehicle, or other asset, used to commit a violation of this Code section; and

(C) Any property constituting or directly derived from gross profits or other proceeds obtained from a violation of this Code section.

(3) In any action under this Code section, the court may enter such restraining orders or take other appropriate action, including acceptance of performance bonds, in connection with any interest that is subject to forfeiture.

(4) The court shall order forfeiture of property referred to in paragraph (2) of this subsection if the trier of fact determines beyond a reasonable doubt that such property is subject to forfeiture.

(5) The provisions of subsection (u) of Code Section 16-13-49 shall apply for the disposition of any property forfeited under this subsection, provided that any property containing a counterfeit trademark, service mark, or copyrighted or registered design shall be destroyed unless the owner of the trademark, service mark, or copyrighted or registered design gives prior written consent to the sale of such property or such trademark, service mark, or copyrighted or registered design is obliterated or removed from such property prior to the disposition thereof. Any forfeited goods which are hazardous to the health, welfare, or safety of the public shall be destroyed. In any disposition

of property under this subsection, a person who has been convicted of or who has entered a plea of nolo contendere to a violation of this Code section shall not be permitted to acquire property forfeited by such person.

(6) ~~The procedure for forfeiture~~ and disposition of forfeited property under this subsection shall be as provided for forfeitures under Code Section 16-13-49.

(e) An owner, officer, employee, or agent who provides, rents, leases, licenses, or sells real property upon which a violation of this Code section occurs shall not be subject to a criminal penalty pursuant to this Code section unless he or she sells or possesses for sale articles such person knows bear a counterfeit trademark or copyrighted or registered design or offers services through the use of a counterfeit service mark or copyrighted or registered design in violation of this Code section. This subsection shall not be construed to abrogate or limit any civil rights or remedies for a trademark or service mark violation."

SECTION 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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 157, nays 0.

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

SB 611. By Senators Oliver of the 42nd, Ray of the 19th and Perdue of the 18th:

A bill to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile court proceedings, so as to change provisions relating to provision of reunification services when a deprived child is removed from the home; to state legislative findings; to change the duration of and review of certain custody orders; to provide that reunification services are not required when efforts to reunify a child with the child's family are not reasonable.

The following Committee substitute was read and adopted:

A BILL

To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile court proceedings, so as to change provisions relating to provision of reunification services when a deprived child is removed from the home; to state legislative findings; to change the duration of and review of certain custody orders; to provide that reunification services are not required when efforts to reunify a child with the child's family are not reasonable; to provide that certain factual findings shall create a presumption that reunification services are not appropriate; to provide for evidentiary standards and procedural matters; to provide for citizens review panel recommendations with respect to termination of parental rights under certain circumstances; to provide for the relationship between determination of reunification services and proceedings for termination of parental rights; to amend Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to adoption, so as to change the standard for termination of parental rights in certain circumstances; to change the standard for determining when surrender of parental rights is not required in certain circumstances; to provide for other 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:

SECTION 1.

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile court proceedings, is amended by striking Code Section 15-11-41, relating to limitations on and continuation and implementation of dispositional orders, and inserting in its place a new Code Section to read as follows:

"15-11-41.

(a) Except as otherwise provided by law, an order of disposition committing a delinquent or unruly child to the Department of Children and Youth Services continues in force for two years or until the child is sooner discharged by the Department of Children and Youth Services. The court which made the order may extend its duration for an additional two years subject to like discharge, if:

- (1) A hearing is held upon motion of the Department of Children and Youth Services prior to the expiration of the order;
- (2) Reasonable notice of the factual basis of the motion and of the hearing and an opportunity to be heard are given to the child and the parent, guardian, or other custodian; and
- (3) The court finds that the extension is necessary for the treatment or rehabilitation of the child.

(b) A court's order removing a child from the child's home shall be based upon a finding by that court that continuation in the home would be contrary to the welfare of the child. The court shall also determine as a finding of fact whether reasonable efforts were

made by the Division of Family and Children Services of the Department of Human Resources and any other appropriate agencies to prevent or eliminate the need for removal and to make it possible for the child to return to the child's home. Such findings shall ~~also be made at every~~ subsequent review of the court's order under this ~~stat-~~ ute chapter.

(c) Within 30 days of the date of removal of the child from the home and at each subsequent review of the disposition order, the Division of Family and Children Services of the Department of Human Resources must submit a written report to the court which shall either include a case plan for a reunification of the family which or include a statement of the factual basis or bases for determining that a plan for reunification is not appropriate. Such report shall become a discrete part of the case record in a format determined by the Division of Family and Children Services of the Department of Human Resources and shall be made available to the parents or guardian of the foster child. The plan contents of the report shall be determined at a meeting to be held by the Division of Family and Children Services of the Department of Human Resources in consultation with the citizen review panel, if one is designated by the court for such purpose, and the parents and children, when available. The parents shall be given written notice of the meeting at least five days in advance and shall be advised that the plan report will be submitted to become an order of the court. The report submitted to the court shall also contain any dissenting recommendations of the citizen review panel, if applicable, and any recommendations of the parents, if such are available.

(d) The case plan If the report contains a plan for reunification services, such plan if adopted by the court shall be in effect until modification by the court. The plan will shall address each reason requiring removal and shall contain at least the following:

- (1) The purpose for which the child was placed in foster care, including a statement of the reasons why the child cannot be adequately protected at home and the harm which may occur if the child remains in the home and shall also include a description of the services offered and the services provided to prevent removal of the child from the home;
- (2) A discussion of how the plan is designed to achieve a placement in the least restrictive, most family-like setting available and in close proximity to the home of the parents, consistent with the best interests and special needs of the child;
- (3) A clear description of the specific actions to be taken by the parents; and the specific services to be provided by the Division of Family and Children Services of the Department of Human Resources or other appropriate agencies in order to bring about the identified changes that must be made in order for the child to be returned home; provided, however, that all services and actions required of the parents which are not directly related to the circumstances necessitating separation cannot be made conditions of the return of the child without further court review;
- (4) Specific time frames in which the goals of the plan are to be accomplished to fulfill the purpose of the reunification plan;
- (5) The person within the Division of Family and Children Services of the Department of Human Resources or other agency which is directly responsible for ensuring that the plan is implemented; and
- (6) Consideration of the advisability of a reasonable visitation schedule which allows the parents to maintain meaningful contact with their children through personal visits, telephone calls, and letters.

The report submitted to the court shall also contain any dissenting recommendations of the citizen review panel, if applicable, and the parents which are not in accord with the proposed plan submitted to the court. After receiving the proposed plan, unless a hearing is requested as provided in this Code section, the court shall enter a dispositional

order or supplemental order incorporating all elements of the plan which the court finds essential to reunification of the child with his or her family specifying what must be accomplished by all parties before reunification of the family can be achieved. At the time the proposed plan is transmitted to the court, a copy shall also be transmitted to the parents, along with written notes that the plan will be made the order of the court unless, within five days from the date the copy of the plan was received, they request a hearing before the court to review the plan.

(e) If the submitted report contains a proposed plan for reunification services, and no hearing is requested as provided in this Code section, the court shall enter a dispositional order or supplemental order incorporating all elements of the plan for reunification services which the court finds essential to reunification of the child with his or her family, specifying what must be accomplished by all parties before reunification of the family can be achieved. If the report contains a plan for reunification services, a copy of the report must be transmitted to the parents at the same time the report is transmitted to the court, along with written notice that the report will be made the order of the court unless, within five days from the date the copy of the report was received, the parents request a hearing before the court to review the report.

(f) If the report submitted to the court does not contain a plan for reunification services, upon proper notice being provided to the parents, the court shall, no later than 30 days following the filing of the report, hold a hearing to review the report and the determination that a plan for reunification services is not appropriate.

(g) When a recommendation is made that reunification services are not appropriate and should not be allowed, the report shall address each reason requiring removal and shall contain at least the following:

(1) The purpose for which the child was placed in foster care, including a statement of the reasons why the child cannot be adequately protected at home and the harm which may occur if the child remains in the home and a description of the services offered and the services provided to prevent removal of the child from the home; and

(2) A clear statement describing all of the reasons supporting a finding that reasonable efforts to reunify a child with the child's family will be detrimental to the child, and that reunification services therefore need not be provided, including specific findings as to whether any of the grounds for terminating parental rights exist, as set forth in subsection (b) of Code Section 15-11-81.

(h) At the hearing held for the purpose of reviewing the determination by the Division of Family and Children Services of the Department of Human Resources that a reunification plan is not appropriate, the representative of the Division of Family and Children Services shall notify the court whether and when it intends to proceed with termination of parental rights at that time. If the Division of Family and Children Services indicates that it does not intend to petition for the termination of parental rights, the court may appoint a guardian ad litem and charge such guardian with the duty of determining whether termination proceedings should be commenced.

(i) When reviewing the determination by the Division of Family and Children Services of the Department of Human Resources that a reunification plan is not appropriate, the court shall determine by clear and convincing evidence whether reasonable efforts to reunify a child with his or her family will be detrimental to the child and that reunification services, therefore, should not be provided or should be terminated. There shall be a presumption that reunification services should not be provided if the court finds by clear and convincing evidence that:

(1) The parent has unjustifiably failed to comply with a previously ordered plan designed to reunite the family;

(2) A child has been removed from the home on at least two previous occasions and reunification services were made available on those occasions; or

(3) Any of the grounds for terminating parental rights exist, as set forth in subsection (b) of Code Section 15-11-81.

~~(d)~~(j) Except as otherwise provided by law, an order of disposition placing a deprived child in foster care under the supervision of the Division of Family and Children Services of the Department of Human Resources shall continue in force for ~~18~~ 12 months after the date of original placement with the department or until sooner terminated by the court. All cases of children in foster care in the custody of the Division of Family and Children Services of the Department of Human Resources shall be initially reviewed within 90 days of the entering of the dispositional order but no later than six months following the child's placement; and shall be conducted by the juvenile court judge, ~~or by an associate juvenile court judge a properly designated referee or judge pro tempore,~~ or by judicial citizen review panels established by the court, as the court directs, meeting such standards and using such procedures as shall be established by court rule by the Supreme Court of Georgia, with the advice and consent of the Council of Juvenile Court Judges. At the time of each review of every case of a child in foster care in the custody of the Division of Family and Children Services of the Department of Human Resources, a representative of the Division of Family and Children Services shall notify the court whether the division intends to proceed with the termination of parental rights at that time. If the division indicates that it does not intend to petition for the termination of parental rights at that time, the court may appoint a guardian ad litem and charge such guardian with the duty of determining whether termination proceedings should be commenced. In the event the review is conducted by citizen review panels, the panel shall transmit its report, including its findings and recommendations and those of the department, along with the department's proposed revised plan for reunification or other permanency plan, if necessary, to the court and the parents within five days after the review. Any party may request a hearing on the proposed revised plan in writing within five days after receiving a copy of such plan.

~~(e)~~(k) If no hearing is requested or scheduled by the court on its own motion, the court shall review the proposed revised plan and enter a supplemental order incorporating a revised plan as part of its disposition in the case. In the event that a hearing is held, the court shall, after hearing evidence, enter a supplemental order incorporating all elements that the court finds essential in the proposed revised plan ~~to achieve reunification.~~ The judge's supplemental order shall be entered within a reasonable time from the conclusion of the hearing or expiration of the time for the hearing to be requested and shall also provide one of the following:

(1) That the child return to the home of his or her parents, legal guardian, or custodian with or without court imposed conditions;

(2) That the child continue in the current custodial placement and that the current placement is appropriate for the child's needs; or

(3) That the child continue in the current custodial placement but that the current placement plan is no longer appropriate for the child's needs and direct the department to devise another plan within available resources. The new plan must be submitted within ten days for court approval. Copies of any court approved revised plan shall be furnished to all parties.

In the event that the citizen review panel determines that the parents have unjustifiably failed to comply with the ordered plan designed to reunite the family and that such failure is significant enough to warrant consideration of termination of parental rights, the panel may make a recommendation to the guardian ad litem of the child, the department, and the intake officer of the court that a petition for termination of parental rights should be prepared. Any such party or officer of the court shall file a petition if, upon examination, they find sufficient evidence. In the event that no guardian ad litem

has been appointed when the citizen review panel recommends that a petition to terminate parental rights be filed, the court shall have the authority to appoint a guardian ad litem who shall have the duty to determine whether termination proceedings should be commenced. libtool.com.cn

~~(f)~~(l) The court which made the order may extend its duration for not more than two years if:

(1) A hearing is held upon motion of the Division of Family and Children Services of the Department of Human Resources prior to the expiration of the order, which hearing shall, after the making of appropriate findings of fact, determine the future status of the child including, but not limited to, whether the child should be returned to the ~~parent(s)~~ parent or parents, should be continued in foster care for a specified period, should be placed for adoption, or should, because of the child's special needs or circumstances, be continued in foster care on a permanent or long-term basis and whether reunification services, if in effect, should be continued; and procedural safeguards shall be applied with respect to parental rights pertaining to the removal of the child from the home of his or her parents, to a change in the child's placement, and to any determination affecting visitation privileges of parents;

(2) Reasonable notice of the factual basis of the motion and of the hearing and opportunity to be heard are given to the parties affected; and

(3) The court finds that the extension is necessary to accomplish the purposes of the order extended.

~~(g)~~(m) Except as otherwise provided by law, any other order of disposition in a proceeding involving delinquency, unruliness, or deprivation, except in an order involving the appointment of a guardian of the person or property of a child, continues in force for not more than two years. The court may sooner terminate its order or extend its duration for further periods. An order of extension may be made if:

(1) A hearing is held prior to the expiration of the order upon motion of a party or on the court's own motion;

(2) Reasonable notice of the factual basis of the motion and of the hearing and opportunity to be heard are given to the parties affected;

(3) The court finds that the extension is necessary to accomplish the purposes of the order extended; and

(4) The extension does not exceed two years from the expiration of the prior order.

~~(h)~~(n) Except as provided in subsection (a) of this Code section, the court may terminate an order of disposition or extension prior to its expiration, on or without an application of a party, if it appears to the court that the purposes of the order have been accomplished.

~~(i)~~(o) Unless otherwise provided by law, when the child reaches 21 years of age all orders affecting him or her then in force terminate and he or she is discharged from further obligation or control."

SECTION 2.

Said chapter is further amended by striking subparagraphs (b)(4)(B) and (b)(4)(C) of Code Section 15-11-81, relating to grounds for termination of parental rights, and inserting in their place new subparagraphs to read as follows:

"(B) In determining whether the child is without proper parental care and control, the court shall consider, without being limited to, the following:

(i) A medically verifiable deficiency of the parent's physical, mental, or emotional health of such duration or nature as to render the parent unable to provide adequately for the physical, mental, emotional, or moral condition and needs of the child;

(ii) Excessive use of or history of chronic unrehabilitated abuse of intoxicating liquors or narcotic or dangerous drugs or controlled substances with the effect of rendering the parent incapable of providing adequately for the physical, mental, emotional, or moral condition and needs of the child;

(iii) Conviction of the parent of a felony and imprisonment therefor which has a demonstrable negative effect on the quality of the parent-child relationship;

(iv) Egregious conduct or evidence of past egregious conduct of the parent toward the child or toward another child of a physically, emotionally, or sexually cruel or abusive nature;

(v) Physical, mental, or emotional neglect of the child or evidence of past physical, mental, or emotional neglect of the child or of another child by the parent; and

(vi) Injury or death of a sibling under circumstances which constitute substantial evidence that such injury or death resulted from parental neglect or abuse.

(C) In addition to the considerations in subparagraph (B) of this paragraph, where the child is not in the custody of the parent who is the subject of the proceedings, in determining whether the child is without proper parental care and control, the court shall consider, without being limited to, whether the parent without justifiable cause has failed significantly for a period of one year or longer prior to the filing of the petition for termination of parental rights:

(i) To communicate or to make a bona fide attempt to communicate with that child in a meaningful, supportive, parental manner;

(ii) To provide for the care and support of the child as required by law or judicial decree; and

(iii) To comply with a court ordered plan designed to reunite the child with the parent or parents.”

SECTION 3.

Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to adoption, is amended by striking subsection (b) of Code Section 19-8-10, relating to when surrender or termination of parental rights is not required and service in such instances, and inserting in lieu thereof the following:

“(b) Surrender of rights of a parent pursuant to subsection (a) of Code Section 19-8-6 or 19-8-7 shall not be required as a prerequisite to the filing of a petition for adoption of a child of that parent pursuant to Code Section 19-8-13, if that parent, for a period of one year or longer immediately prior to the filing of the petition for adoption, without justifiable cause, has significantly failed:

(1) To communicate or to make a bona fide attempt to communicate with that child in a meaningful, supportive, parental manner; or

(2) To provide for the care and support of that child as required by law or judicial decree,

and the court is of the opinion that the adoption is for the best interests of that child.”

SECTION 4.

Said chapter is further amended by striking in its entirety paragraph (3) of subsection (a) of Code Section 19-8-11, relating to petitions for termination of parental rights and service of process, and inserting in lieu thereof the following:

“(3) Parental rights may be terminated pursuant to paragraph (1) or (2) of this subsection where:

- (A) The child has been abandoned by that parent;
- (B) That parent of the child cannot be found after a diligent search has been made;
or www.libtool.com.cn
- (C) That parent is insane or otherwise incapacitated from surrendering such rights;
or
- (D) That parent does not have physical custody of the child and, for a period of one year or longer immediately prior to the filing of the petition for adoption, without justifiable cause, has significantly failed to communicate with the child in a meaningful, supportive, parental manner,

and the court shall set the matter down to be heard in chambers not less than 30 and not more than 60 days following the receipt by such remaining parent of the notice under subsection (b) of this Code section and shall enter an order terminating such parental rights if it so finds and if it is of the opinion that adoption is in the best interests of the child.”

SECTION 5.

This Act shall become effective on July 1, 1996, and shall apply with respect to proceedings pending on that date as well as proceedings filed on or after that date.

SECTION 6.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 163, nays 0.

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

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SR 457. By Senator Starr of the 44th:

A resolution authorizing the conveyance of certain state owned real property located in Baldwin, Bartow, Chatham, DeKalb, Floyd, Fulton, Houston, Irwin, Lumpkin, Rabun, Richmond, Wayne, and White Counties, Georgia; to provide an effective date.

The following Committee substitute was read:

A RESOLUTION

Authorizing the conveyance of certain state owned real property located in Baldwin, Bartow, Chatham, DeKalb, Floyd, Fulton, Hall, Houston, Lumpkin, Richmond, Wayne, and White counties, Georgia; to authorize the conveyance of certain property which may be acquired in the future for the purpose of constructing prisons; to provide an effective date; to repeal conflicting laws; and for other purposes.

WHEREAS, the State of Georgia is the owner of certain parcels of real property located in Baldwin, Bartow, Chatham, DeKalb, Floyd, Fulton, Hall, Houston, Lumpkin, Richmond, Wayne, and White counties, Georgia; and

WHEREAS, said parcels of real property are all those tracts or parcels of land lying and being in:

A. Baldwin County, Georgia, and being that certain unimproved triangular-shaped parcel of land lying and being along and adjoining the northwesterly right of way line of State Route 22, and on the southerly right of way of North Cobb Street, in the Original First Land and present 308th Militia District in Baldwin County, Georgia, it lying and being in Land Lot 282, containing an original area of 6.24 acres (now containing 4.66 +/- acres);

B. Baldwin County, Georgia, in the original First Land and present 318th Militia District, lying in and being a part of Land Lot 281, and being generally described as those parcels of land lying at or near the northwest corner of the intersection of Roberson Mill Road and State Highway 22 containing 9.68 acres; 10.04 and 1.06 acres as shown on plats prepared by Georgia Registered Land Surveyor Edwin L. Thompson dated June 20, 1987, and July 5, 1987, respectively, and being on file in the offices of the State Properties Commission;

C. Baldwin County, Georgia, and being all that tract or parcel of land lying and being in the 319th GMD, 1st Land District of Baldwin County, containing 100 +/- acres, and being part of Land Lots 251, 252, 265, and 266, and being bounded as follows: Bounded on the north by the right of way of the Georgia Railroad, on the east by a no-name creek running in a southerly direction from the southern right of way of the Georgia Railroad to the north side of Fishing Creek, and bounded on the south by Fishing Creek, and bounded on the west by Blandy Road. Excepting from the above that parcel of land lying and being in the northwest corner of above containing 14.28 acres and deeded by quitclaim deed dated February 14, 1983, by the State of Georgia to J.P. Stevens and Company;

D. Baldwin County, Georgia, and being all that tract or parcel of land lying and being in the 318th GMD, 1st Land District of Baldwin County, and being a part of Land Lots 248, 267, and 268, containing 141.4 acres and shown as tract No. 2 on a plat of survey entitled "Plat of Survey Lands of the State of Georgia assigned The Youth Development

Center," dated March 31, 1970, by Calvin W Rice, and recorded in Baldwin County deed records in Deed Book 85, page 474, a copy of which is on file in the office of the State Properties Commission;

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E. Bartow County, Georgia, and being a parcel of the Western and Atlantic Railroad, lying and being in Land Lot 1216 of the 21st District, 2nd Section, Bartow County, Georgia, and described as a triangular-shaped lot formerly used as a W&A section lot lying in the fork between the old W&A right of way relocated in 1948-1949 and the existing W&A right of way, shown in the W&A Railroad Valuation Map No. 2V/16 on file in the Georgia Department of Archives and History, Archives and Records Building, Atlanta, Fulton County, Georgia, and in the offices of the State Properties Commission;

F Chatham County, Georgia, and being all that certain tract of land lying and being in the 4th Militia District of Chatham County, Georgia, containing 27.4+/- acres, and described as that improved property lying on the north side of Eisenhower Drive, beginning at a point 731 feet east of the east right of way of Waters Avenue, thence running southeasterly 1650 feet along the north right of way of Eisenhower Drive to the western right of way of Seawright Drive, thence running north along the western right of way of Seawright Drive 1834.99 feet to the south side of Cornell Avenue, thence running westerly along the southern right of way of Cornell Avenue 649.94 feet to the eastern boundary of the Stevenson Plantation (now divided into lots), thence running in a southerly direction along the said Stevenson Plantation to the north side of Eisenhower Drive and the point of beginning;

G. DeKalb County, Georgia, and being all that tract of land situate, lying and being in Land Lot 211 of the 15th District of DeKalb County, Georgia, containing 27.4+/- acres, and being more particularly described as follows: COMMENCING at the intersection of the south right-of-way line of Georgia (CSX Transportation, Seaboard System Railroad) with the east right-of-way line of Rogers Street (a 50 foot right of way), and the POINT OF BEGINNING; thence south 00 degrees 13 minutes 41 seconds east a distance of 1,678.10 feet to an iron pin placed (shown on the plat as being on the intersection of the east right-of-way line of Rogers Street with the "approximate land lot line" between Land Lot 211 on the north and Land Lot 206 on the south); thence easterly along the property line (and said approximate land lot line) south 89 degrees 14 minutes 40 seconds east a distance of 754.96 feet to an iron pin placed; thence north 00 degrees 31 minutes 32 seconds west a distance of 1,551.31 feet to an iron pin placed on the south right-of-way line of Georgia Railroad; thence westerly along the property line and said right-of-way line along an arc, the radius of which is 2,149.49 feet and the chord for which bears north 84 degrees 45 minutes 24 seconds west a distance of 389.18 feet, an arc distance of 389.72 feet to an iron pin placed; thence, continuing along said right of way, north 79 degrees 33 minutes 45 seconds west a distance of 9.12 feet to an iron pin placed; thence, continuing along said right of way, along an arc, the radius of which is 1,925.02 feet and the chord for which bears north 74 degrees 08 minutes 02 seconds west a distance of 364.24 feet, an arc distance of 364.79 feet, to an iron pin placed at the intersection of the south right-of-way line of Georgia Railroad with the east right-of-way line of Rogers Street, the POINT OF BEGINNING;

H. Floyd County, Georgia, and being all that tract or parcel of land lying and being in Floyd County, Georgia, lying and being a part of Land Lots 872 and 873 of the 3rd District of Floyd County, Georgia, consisting of 17.54+/- acres and including parcels A, B, C, and D, according to a plat of survey prepared by N. B. DeLoach, Georgia Registered Land Surveyor No. 1347, dated April 19, 1990;

I. Fulton County, Georgia, and being in the City of Atlanta in Land Lot 77 of the 14th District of Fulton County, Georgia, and more particularly described as follows: BEGINNING at the intersection of the northwest side of the right of way of South Pryor Street with the southwest side of the right of way of Trinity Avenue, and running thence southwesterly along the northwest side of the right of way of South Pryor Street a distance of 103.7 feet to the northeast line of property now or formerly owned by I. D.

Weitz; running thence northwesterly along the northeast line of said Weitz property a distance of 185.4 feet to a point on the southeast side of a 10-foot alley; running thence northeasterly along the southeast side of said alley a distance of 106.8 feet to the intersection of the southeast side of said alley with the southwest side of the right of way of Trinity Avenue; running thence southeasterly along the southwest side of the right of way of Trinity Avenue a distance of 185.8 feet to the point of beginning; being improved property known as Nos. 209, 211, and 213 South Pryor Street, S. W., and Nos. 160 and 164 Trinity Avenue, S.W., according to the present system of numbering houses in the City of Atlanta, and shown on a blueprint of survey;

J. Fulton County, Georgia, and being all that tract or parcel of land lying and being in Land Lot 77 of the 14th District of Fulton County, Georgia, being more particularly described as follows: BEGINNING at the intersection formed by the southeastern side of Pryor Street and the southwestern side of Mitchell Street, and running thence in a southwesterly direction along the southeastern side of Pryor Street a distance of 95 feet to the southwestern edge of a wall; thence in a southeasterly direction along said wall a distance of 140.11 feet to the southeastern edge of another wall on an alley; thence in a northeasterly direction along the southeastern edge of said wall a distance of 95.07 feet to the southwestern side of Mitchell Street; thence in a northwesterly direction along the southwestern side of Mitchell Street a distance of 140.08 feet to the southeastern side of Pryor Street and the point of beginning; being improved property known as Nos. 110-112-116 Mitchell Street and Nos. 166-172 Pryor Street, according to the present system of numbering houses and improvements in the City of Atlanta;

K. Fulton County, Georgia, and being all that tract or parcel of land lying and being in Land Lot 6 of the 14th District of Fulton County, Georgia, more particularly described as follows: BEGINNING at a point on the north side of Constitution Road, 1,281.6 feet east of the intersection of the north side of Constitution Road and the east side of Forest Park Road, at an iron pin; thence east along the north side of Constitution Road 600 feet to an iron pin at the southeast corner of the Max H. Kessler, et al., tract, and at the west line of property formerly owned by Sawtell; thence north 1 degree 20 minutes west along said property line, 514.4 feet to the right of way of the Southern Railway to an iron pin; thence northwest along the southwest line of the right of way aforesaid, 729.1 feet to an iron pin; thence south 3 degrees 30 minutes east, 899.19 feet to Constitution Road and the point of beginning. Said property being more fully shown on plat of same made by J. A. Page, Surveyor, dated April 12, 1954, and containing 9.62 acres;

L. Fulton County, Georgia, and being more all that tract or parcel of improved land lying and being in the City of Atlanta, in Land Lot 54 of the 14th District of Fulton County, Georgia, containing 0.39 of one acre and being more particularly described as follows: BEGINNING at the southeast corner of Ormond and Fraser Streets, in the City of Atlanta; and running thence east along the south side of Ormond Street 90.2 feet to the west line of Lot 3; thence south along the west line of said Lot 3, 207.2+/- feet, to a 15 foot alley; thence west along the north side of said alley 71.8 feet to Fraser Street; thence north along the east side of Fraser Street 209.8 feet to the point of beginning; being improved property and being now or formerly numbered 53-55-57-59 Ormond Street, S. E., according to the numbering of houses in the City of Atlanta, Georgia;

M. Hall County, Georgia, and being all that tract or parcel of land lying and being in Land Lot 166 of the 9th Land District of Hall County containing 0.95 of one acre and being more particularly described on a plat of survey entitled "Proposed acquisition by the State of Georgia, custody in the Department of Corrections" by Georgia Registered Land Surveyor Tommie M. Donaldson, Jr., #1617, on file with the State Properties Commission;

N. Houston County, and being all that tract or parcel of land lying and being in the upper 5th District of Houston County, Georgia, containing 139.9+/- acres, and being

part of Land Lots 83 and 84, and being more particularly described in a plat of survey by Cherokee Engineering Company dated June, 1957, entitled "Property of the State of Georgia, Georgia Forestry Commission" (recorded in Map Book 4, page 266, in Houston County ~~Deed Records~~) on file with the State Properties Commission;

O. Lumpkin County, Georgia, and being in the 13th Land District, 1st Section, and being all of Land Lots Nos. 111, 112, 113, 146, and 147, and being a portion of Land Lots Nos. 84 and 148, Lumpkin County, Georgia, containing 239 +/- acres as shown on a drawing on file with the State Properties Commission;

P Richmond County, Georgia, and being all those tracts or parcels of land lying and being in Richmond County containing 550 +/- acres and being in close proximity to Gracewood State School and Hospital as illustrated on that certain drawing on file in the offices of the State Properties Commission;

Q. Wayne County, Georgia, and being all that tract or parcel of land lying and being in the City of Jesup, Wayne County, containing 6.5 +/- acres, and being generally described as that parcel of improved property situate, lying and being on State Highway 38, northeast of the intersection of Project Street, and is more particularly shown on a plat of survey on file in the offices of the State Properties Commission;

R. White County, Georgia, and being all that tract or parcel of land lying and being in the 162nd Land Lot of White County and being generally described as that certain now vacant and unimproved tract or parcel of land situate, lying and being west of Loudsville Road, containing 5 +/- acres, and is more particularly shown on a plat of survey on file in the offices of the State Properties Commission;

and

WHEREAS, each of the above-described tracts or parcels may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented by the purchaser to the State Properties Commission for approval; and

WHEREAS, said properties are under the custody of the State Properties Commission, Department of Defense, Georgia Building Authority, Department of Education, Department of Corrections, Georgia Forestry Commission, Department of Agriculture, Department of Natural Resources, and the Department of Human Resources; and

WHEREAS, the subject properties are underutilized and the Commission on Privatization has determined that all or a portion of the above-described parcels are surplus to the needs of the State of Georgia; and

WHEREAS, there is a pressing state need for funds with which to acquire and protect lands along Georgia's 70,000 miles of rivers and streams; and

WHEREAS, this state has embarked on a major new program to inventory, identify, and protect segments of Georgia's rivers for recreation, scenic amenities, and as future sources of drinking water; and

WHEREAS, it is the intent of the General Assembly that any proceeds from the sale of surplus state properties be utilized for the acquisition of properties for wildlife management areas, parks, or other public recreational areas or for the protection of sensitive river corridors and streams.

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

SECTION 1.

That the State of Georgia is the owner of the above-described real properties 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.

(a) That all or a portion of each of the above-described real properties shall be sold by competitive bid for a consideration of the fair market value of such properties as determined to be in the best interest of the State of Georgia by the State Properties Commission or shall be exchanged for property or properties of an equal value as determined to be in the best interest of the State of Georgia by the State Properties Commission; provided, however, that all or a portion of each of the above-described real properties may be sold subject to the provisions of subsection (b) of this section to a city, county, school board, or other local public entity for not less than the fair market value without the necessity of competitive bid or may be exchanged subject to the provisions of subsection (b) of this section for other property or properties of a city, county, school board, or other local public entity having an equal value, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

(b) That any contract for the sale of the above-described real properties or a portion thereof shall provide that if any city, county, school board, or other local public entity which through purchase or the exchange of property obtains title to any of the above-described real properties or a portion thereof determines that any such property or a portion thereof is no longer needed for public purposes, then, before any disposition of such property, the State of Georgia acting by and through its State Properties Commission shall have the right to purchase said property for the consideration equal to the amount which such city, county, school board, or other local public entity paid to the state for such property or a portion thereof plus the value of any improvements made to such property.

SECTION 3.

That the State of Georgia, through the Department of Corrections, is contemplating the purchase of separate tracts of property in Charlton County and Coffee County and has acquired certain property in Wheeler County, on which the state plans to construct a new 500 bed prison in each of those counties. However, the State of Georgia is also contemplating the privatization of the proposed prisons in those counties. If it is determined to be in the best interest of the state to privatize any of the proposed prisons to be constructed on the above-described properties, then any such property may, in the discretion of the State Properties Commission, be sold to the private entity which will construct and operate the prison thereon for a consideration of the fair market value of such property, but in no case less than the amount paid by the state, or may be disposed of as allowed by this resolution as determined to be in the best interest of the State of Georgia by the State Properties Commission, along 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 4.

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

SECTION 5.

That each deed of conveyance shall be recorded by the purchaser in the superior court of the county of the property's origin and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 6.

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

SECTION 7.

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

The following amendment was read:

Representative Jenkins of the 110th moves to amend the Committee substitute to SR 457 as follows: www.libtool.com.cn

Insert on line 41 of page 7 after the word "entity", the following:

" , which shall include development authorities or industrial development authorities,"

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

Y Allen	Y Crews	Irvin	Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
N Barnard	Y Dix	N Joyce	Poston	Y Stanley, P
N Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	N Dobbs	N Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
N Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	N Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brooks, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Holmes	N Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	N Hudson	Y Orrock	Y Smith, T	Y Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 136, nays 21.

The amendment was adopted.

The following amendments were read and adopted:

Representatives Dobbs of the 92nd, Watts of the 26th, Hanner of the 159th and Porter of the 143rd move to amend the Committee substitute to SR 457 by striking in their entirety lines 13 and 14 on page 7 which read as follows:

"rivers for recreation, scenic amenities, and as future sources of drinking water; and", and inserting in lieu thereof the following:

"rivers for recreation and scenic amenities; and"

Representative Parham of the 122nd moves to amend the Committee substitute to SR 457 by adding between lines 22 and 23 on page 7 the following:

“ARTICLE I”

By adding between lines 9 and 10 on page 9 the following:

www.libtool.com.cn “SECTION 6.”

Notwithstanding any other provisions of this article, this article shall not apply to the hereinabove described real property in Baldwin County designated under paragraph A.

ARTICLE II

SECTION 7.

That the State of Georgia is the owner of the above-described real property located in Baldwin County, Georgia, and designated by paragraph A. above 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 real property shall be conveyed by appropriate instrument to the Baldwin County Hospital Authority by the State of Georgia, acting by and through the State Properties Commission, for a consideration of not less than the fair market value, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 9.

That the authorization in this article to convey the above-described property to the Baldwin County Hospital Authority shall expire three years after the date that this resolution becomes effective.

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.

ARTICLE III”

By striking from line 10 of page 9 the following:

“SECTION 6.”,

and inserting in lieu thereof the following:

“SECTION 12.”

By striking from line 14 of page 9 the following:

“SECTION 7.”,

and inserting in lieu thereof the following:

“SECTION 13.”

Representative Parham of the 122nd moves to amend the Committee substitute to SR 457 by adding between lines 22 and 23 on page 7 the following:

"ARTICLE I".

By adding between lines 9 and 10 on page 9 the following:

www.libtool.com.cn "SECTION 6A.

Notwithstanding any other provisions of this article, this article shall not apply to the hereinabove described real property in Baldwin County designated under paragraph C.

ARTICLE IIA

SECTION 7A.

That the State of Georgia is the owner of the above-described real property located in Baldwin County, Georgia, and designated by paragraph C. above 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 8A.

That the above-described real property shall be conveyed by appropriate instrument to the Baldwin County Board of Education by the State of Georgia, acting by and through the State Properties Commission, for a consideration of not less than the fair market value, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 9A.

That the authorization in this article to convey the above-described property to the Baldwin County Board of Education shall expire three years after the date that this resolution becomes effective.

SECTION 10A.

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

SECTION 11A.

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.

ARTICLE III".

By striking from line 10 of page 9 the following:

"SECTION 6.",

and inserting in lieu thereof the following:

"SECTION 12."

By striking from line 14 of page 9 the following:

"SECTION 7.",

and inserting in lieu thereof the following:

"SECTION 13."

Representative Parham of the 122nd moves to amend the Committee substitute to SR 457 by adding between lines 22 and 23 on page 7 the following:

“ARTICLE I”

By adding between lines 9 and 10 on page 9 the following:

www.libtool.com.cn “SECTION 6B.”

Notwithstanding any other provisions of this article, this article shall not apply to the hereinabove described real property in Baldwin County designated under paragraph D.

ARTICLE IIB

SECTION 7B.

That the State of Georgia is the owner of the above-described real property located in Baldwin County, Georgia, and designated by paragraph D. above 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 8B.

That the above-described real property shall be conveyed by appropriate instrument to the Milledgeville-Baldwin County Development Authority by the State of Georgia, acting by and through the State Properties Commission, for a consideration of not less than the fair market value, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 9B.

That the authorization in this article to convey the above-described property to the Milledgeville-Baldwin County Development Authority shall expire three years after the date that this resolution becomes effective.

SECTION 10B.

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

SECTION 11B.

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.

ARTICLE III”

By striking from line 10 of page 9 the following:

“SECTION 6.”,

and inserting in lieu thereof the following:

“SECTION 12.”

By striking from line 14 of page 9 the following:

“SECTION 7.”,

and inserting in lieu thereof the following:

“SECTION 13.”

The Committee substitute, as amended, was adopted.

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

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

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Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, by substitute, as amended, the ayes were 165, nays 2.

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

SB 585. By Senators Broun of the 46th, Clay of the 37th and Henson of the 55th:

A bill to amend Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to local authorization and regulation of sales of alcoholic beverages on Sunday, so as to authorize certain county governing authorities to provide by ordinance or resolution for the sale of alcoholic beverages for consumption on the premises on Sunday in certain counties during certain hours.

The following Committee substitute was read:

A BILL

To amend Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to local authorization and regulation of sales of alcoholic beverages on Sunday, so as to authorize certain county governing authorities to provide by ordinance or resolution for the sale of alcoholic beverages for consumption on the premises on Sunday in certain counties during certain hours; to authorize local governments to regulate the hours for the sale of alcoholic beverages for consumption on the premises; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to local authorization and regulation of sales of alcoholic beverages on Sunday, is amended by striking subsection (m) of said Code section and inserting in its place a new subsection (m) to read as follows:

“(m) In all municipalities or counties or in any portion of any municipality or county in which the sale of alcoholic beverages is lawful, the governing authority of the municipality or county may authorize the sale of alcoholic beverages for consumption on the premises at any time from 11:55 P.M. on Saturdays until 2:55 A.M. on Sundays by the adoption of an ordinance or resolution. The provisions of this subsection are in addition to or cumulative of and not in lieu of any other provisions of this title granting certain authority to a county or municipality relative to the sale of alcoholic beverages for consumption on the premises. Said authorization may be revoked by such governmental authority in the same manner.”

SECTION 2.

Said Code section is further amended by adding at the end thereof a new subsection (o) to read as follows:

“(o) In addition to the authority granted to a county or municipality under any other provision of this Code section, a county or municipality may, by the adoption of a resolution or ordinance, establish hours for the sale of alcoholic beverages for consumption on the premises that are uniform for every day of the week.”

SECTION 3.

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

The following amendment was read and adopted:

Representative Towery of the 30th moves to amend the Committee substitute to SB 585 by striking all matter on lines 1 through 3 of page 1 and inserting in lieu thereof the following:

“To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to authorize”

By striking lines 13 through 15 of page 1 and inserting in lieu thereof the following:

“Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is amended in Code Section 3-3-7, relating to authorization and regulation of Sunday sales, by”.

By adding immediately before the repealer a new Section 1A to read as follows:

“SECTION 1A.

Said title is further amended by adding after Code Section 3-7-1 a new Code Section 3-7-2 to read as follows:

‘3-7-2.

Notwithstanding any other provision of this chapter, a bona fide private club at which the sale of distilled spirits by the drink for consumption only on the premises where sold is otherwise authorized pursuant to this chapter is authorized to sell distilled spirits by the drink at any time on Sundays.”

The following amendment was read:

Representative Holmes of the 53rd moves to amend the Committee substitute to SB 585 by inserting on line 9 of page 1 immediately following the word and symbol "premises;" the following:

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 "to amend Code Section 3-4-91 of the Official Code of Georgia Annotated, relating to the procedure for local authorization of sales by the drink, so as to change the time limitation on holding subsequent referendum elections,"

By redesignating Section 3 as Section 4 and inserting a new Section 3 to read as follows:

"SECTION 3.

Code Section 3-4-91 of the Official Code of Georgia Annotated, relating to the procedure for local authorization of sales by the drink, is amended by striking subparagraph (b)(1)(C) and inserting in its place a new subparagraph (C) to read as follows:

'(C) Following the expiration of ~~two years~~ one year after any election is held which results in the disapproval of sales as provided in this article, another election on this question shall be held if the governing authority, as provided in subparagraph (A) of this paragraph, forwards a resolution to the election superintendent calling for such a referendum.'"

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

Y Allen	N Crews	Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	N Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	Y Davis, G	N Jenkins	Y Perry	Snow
Baker	N Davis, M	N Johnson, G	Y Pinholster	N Stallings
N Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
Barfoot	N DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
N Barnes	Y Dixon, H	N Kaye	Powell	N Stephenson
Y Bates	Dixon, S	N Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbs	N Klein	N Purcell, B	Y Taylor
Birdsong	Y Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	N Lane	N Ray	Thomas
N Breedlove	N Falls	N Lawrence	Y Reaves	Y Tillman
Y Brooks, D	N Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	N Floyd	N Lewis	Roberts	N Towerly
N Brown, J	Godbee	N Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	N Royal	Turnquest
Y Buck	Y Goodwin	Lucas	N Sanders	Twiggs
Buckner	Y Greene	N Maddox	N Sauder	Y Walker, L
N Bunn	Grindley	N Mann	Y Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	Martin	Y Shanahan	N Wall
N Byrd	N Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	N McCall	Y Sherrill	N Watts
Y Canty	Y Heard	Y McClinton	N Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	Y White
Channell	N Hembree	Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	N Mobley, J	N Smith, C	N Williams, B
N Coker	Y Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	Y Smith, L	N Williams, R
Coleman, T	Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	N Hudson	Y Orrock	N Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 84, nays 71.

The amendment was adopted.

The following amendment was read and adopted:

Representatives Dixon of the 168th, Golden of the 177th and Harris of the 17th move to amend the Committee substitute to SB 585 by striking on lines 7 through 9 of page 1 the following:

“to authorize local governments to regulate the hours for the sale of alcoholic beverages for consumption on the premises;”.

By striking in its entirety Section 2 and renumbering Section 3 as Section 2.

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:

Y Allen	N Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	N Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	Davis, G	N Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
N Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	N DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bergeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	N Kaye	Y Powell	N Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	N Purcell, B	Y Taylor
Birdsong	Y Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Thomas
Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	N Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	N Royal	Turnquest
Y Buck	Y Goodwin	Lucas	N Sanders	Y Twiggs
Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	N Mann	Y Scoggins	N Walker, R.L
N Burkhalter	Y Hanner	Martin	Shanahan	Y Wall
N Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	N McCall	Y Sherrill	N Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
N Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Coleman, B	Y Holmes	Mueller	N Smith, L	Y Williams, R
Coleman, T	Howard	Y O'Neal	N Smith, P	N Woods
Connell	Y Hudson	Y Orrock	N Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 118, nays 38.

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

Representative Falls of the 125th stated that she inadvertently voted “aye” on the preceding roll call. She wished to be recorded as voting “nay” thereon.

SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and ground-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

The following Committee substitute was read:

A BILL

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To amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and surface-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that no permits which authorize the transfer of surface water from one river basin to another shall be issued until certain conditions are met; to provide exceptions; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties; to provide an effective date; 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 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and surface-water use, is amended by striking in its entirety Code Section 12-5-23.2, relating to the prohibited discharge of certain waste water, which reads as follows:

“12-5-23.2.

Notwithstanding the provisions of Code Section 12-5-23 or any rule, regulation, or order adopted or issued pursuant to this article, no person who has been issued a National Pollutant Discharge Elimination System permit which allows the discharge of 1,000,000 gallons or more per day from a water pollution control plant operated by such person which discharges waste water into the Chattahoochee River between Buford Dam and West Point Reservoir shall discharge waste water from any such water pollution control plant on or after January 1, 1992, which contains more than 0.75 milligrams of phosphorus per liter of waste water on a monthly average basis or which fails to comply with any stricter standard adopted pursuant to Code Section 12-5-23; provided, however, that, notwithstanding the provisions of this Code section, any person who has been issued a National Pollutant Discharge Elimination System permit and who has entered into a finalized consent order shall conform to the schedule adopted in such order, but in no event shall compliance with the discharge limitation provided by this Code section be extended beyond July 4, 1996, and the order shall require that person to make his best efforts to achieve compliance with the discharge limitation by December 31, 1993.”, and inserting in lieu thereof the following:

“12-5-23.2.

(a) Notwithstanding the provisions of Code Section 12-5-23 or any rule, regulation, or order adopted or issued pursuant to this article, no person who has been issued a National Pollutant Discharge Elimination System permit which allows the discharge of 1,000,000 gallons or more per day from a water pollution control plant operated by such person which discharges waste water into the Chattahoochee River between Buford Dam and West Point Reservoir shall discharge waste water which contains more than 0.75 milligrams of phosphorus per liter of waste water on a monthly average basis or which fails to comply with any stricter standard adopted pursuant to Code Section 12-5-23.

(b) Notwithstanding the provisions of subsection (a) of this Code section, any person who has been issued a National Pollutant Discharge Elimination System permit and who has entered into a finalized consent order shall conform to the schedule adopted in such order as such order appeared on the date this subsection became effective. Except as provided in subsection (c) of this Code section, compliance with the discharge limitation provided by this Code section shall not be extended beyond July 4, 1996, and the order shall require that person to make his or her best efforts to achieve compliance with the discharge limitation by December 31, 1993.

(c)(1) Notwithstanding the provisions of subsection (b) of this Code section, any person who entered into a consent order as provided in subsection (b) of this Code section but fails to complete the required phosphorus reduction improvements by July

4, 1996, shall not later than such date submit to the division a schedule stipulating annual construction milestones for the completion of all improvements required to achieve a discharge level of 0.64 milligrams of phosphorus per liter of water by not later than January 1, 2000; provided, however, that such person shall not discharge waste water from such person's water pollution control plants after February 1, 1997, which exceeds 0.64 milligrams of phosphorus per liter of water.

(2) If the director approves the schedule submitted pursuant to paragraph (1) of this subsection, such person shall be bound by that schedule. If the director does not approve said schedule by August 1, 1996, the director shall not later than September 1, 1996, establish an alternative schedule with a final completion date not later than January 1, 2000, and such person shall be bound by the alternative schedule.

(3) Any monetary penalties stipulated in any consent order regarding phosphorus effluent limitations executed by the director and another person prior to the date this subsection became effective shall be the only monetary penalties required to be paid by such person as long as such person is in compliance with the construction milestones in the schedule approved or established by the director in paragraph (2) of this subsection; provided, however, that if such order is declared invalid by the courts, then the penalties for noncompliance with subsections (a) or (b) of this Code section shall be as provided for in Code Sections 12-5-51 through 12-5-53.

(4) If such person fails to meet a construction milestone, he or she shall pay a penalty in the amount of \$25,000.00 per day until that construction milestone is met. If a particular construction milestone is not met for six months after the date specified, the penalty shall be increased to \$100,000.00 per day until that construction milestone has been met. Failure to meet a construction milestone shall not affect the date of any succeeding construction milestones.

(5) If the person fails to complete all required construction by January 1, 2000, he or she shall pay a civil penalty in the amount of \$100,000.00 per day until construction is completed. After construction is completed, the suspension of the liabilities and penalties provided for in Code Sections 12-5-51 through 12-5-53 for noncompliance with the provisions of subsection (a) of this Code section shall be ended.

(6) If in any month a person is out of compliance with the provisions of either subsection (a) or (b) of this Code section, whichever is applicable, he or she shall not permit any additional sewer connections within such person's corporate limits until he or she has been in compliance with such provisions for three consecutive months. The provisions of this subsection shall apply without regard to the provisions of paragraphs (1) through (5) of this subsection and shall not be suspended or terminated."

SECTION 2.

Said article is further amended by inserting at the end of Code Section 12-5-29, relating to sewerage and waste disposal and related matters, the following:

"(d)(1) The director shall not authorize any new water pollution control discharge permit which if granted would permit water drawn from one river basin to be deposited into another river basin in the discharge of sewerage, industrial waste, treated waste water, or other wastes unless for both the basin of origin and receiving river basin unless:

(A) The director has assessed all waters in order to identify those waters for which applicable effluent limitations are not sufficiently stringent to allow such waters to meet applicable water quality standards and has established total limitations for the pollutants which cause the waters to fail to achieve such water quality standards;

(B) The director has established water quality standards for the nearest downstream lake as provided in Code Section 12-5-23.1; and

(C) All applicable provisions of this article and all rules and regulations promulgated pursuant to this article are met.

(2) All new permits issued after January 1, 2001, discharging in excess of 3 million gallons per day, shall be required to meet a minimum standard of 0.30 milligrams of phosphorus per liter of waste water.

(3) The provisions of this subsection shall not apply to the reissuance of existing permits, permits for the expansion of existing facilities, permits for the withdrawal of

water for agricultural use, or permits for mining activities which use water for the transportation of materials.

(e) The permit limit of any treatment plant which is not in compliance on July 1, 1996, with the provisions of this article or any rule, regulation, order, or permit issued pursuant to this article shall be automatically reduced by 10 percent; provided, however, that this subsection shall not be effective after July 1, 1997."

SECTION 3.

Said article is further amended by striking in its entirety subsection (c) of Code Section 12-5-29.1, relating to combined sewer overflows and related matters, and inserting in lieu thereof the following:

"(c)(1) The plan required by subsection (b) of this Code section shall include, as a minimum, provision for realistic implementation of means to eliminate sewage overflow or effectuate treatment of overflow to meet or exceed such water quality standards in accordance with the following schedules:

(1)(A) Any person who submitted a plan pursuant to subsection (b) of this Code section prior to August 1, 1990, shall implement such plan so that construction is substantially complete and operational to meet the water quality standards in the receiving stream or permit limits as defined by the director, whichever is more stringent, not later than December 31, 1993; and

(2)(B) Any person who did not submit a plan pursuant to subsection (b) of this Code section prior to August 1, 1990, shall comply with the following schedule:

(A)(i) The director shall define the design conditions of subsection (b) of this Code section by December 31, 1991, using information provided by CSO owners and information collected by the director;

(B)(ii) The CSO owners shall prepare approvable plans and specifications by October 1, 1992, and, based on the director's approval of plans and specifications by December 31, 1992, the owners shall commence construction of the approved CSO facilities by April 1, 1993; and

(C)(iii) The construction shall be substantially complete and operational to meet the water quality standards in the receiving stream or permit limits as defined by the director by December 31, 1995.

(2) Any person The owner of any combined sewer overflow system which discharges into the Chattahoochee River or its tributaries who fails failed to implement an approved plan by the dates provided in this subsection December 31, 1995, shall, after the applicable date and until such person implements an approved plan, be subject to in lieu of the liability and penalties provided in Code Sections 12-5-51, 12-5-52, and through 12-5-53, pay a civil penalty in the amount of \$10,000.00 per day until the construction is completed but not later than October 1, 1997, after which date the penalty shall be increased to \$100,000.00 per day until construction is completed; provided, however, that if such person owns or operates two separate combined sewer overflow systems, he or she shall pay a separate penalty on the second such system in the amount of \$10,000.00 per day until construction is completed, but not later than July 1, 1998, after which date the penalty shall be increased to \$100,000.00 per day for such system. On and after the dates the penalties for each such system increase to \$100,000.00 per day, the owner or operator shall be subject to the liabilities and penalties provided in Code Sections 12-5-51 through 12-5-53 with regard to the respective system.

(3) In addition to the penalties provided in paragraph (2) of this subsection, the owner or operator of a combined sewer overflow system shall not permit any additional sewer connections to such system until construction has been completed."

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.

The following amendments were read and lost:

Representative Jones of the 71st moves to amend the Committee substitute to SB 500 as follows: www.libtool.com.cn

Page 6, line 36 add new Section 4

“Any municipality covered by this Act may use any land that it owns in another county to construct and operate a sewage treatment plant without the advice or consent of that county.”

Change Section 4 to Section 5, Change Section 5 to Section 6 as previously outlined in this bill.

Representative Evans of the 28th moves to amend the Committee substitute to SB 500 as follows:

Add page 5 line 3

“permits applied for prior to Jan. 1, 1996,” after facilities,

The following amendments were read and adopted:

Representatives Hanner of the 159th, Porter of the 143rd, Dobbs of the 92nd and Watts of the 26th move to amend the Committee substitute to SB 500 by striking on lines 5, 16, and 41 on page 3 the following

“2000”

and in each instance inserting in lieu thereof the following:

“2001”

Representatives Hanner of the 159th, Porter of the 143rd, Dobbs of the 92nd and Watts of the 26th move to amend the Committee substitute to SB 500 by inserting on line 22 on page 2, following the word “water”, the following:

“from such person’s water pollution control plants”

By striking lines 4 through 6 on page 4 and inserting in lieu thereof the following:

“(6) If in any month after July 1, 1996, and before December 31, 1998, a person discharges waste water from such person’s water pollution control plants containing more than 0.75 milligrams of phosphorous per liter of water on a monthly average basis; or if in any month after January 1, 1999, and before December 31, 2000, a person discharges waste water from such person’s water pollution control plants containing more than 0.64 milligrams of phosphorous per liter of water on a monthly average basis; or if in any month after January 1, 2001, a person discharges waste water from any individual water pollution control plant containing more than 0.64 grams of phosphorous per liter of water on a monthly average basis, such person shall”

By striking lines 7 through 12 on page 5 and inserting in lieu thereof the following

“(e) If any treatment plant is not in compliance with permit requirements at any time between July 1, 1996, and July 1, 1997, the division shall be authorized to decrease the permitted capacity of such treatment plant in an amount up to 10 percent of the permitted capacity and may issue a new permit based upon such amount of decrease.”

By striking on lines 29 and 30 on page 5 the following:

“, whichever is more stringent,”

The following amendment was read:

Representatives Polak of the 67th, Holmes of the 53rd, Martin of the 47th, Stanley of the 50th and Stanley of the 49th move to amend the Committee substitute to SB 500 by striking lines 12 through 25 on page 6 and inserting in lieu thereof the following:

"until such person implements an approved plan, be subject to the liability and penalties provided in Code Sections 12-5-51, 12-5-52, and 12-5-53 not later than July 1, 1996, submit to the division a schedule stipulating monthly construction milestones for the completion of all required construction not later than October 1, 1997; provided, however, that if such person owns or operates two separate combined sewer overflow systems, he or she shall submit a separate plan for completion of the required construction on the second such system not later than July 1, 1998. If any construction milestone is not met, the person shall pay, in addition to any other civil penalty assessed, a civil penalty of \$10,000.00 per day until the milestone is met, but only until the required date for construction completion, at which time the penalty shall be increased to \$100,000.00 per day. On and"

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

N Allen	N Crews	Y Irvin	N Parrish	N Smith, W
Y Anderson	N Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	N Cummings	N Jamieson	Y Pelote	Y Snelling
N Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	N Stallings
N Bannister	N Day	N Johnson, J	Y Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargerone	N DeLoach, G	N Jones	N Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
N Barnes	Dixon, H	N Kaye	Y Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	N Ehrhart	Y Ladd	Y Randall	Y Teague
N Bordeaux	N Epps	N Lakly	N Randolph	N Teper
N Bostick	Y Evans	N Lane	N Ray	Y Thomas
Breedlove	N Falls	N Lawrence	N Reaves	Y Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
Y Brooks, T	N Floyd	N Lewis	Y Roberts	Y Towery
N Brown, J	N Godbee	Lifsey	Y Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	Y Turnquest
N Buck	N Goodwin	Y Lucas	N Sanders	N Twiggs
N Buckner	Y Greene	N Maddox	N Sauder	N Walker, L
N Bunn	Grindley	N Mann	Scoggins	N Walker, R.L
N Burkhalter	N Hanner	Y Martin	N Shanahan	Y Wall
N Byrd	N Harbin	N McBee	Y Shaw	N Watson
N Campbell	N Harris	N McCall	Y Sherrill	N Watts
Y Canty	N Heard	Y McClinton	N Shipp	N Westmoreland
N Carter	Y Heckstall	Y McKinney	N Simpson	N Whitaker
N Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
N Channell	N Hembree	Y Mobley, B	N Skipper	N Wiles
N Childers	Y Henson	N Mobley, J	N Smith, C	N Williams, B
N Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	N Smith, L	N Williams, R
Coleman, T	Y Howard	Y O'Neal	N Smith, P	N Woods
N Connell	N Hudson	Y Orrock	N Smith, T	N Yates
N Crawford	Y Hugley	N Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 45, nays 127.

The amendment was lost.

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:

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Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
N Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	N Poston	N Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	N Randall	N Teague
Y Bordeaux	Y Epps	Y Lakly	N Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	N Thomas
Breedlove	Y Falls	Y Lawrence	Y Reaves	N Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	N Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
N Canty	Y Heard	N McClintone	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	N McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	N Sinkfield	N White
Y Channell	Y Hembree	N Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	N Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 146, nays 28.

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

Due to a mechanical malfunction, the vote of Representative Poston of the 3rd was not recorded correctly on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The Speaker Pro Tem assumed the Chair.

SB 368. By Senator Madden of the 47th:

A bill to amend Chapter 10A of Title 43 of the Official Code of Georgia Annotated, known as the "Professional Counselors, Social Workers, and Marriage and Family Therapists Licensing Law," so as to exempt certain persons who engage in the practice of professional counseling from the licensing and other requirements of said chapter; to repeal a certain definition.

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:

Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargeron	Y Bates	Bordeaux
Y Ashe	Y Bannister	N Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	N Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	Y Mills	Y Sherrill	N Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the passage of the Bill, the ayes were 162, nays 3.

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

SB 495. By Senator Madden of the 47th:

A bill to amend Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics, so as to prohibit the holding of adulterated or misbranded drugs, devices, or cosmetics; to change the provisions relating to definitions regarding pharmacists and pharmacies; to change the provisions relating to the powers of the State Board of Pharmacy; to change the provisions relating to licensing by reciprocity; to change the provisions relating to sanctions of licensed pharmacists and pharmacies.

The following Committee substitute was read and adopted:

A BILL

To amend Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics, so as to prohibit the holding of adulterated or misbranded drugs, devices, or cosmetics; to change the provisions relating to definitions regarding pharmacists and pharmacies; to change the provisions relating to the powers of the State Board of Pharmacy; to change the provisions relating to examinations, license qualifications, and examination fees for pharmacists; to change the provisions relating to licensing by reciprocity; to change the provisions relating to sanctions of licensed pharmacists and pharmacies and prohibit the practice of pharmacy when the license to practice has been subject to sanction; to change the provisions relating to pharmacy licenses and provide for registration of certain pharmacies; to change the provisions relating to prescription departments; to provide for the registration of reverse drug distributors; to change the sanctions against certain registrants; to prohibit certain transfers of controlled substances or dangerous drugs; to provide for drug researcher permits and registration and sanctions, penalties, and limitations relating thereto; to provide for biennial renewal of registrations; to change the

provisions relating to dangerous drugs for emergency medical service providers; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics, is amended by striking Code Section 26-3-3, prohibiting certain acts with regard to such objects, and inserting in its place the following:

“26-3-3.

The following acts and the causing thereof within this state are prohibited:

- (1) The manufacture, sale or delivery, or holding or offering for sale of any drug, device, or cosmetic that is adulterated or misbranded;
 - (1.1) The holding of any drug, device, or cosmetic that is adulterated or misbranded;
- (2) The adulteration or misbranding of any drug, device, or cosmetic;
- (3) The receipt in commerce of any drug, device, or cosmetic that is adulterated or misbranded and the delivery or proffered delivery thereof for pay or otherwise;
- (4) The sale, delivery for sale, holding for sale, or offering for sale of any article in violation of Code Section 26-3-10;
- (5) The dissemination of any false advertisement;
- (6) The refusal to permit entry or inspection or to permit the taking of a sample as authorized by Code Section 26-3-17;
- (7) The giving of a guarantee or undertaking which is false except by a person who relied on a guarantee or undertaking to the same effect signed by and containing the name and address of the person residing in this state from whom he received the drug, device, or cosmetic in good faith;
- (8) The removal or disposal of a detained or embargoed article in violation of Code Section 26-3-4;
- (9) The alteration, mutilation, destruction, obliteration, removal of the whole or any part of the labeling of, or the doing of any other act with respect to a drug, device, or cosmetic if such act is done while such article is held for sale and results in such article being misbranded;
- (10) Forging, counterfeiting, simulating, falsely representing, or without proper authority using any mark, stamp, tag, label, or other identification device authorized or required by regulations promulgated under this chapter; and
- (11) The use on the labeling of any drug or in any advertisement relating to such drug of any representation or suggestion that any application with respect to such drug is effective under or complies with Code Section 26-3-10.”

SECTION 2.

Said title is further amended by adding in the appropriate places in Code Section 26-4-2, relating to definitions regarding pharmacists and pharmacies, the following paragraphs:

“(7.1) ‘Drug researcher’ means a person, firm, corporation, agency, department, or other entity which handles, possesses, or utilizes controlled substances or dangerous drugs, as defined in Chapter 13 of Title 16, for purposes of conducting research, drug analysis, animal training, or drug education, as such purposes may be further defined by the board, and is not otherwise registered as a pharmacy, a drug wholesaler, distributor, or supplier, or a medical practitioner.”

“(20.1) ‘Reverse drug distributor’ means a person, firm, or corporation which receives or handles drugs from within this state which are adulterated or misbranded, under the provisions of Chapter 3 of this title, the ‘Georgia Drug and Cosmetic Act,’ from a pharmacy, drug distributor, or manufacturer for purposes of destruction or other final disposition or for return to the original manufacturer of a drug.”

SECTION 3.

Said title is further amended by adding between paragraphs (9) and (10) of Code Section 26-4-37, relating to powers of the State Board of Pharmacy, the following paragraph:

“(9.1) Expunge the pharmacy related practice record of any pharmacist whose record consists of a sole sanction resulting from alcohol impairment and whose pharmacy related practice record during a five-year time period dating from the time of the sanction ~~has incurred no additional charges or infractions.~~”

SECTION 3.1.

Said title is further amended by striking Code Section 26-4-71, relating to examinations, and Code Section 26-4-72, relating to qualifications for pharmacists' licenses, and inserting in their places the following:

“26-4-71.

The board shall ~~give complete~~ make available examinations, including those to cover both the theoretical and the practical portions, at least three times a year.

26-4-72.

(a) No person shall be entitled to receive a license as a pharmacist unless he or she shall possess the following qualifications:

(1) Be at least the legal age of majority;

(2) Be a graduate of a generally recognized school or college of pharmacy, as the same may be defined by the board; provided, however, that, if it would be impractical for the board to evaluate a foreign school or college of pharmacy, the board may determine that an applicant who is a graduate of such a school or college is qualified, based upon an individual evaluation of the applicant's educational background and proficiency in the English language;

(3) Have such practical experience as may be prescribed by the board; provided, however, that any person who shall have been a student in a generally recognized school or college of pharmacy prior to July 1, 1967, shall be required to have only such practical experience as may have been required by law or the board prior to that date;

(4) Has successfully passed an examination ~~administered~~ approved by the board; and

(5) Be a person of good moral character.

(b) Supplemental courses certified by a school of pharmacy and approved by the board shall be required of any candidate after failing the examination administered by the board three times. After completing the supplemental courses, the candidate is required to retake the complete examination.”

SECTION 4.

Said title is further amended by striking paragraph (2) of subsection (a) of Code Section 26-4-74, relating to licenses by reciprocity, and inserting in its place the following:

“(2) Completes and files a form applying for licensure with the board, which form shall include the applicant's name, address, and other such information as prescribed by the board, and, after an investigation by agents acting on behalf of the board, produces evidence satisfactory to the board which shows the applicant has the age, moral character, background, education, and experience demanded of applicants for registration by examination under this chapter and by the rules and regulations promulgated under this chapter; Produces evidence satisfactory to the board that he has the age, moral character, education, and experience demanded of applicants for registration by examination under this chapter and rules and regulations promulgated under this chapter;”

SECTION 4.1.

Said title is further amended by striking Code Section 26-4-75, relating to examination fees, and inserting in its place the following:

“26-4-75.

Applicants for examination as registered pharmacists under this part shall pay to the joint-secretary, or an agent designated by the board, an examination fee in an amount established by the board, which fee shall be paid to the joint-secretary, or an agent designated by the board, at the time of filing of the application for examination.”

SECTION 5.

Said title is further amended by striking paragraph (12) of subsection (a) of Code Section 26-4-78, relating to sanction of pharmacy licenses, and inserting in its place the following:

~~“(12) Violated or attempted~~ to violate a statute, law, any lawfully promulgated rule or regulation of this state, any other state, the board, the United States, or any other lawful authority without regard to whether the violation is criminally punishable, which statute, law, rule, or regulation relates to or in part regulates the practice of pharmacy, when the licensee or applicant knows or should know that such action is violative of such statute, law, or rule; or violated either a public or confidential lawful order of the board previously entered by the board in a disciplinary hearing, consent decree, or license reinstatement.”

SECTION 6.

Said title is further amended by adding at the end of Code Section 26-4-85, relating to prohibited acts regarding medicines and drugs, a new subsection to read as follows:

“(e) No person with a pharmacist license which is suspended, revoked, invalid, or inactive, or restricted by a lawful public or confidential order of the board entered by the board in a disciplinary hearing or consent decree shall engage in the practice of pharmacy;”

SECTION 6.1.

Said title is further amended by striking Code Section 26-4-100, relating to pharmacy licenses, and inserting in its place the following:

“26-4-100.

(a) It shall be the duty of the board to examine all applicants for a pharmacy license and to grant certificates or licenses to such persons, firms, or corporations as may be entitled to the same.

(b) Any place located within this state where pharmacy care is provided to residents of this state shall register with the board as a pharmacy.

~~(b)(c)~~ (c) The board is authorized to grant pharmacy licenses to clinic pharmacies under this part. Clinic pharmacies may be partially or totally exempted from the requirements of Code Section 26-4-107, relating to utensils and equipment, and Code Section 26-4-109, relating to prescription departments, as the board finds appropriate to the conduct of such clinic pharmacies.”

SECTION 6.2.

Said title is further amended by striking Code Section 26-4-109, relating to prescription departments, and inserting in its place the following:

“26-4-109.

(a) Every pharmacy licensed under this chapter shall have a prescription department which shall occupy at least 150 square feet of floor space, including a prescription counter providing at least 15 square feet of free working surface. If more than one pharmacist is on duty at any one time, the free working surface shall be increased by five square feet for each additional pharmacist. The prescription counter shall be kept clean and free of all merchandise and other materials not currently in use in the practice of compounding and dispensing. The space behind the prescription counter shall be kept free of obstruction at all times. Every prescription department shall be secured in such a manner as provided by the board in its rules and regulations.

(b) The board may, upon written request, grant variances in the minimum square footage requirements for prescription departments and prescription counters in pharmacies where pharmacy services are directly provided by the Department of Corrections, by county or municipal political subdivisions, by the Division of Public Health of the Department of Human Resources, or by a regional mental health, mental retardation, and substance abuse board created under Chapter 2 of Title 37.

~~(b)(c)~~ (c) If a pharmacy is located in a general merchandising establishment, or if the owner of the pharmacy so chooses, a portion of the space of the business establishment may be set aside and permanently enclosed or otherwise secured, and only that permanently

enclosed or otherwise secured area shall be subject to this chapter and shall be registered as a pharmacy. In such case, the area to be registered as a pharmacy shall be either permanently enclosed by permanent partitions at least nine feet six inches in height, ~~except where the ceiling is less than nine feet six inches in height, in which event the partition shall be from floor to ceiling~~ with a partition built from the floor to the ceiling or otherwise secured in a manner as provided by the board in its rules and regulations. Identification of the area by use of the word 'drug,' 'medicine,' 'drug store,' 'apothecary,' 'pharmacy,' or similar terms shall be restricted to the prescription department area registered as a pharmacy by the board."

SECTION 6.3.

Said title is further amended by striking Code Section 26-4-110, relating to supervision of prescription departments, and inserting in its place the following:

"26-4-110.

Every pharmacy, when open for business, shall have a prescription department under the personal supervision of a duly licensed pharmacist, who shall have personal supervision of not more than one pharmacy at the same time, provided that nothing in this Code section shall be construed to prohibit any pharmacist from having personal supervision of a pharmacy located in a hospital, nursing home, or college of pharmacy. Every pharmacy licensed under this part, except those located within and owned and operated by a duly licensed and accredited hospital, nursing home, college of pharmacy, or a pharmacy complying with subsection ~~(b)~~ (c) of Code Section 26-4-109, shall have a prescription department open for business at all times that the business establishment is open to the public, except that during temporary absences of any licensed pharmacist, not to exceed three hours daily or more than one and one-half hours at any one time, the prescription department shall be closed and no prescription shall be filled."

SECTION 7.

Said title is further amended by striking Code Section 26-4-120, relating to registration of certain drug distributors and suppliers, and inserting in its place the following:

"26-4-120.

(a) All persons, firms, or corporations, whether located in state or out of state, engaged in the business of selling or distributing drugs at wholesale within this state, ~~or~~ in the business of supplying drugs to manufacturers, compounders, and processors within this state, ~~shall annually or in the business of a reverse drug distributor shall biennially register with the board as a drug wholesaler, distributor, reverse distributor, or supplier.~~ The application for registration shall be made on a form to be prescribed and furnished by said board and shall show each place of business of the applicant for registration, together with such other information as may be required by the board. The application shall be accompanied by a fee in an amount established by the board for each place of business registered by the applicant. Such registration shall not be transferable and shall expire on the expiration date established by the joint-secretary. Registration shall be renewed pursuant to the rules and regulations of the board and a renewal fee prescribed by the board shall be required. If not renewed, the registration shall lapse and become null and void. Registrants shall be subject to such rules and regulations with respect to sanitation or equipment as the board may, from time to time, adopt for the protection of the public health and safety. Such registration may be suspended or revoked or the registrant may be reprimanded, fined, or placed on probation by the board if the registrant fails to comply with any law of this state, the United States, or any other state having to do with the control of pharmacists, pharmacies, ~~or drugs~~ wholesale distribution, or reverse distribution of controlled substances or dangerous drugs, as defined in Chapter 13 of Title 16; if the registrant fails to comply with any rule or regulation promulgated by the board; or if any registration or license issued to the registrant under the federal act is suspended or revoked.

(b)(1) Every drug wholesaler, distributor, or supplier registered as provided in subsection (a) of this Code section, except reverse drug distributors, shall be required to submit a monthly report as prescribed by the board accounting for all transactions

involving controlled substances listed in Schedule II as defined in Code Section 16-13-26; provided, however, that the submission of a copy of the report relative to such transactions required by the federal Drug Enforcement Agency shall be sufficient. ~~The reports shall be submitted to the State Board of Pharmacy.~~

(2) Every drug wholesaler, distributor, or supplier registered as provided in subsection (a) of this Code section or as provided in Chapter 13 of Title 16, except a reverse drug distributor, which is required to submit reports of excessive purchases of controlled substances with the federal Drug Enforcement Agency pursuant to 21 C.F.R. Sec. 1301.74 (effective April 1, 1985) shall be required to submit a copy of each such report to the board.

(3) The board shall be authorized to promulgate rules and regulations to facilitate compliance with this subsection.

(c) The provisions of subsection (b) of this Code section shall not apply to any wholesaler, manufacturer, distributor, or supplier who only ships controlled substances directly to a licensed wholesaler within this state.

(d)(1) Any person, firm, or corporation which violates any provision of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years or by a fine not to exceed \$25,000.00, or both.

(2) Any practitioner who knowingly purchases transfers any controlled substance or dangerous drug as such terms are defined in Chapter 13 of Title 16 ~~from by purchasing from or returning to~~ a person, firm, or corporation which is not registered as required in subsection (a) of this Code section or as required in Chapter 13 of Title 16 shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than three years or by a fine not to exceed \$10,000.00, or both."

SECTION 8.

Said title is further amended by adding immediately following Code Section 26-4-120.1 a new Code section to read as follows:

"26-4-120.2.

(a) Every person, firm, corporation, agency, department, or other entity located within this state which handles, possesses, or utilizes controlled substances or dangerous drugs, as defined in Chapter 13 of Title 16, for the purposes of conducting research, analysis, animal training, or drug education, as such purposes may be further defined by the board, and is not otherwise registered as a pharmacy, a drug wholesaler, distributor, or supplier, or a medical practitioner shall biennially register with the State Board of Pharmacy for a drug researcher permit which shall entitle the holder thereof to purchase, receive, possess, or dispose of such controlled substances and dangerous drugs for such purposes.

(1) The application for registration shall be made on a form to be prescribed and furnished by said board and shall show at a minimum the name of the person responsible for filing the application, the name of the applying firm, corporation, agency, department, or other entity, if applicable, the address where the controlled substances or dangerous drugs will be kept secured and can be inspected by the board, together with such other information as may be required by the board.

(2) The person filing the application for the permit shall be the responsible person for the safe and proper storage and accountability, as defined under Chapter 13 of Title 16, for any and all controlled substances and dangerous drugs. This person shall be responsible for maintaining exact and accurate records regarding the purchase, receipt, possession, and disposal of all controlled substances and dangerous drugs utilized for purposes granted by this permit. All records must be maintained for a minimum of two years and be readily available for inspection by agents of the board

(3) Before approval by the board for any permit issued under this Code section, the application for registration must successfully undergo a thorough investigation by agents of the board to ensure the applicant complies with all applicable laws, rules,

and regulations pursuant to handling controlled substances and dangerous drugs as defined under Chapter 13 of Title 16.

(b) The board may require that the application for registration as a drug researcher be accompanied by a fee in an amount established under rules promulgated by the board, and the board may establish conditions for exemptions from such fees. Such registration shall not be transferable and shall expire on the expiration date established by the joint-secretary and may be renewed pursuant to rules and regulations promulgated by the board. If not renewed, the registration shall lapse and become null and void.

(c) The board shall have the authority to promulgate rules and regulations governing the holder of a drug researcher permit as defined under this Code section.

(d) A drug researcher registration may be suspended or revoked or the registrant may be reprimanded, fined, or placed on probation by the board if the registrant fails to comply with all applicable local, state, or federal laws, rules, and regulations.

(e) A holder of a drug researcher permit shall not engage in the sale, distribution, or dispensing of controlled substances or dangerous drugs.

(f) Any person, firm, or corporation which violates any provision of this Code section shall be guilty of a felony and, upon conviction thereof, be punished by imprisonment for not less than one year nor more than five years or by a fine not to exceed \$10,000.00 or both."

SECTION 9.

Said title is further amended by striking subsection (b) of Code Section 26-4-123, relating to dangerous drugs for emergency service providers, and inserting in its place the following:

"(b) Dangerous drugs and controlled substances as defined under Chapter 13 of Title 16, as amended, may be issued to the medical director of an emergency service provider only from ~~any~~ pharmacies licensed in Georgia ~~only~~ in accordance with the provisions of this Code section."

SECTION 10.

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:

Allen	Y Carter	Y Godbee	Y Kaye	Y Parrish
Y Anderson	Y Chambless	Y Golden	Y Kinnamon	Y Parsons
Y Ashe	Y Channell	Y Goodwin	Y Klein	Y Pelote
Y Bailey	Y Childers	Y Greene	Y Ladd	Y Perry
Y Baker	Y Coker	Y Grindley	Y Lakly	Y Pinholster
Y Bannister	Y Coleman, B	Y Hanner	Y Lane	Y Polak
Y Barfoot	Y Coleman, T	Y Harbin	Y Lawrence	Y Ponder
Y Bargerion	Y Connell	Y Harris	Y Lee	Y Porter
Y Barnard	Y Crawford	Y Heard	Y Lewis	Y Poston
Y Barnes	Y Crews	Y Heckstall	Y Lifsey	Y Powell
Y Bates	Y Culbreth	Y Hegstrom	Y Lord	Y Purcell, A
Y Benefield	Y Cummings	Y Hembree	Y Lucas	Y Purcell, B
Y Birdsong	Y Davis, G	Y Henson	Y Maddox	Y Randall
Y Bordeaux	Y Davis, M	Y Holland	Y Mann	Y Randolph
Y Bostick	Y Day	Y Holmes	Y Martin	Y Ray
Y Breedlove	Y DeLoach, B	Y Howard	Y McBee	Y Reaves
Y Brooks, D	Y DeLoach, G	Y Hudson	Y McCall	Y Reichert
Y Brooks, T	Y Dix	Y Hugley	Y McClinton	Y Roberts
Y Brown, J	Y Dixon, H	Y Irvin	Y McKinney	Y Rogers
Y Brush	Y Dixon, S	Y James	Y Mills	Y Royal
Y Buck	Y Dobbs	Y Jamieson	Y Mobley, B	Y Sanders
Y Buckner	Y Ehrhart	Y Jenkins	Y Mobley, J	Y Sauder
Y Bunn	Y Epps	Y Johnson, G	Y Mosley	Y Scoggins
Y Burkhalter	Y Evans	Y Johnson, J	Y Mueller	Y Shanahan
Y Byrd	Y Falls	Y Johnston	Y O'Neal	Y Shaw
Y Campbell	Y Felton	Y Jones	Y Orrock	Y Sherrill
Y Canty	Y Floyd	Y Joyce	Y Parham	Y Shipp

Y Simpson	Y Smith, W	Y Stephenson	Y Trense	Y Whitaker
Y Sinkfield	Y Smyre	Y Streat	Y Turnquest	Y White
Y Skipper	Y Snelling	Y Taylor	Y Twiggs	Y Wiles
Y Smith, C	Y Snow	Y Teague	Y Walker, L	Y Williams, B
Y Smith, C.W.	Y Stallings	Y Teper	Y Walker, R.L	Y Williams, J
Y Smith, L	Y Stancil, F	Y Thomas	Y Wall	Y Williams, R
Y Smith, P	Y Stancil, S	Y Tillman	Y Watson	Y Woods
Y Smith, T	Y Stanley, L	Y Titus	Y Watts	Y Yates
Y Smith, V	Y Stanley, P	Y Towery	Y Westmoreland	Y Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 163, nays 1.

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

Representative Henson of the 65th stated that she inadvertently voted "nay" on the preceding roll call. She wished to be recorded as voting "aye" thereon.

SB 563. By Senators Taylor of the 12th, Thompson of the 33rd, Langford of the 29th and others:

A bill to amend Code Section 40-6-10 of the Official Code of Georgia Annotated, relating to proof of insurance required for motor vehicles, so as to provide for satisfactory proof of insurance for certain recently acquired vehicles.

The following amendment was read and adopted:

Representative Williams of the 114th moves to amend SB 563 by striking lines 1 through 4 of page 1 and inserting in lieu thereof the following:

"To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for satisfactory proof of insurance for certain recently acquired vehicles; to change certain provisions relating to self-insurance for taxicab operators; to provide for effective dates; to repeal"

By striking lines 8 through 12 of page 1 and inserting in lieu thereof the following:

"Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by striking paragraph (1) of subsection (a) of Code Section 40-6-10, relating to proof of insurance required for motor vehicles, and inserting in lieu thereof the following:"

By redesignating Section 2 as Section 4.

By inserting between lines 4 and 5 of page 2 the following:

"SECTION 2.

Said title is further amended by striking subparagraph (a)(3)(D) of Code Section 40-9-101, relating to self-insurers, and inserting in lieu thereof the following:

'(D) Any person operating as a self-insurer pursuant to a certificate of self-insurance issued prior to July 1, 1994, shall be allowed a transition period through December 30, 1996, in which to meet the requirements of subparagraph (C) of this paragraph; provided, however, on and after December 31, ~~1995~~ 1996, all self-insurers under this paragraph shall comply fully with the requirements of subparagraph (C) of this paragraph. The Commissioner of Insurance shall promulgate rules and regulations relative to the transition period for compliance provided in this subparagraph.'

SECTION 3.

This section and Section 2 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. Section 1 of this Act shall become effective July 1, 1996.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spr

On the passage of the Bill, as amended, the ayes were 155, nays 0.

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

SB 499. By Senator Madden of the 47th:

A bill to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to provide for procedures regarding appointment of members of a board to assume the duties of the county election superintendent in certain circumstances; to provide for notice to state party executive committees regarding the need to appoint members; to provide time periods for making such appointments; to provide for appointment by the chief judge of the superior court in certain circumstances.

The following amendment was read and adopted:

Representatives Holmes of the 53rd, Walker of the 141st and Lee of the 94th move to amend SB 499 by striking line 11 of page 1 and inserting in lieu thereof the following:

“service; to provide for per diem; to prohibit any officer of a political party from serving as county election superintendent or chairperson of a county board of elections; to provide for related”.

By striking lines 32 and 33 of page 2 and inserting in lieu thereof the following:

“Said title is further amended by striking in its entirety Code Section 21-2-75, relating to the ineligibility of persons holding elective public office to serve on county boards of elections, and inserting in lieu thereof the following:

‘21-2-75.

(a) No person who holds elective public office, as defined in this chapter and including every municipal office to which persons can be elected by a vote of the electors under the laws of this state, shall be eligible to serve as a member of a county board of elections during the term of such elective office; and the position of any county board of elections member shall be deemed vacant upon such member’s qualifying as a candidate for elective public office, as defined in this chapter and including any municipal office to which persons can be elected by a vote of the electors under the laws of this state.

(b) No person who holds office in a political party at any level of such political party shall be eligible to serve as chairperson of a county board of elections during the term of such political party office. On and after the effective date of this subsection, the position of any chairperson of a county board of elections shall be deemed vacant upon such chairperson’s assuming a political party office.

21-2-76.

No person who holds office in a political party at any level of such political party shall be eligible to serve as county election superintendent during the term of such political party office. On and after the effective date of this Code section, the position of any county election superintendent shall be deemed vacant upon such superintendent’s assuming a political party office.’

SECTION 3.

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

By renumbering Section 3 as Section 4.

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:

Allen	Y Brown, J	Y Crews	Y Godbee	Y Irvin
Y Anderson	Y Brush	Y Culbreth	Y Golden	Y James
Y Ashe	Y Buck	Y Cummings	Y Goodwin	Y Jamieson
Y Bailey	Y Buckner	Y Davis, G	Y Greene	Y Jenkins
Y Baker	Y Bunn	Y Davis, M	Y Grindley	Y Johnson, G
Y Bannister	Y Burkhalter	Y Day	Hanner	Y Johnson, J
Y Barfoot	Y Byrd	Y DeLoach, B	Y Harbin	Y Johnston
Y Bargeron	Y Campbell	Y DeLoach, G	Y Harris	Y Jones
Y Barnard	Y Canty	Y Dix	Y Heard	Y Joyce
Y Barnes	Y Carter	Dixon, H	Y Heckstall	Y Kaye
Y Bates	Y Chambless	Y Dixon, S	Y Hegstrom	Y Kinnamon
Y Benefield	Y Channell	Y Dobbs	Y Hembree	Y Klein
Y Birdsong	Y Childers	Y Ehrhart	Y Henson	Y Ladd
Bordeaux	Y Coker	Y Epps	Holland	Y Lakly
Y Bostick	Y Coleman, B	Evans	Y Holmes	Y Lane
Y Breedlove	Y Coleman, T	Y Falls	Howard	Y Lawrence
Y Brooks, D	Y Connell	Y Felton	Y Hudson	Y Lee
Y Brooks, T	Y Crawford	Y Floyd	Y Hugley	Y Lewis

Y Lifsey	Y Parrish	Y Rogers	Y Smith, W	Y Trense
Y Lord	Y Parsons	Y Royal	Y Smyre	Y Turnquest
Lucas	Y Pelote	Y Sanders	Y Snelling	Y Twiggs
Y Maddox	Y Perry	Y Sauder	Y Snow	Y Walker, L
Y Mann	Y Pinholster	Scoggins	Y Stallings	Y Walker, R.L
Martin	Y Polak	Y Shanahan	Y Stancil, F	Y Wall
Y McBee	Y Ponder	Shaw	Y Stancil, S	Watson
N McCall	Y Porter	Y Sherrill	Y Stanley, L	Watts
Y McClinton	Y Poston	Shipp	Y Stanley, P	Y Westmoreland
McKinney	N Powell	Y Simpson	Y Stephenson	N Whitaker
Y Mills	Y Purcell, A	Y Sinkfield	Y Streat	Y White
Y Mobley, B	Y Purcell, B	Y Skipper	Y Taylor	Y Wiles
Y Mobley, J	Randall	Y Smith, C	Y Teague	Y Williams, B
Y Mosley	Y Randolph	Y Smith, C.W	Y Teper	Williams, J
Y Mueller	Y Ray	Y Smith, L	Y Thomas	Y Williams, R
Y O'Neal	Y Reaves	Y Smith, P	Y Tillman	Y Woods
Y Orrock	Y Reichert	Y Smith, T	Y Titus	Y Yates
Y Parham	Y Roberts	Y Smith, V	Y Towery	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 158, nays 3.

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

The Speaker assumed the Chair.

SB 46. By Senators Broun of the 46th, Hooks of the 14th, Ray of the 19th and others:

A bill to amend Code Section 50-27-3 of the Official Code of Georgia Annotated, relating to definitions applicable to the "Georgia Lottery for Education Act," so as to change the definition of the term "educational purposes and programs"; to authorize appropriations from the Lottery for Education Account for the purpose of providing teachers and personnel at public postsecondary technical institutes under the authority of the Department of Technical and Adult Education the necessary training in the use and application of computers.

The following amendment was read:

Representative Godbee of the 145th moves to amend SB 46 by striking line 1 on page 1 and inserting in lieu thereof the following:

"To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the 'Quality Basic Education Act,' so as to change the provisions relating to migrant student grants; to change the definitions relating to educational capital funding; to change the provisions relating to additional funding for school systems having exceptional growth; to amend Code Section 50-27-3 of the Official Code of Georgia Annotated."

By renumbering Sections 1 through 6 as Sections 5 through 10.

By inserting new Sections 1 through 4 to read as follows:

"SECTION 1.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the 'Quality Basic Education Act,' is amended by striking subsections (b) and (c) of Code Section 20-2-189, relating to migrant student grants, and inserting in its place the following:

'(b) The State Board of Education shall provide grants to qualified local units of administration for the purpose of supplementing services and instruction to currently enrolled migrant students. A local unit of administration shall not be eligible for such grant for any school thereof unless the number of migrant students enrolled in such school is at

least 20 or equals at least 5 percent of the latest full-time equivalent program count for such school, whichever is greater. The State Department of Education by regulation shall establish the manner in which a local unit of administration must demonstrate that any of its schools meets the eligibility requirements of this subsection.

(c) Grants under this Code section shall be subject to appropriation by the General Assembly. The grant amount for a local unit of administration to be used for a school thereof under this Code section shall be determined by multiplying the total appropriation for such grants by a fraction, the numerator of which is the average number of eligible migrant students enrolling in that school after the final FTE count as required in subsection (a) of Code Section 20-2-160 but prior to the end of the same academic year and the denominator of which is the average total number of eligible migrant students enrolling after the final FTE count as required in subsection (a) of Code Section 20-2-160 but prior to the end of the same academic year in all local units in the entire state. At least 90 percent of the grant funds received by a local unit under this Code section shall be used for direct program expenditures at the school for which the grant is computed under this subsection. Any portion of that 90 percent not so expended shall be returned to the State Department of Education.'

SECTION 2.

Said article is further amended by striking paragraph (7.1) of subsection (b) of Code Section 20-2-260, relating to educational capital funding, and inserting in its place the following:

'(7.1) "Exceptional growth" means an increase in the average of a local school system's average full-time equivalent student count for the three most recently completed school years when compared to the average of that system's average full-time equivalent count for the three most recently completed school years prior to the most recently completed school year that growth experienced by an exceptional growth system under the calculations specified in subparagraph (j)(2)(A) of this Code section.'

SECTION 3.

Said Code section is further amended by striking subparagraph (j)(2)(A) thereof and inserting in its place the following:

'(A) The average of each school system's average full-time equivalent count for the three most recently completed school years ("most recent average") will be compared to the average of that system's average full-time equivalent count for the three most recently completed school years prior to the most recently completed school year ("earlier average"). If there is an increase in a school system's most recent average of at least 1.5 percent and at least 65 average full-time equivalent counts over that system's earlier average, that system will be an exceptional growth system. For each such exceptional growth school system with an increased average count of at least 65 average full-time equivalent counts after the above calculation, the amount of such increase will be divided by the total such increase for all school exceptional growth systems with an increased average count under this subsection to provide the ratio of each system's growth to the total growth of all systems with exceptional growth; and'

SECTION 4.

Said Code section is further amended by striking subparagraph (j)(6)(B) thereof and inserting in its place the following:

'(B) Any construction project submitted to utilize growth entitlement shall include construction of at least ~~one~~ three new instructional ~~unit~~ units. If sufficient growth entitlement is not currently available for all of the new instructional units needed under this subsection, additional local funds or entitlements available to meet construction needs identified in the school system's facilities plan pursuant to subsection (g) of this Code section may be combined with any entitlement available for

exceptional growth pursuant to this subsection for the purpose of completing all construction needs identified at a school. Entitlements earned under this subsection shall not be withheld, recalculated, or otherwise reduced for any construction project approved under subsection (g) of this Code section. Exceptional growth entitlement shall be utilized for construction of new instructional units at an existing school or for new schools only for those schools which, following the completion of such construction, meet the minimum size specified in subsection (q) of this Code section. Other funding sources must be utilized for any renovation or modification activities which may be needed; and”

The following amendment was read:

Representative Simpson of the 101st moves to amend the Godbee amendment as follows:

On page 3 line 38 after the period add the following:

Any other provision of this Code section or Georgia law to the contrary notwithstanding, no capital outlay funds may be used after July 1, 1999 that entice, encourage or carry out the consolidation of schools in a single school system.

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

Allen	N Crews	N Irvin	N Parrish	N Smith, W
N Anderson	N Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	N Snow
N Baker	N Davis, M	N Johnson, G	Y Pinholster	Y Stallings
N Bannister	N Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	Ponder	N Stancil, S
N Bargeron	N DeLoach, G	N Jones	N Porter	N Stanley, L
Y Barnard	N Dix	Y Joyce	N Poston	N Stanley, P
N Barnes	Dixon, H	N Kaye	Y Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	N Ehrhart	N Ladd	N Randall	Teague
N Bordeaux	N Epps	N Lakly	N Randolph	N Teper
Y Bostick	Evans	N Lane	Ray	N Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	N Lewis	N Roberts	Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	Turnquest
N Buck	N Goodwin	N Lucas	Y Sanders	N Twiggs
N Buckner	N Greene	Y Maddox	N Sauder	N Walker, L
N Bunn	Grindley	N Mann	N Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	N Wall
N Byrd	N Harbin	N McBee	Shaw	N Watson
N Campbell	Harris	McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	N Shipp	N Westmoreland
N Carter	N Heckstall	McKinney	Y Simpson	N Whitaker
N Chambliss	N Hegstrom	N Mills	N Sinkfield	N White
N Channell	N Hembree	N Moblely, B	N Skipper	N Wiles
N Childers	Henson	N Moblely, J	N Smith, C	N Williams, B
N Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	N Holmes	Mueller	N Smith, L	N Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	N Woods
N Connell	N Hudson	N Orrock	Smith, T	Y Yates
N Crawford	N Hugley	Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 11, nays 150.

The amendment was lost.

The Godbee amendment was adopted.

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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 167, nays 0.

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

Representative Roberts of the 162nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

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

Mr. Speaker:

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

HB 1525. By Representatives Watson of the 139th and Powell of the 23rd:

A bill to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to provide that the Georgia Real Estate Appraisers Board shall approve instructors of education courses for appraiser classifications and may require that instructors receive special instruction.

HB 1197. By Representatives Chambless of the 163rd, Bostick of the 165th, Baker of the 70th and others:

A bill to amend Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against persons, so as to increase minimum penalties for aggravated assault and aggravated battery against employees of the Department of Children and Youth Services.

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

HB 1736. By Representatives Birdsong of the 123rd, Smith of the 175th, Bargeron of the 120th and Parham of the 122nd:

A bill to amend Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to the requirement that the Department of Public Safety keep records of applications for licenses and information on drivers' licenses and the furnishing of such information, so as to authorize the Department of Public Safety to provide access to and disseminate information from its records to the military branches of the United States Department of Defense.

HB 1221. By Representatives Benefield of the 96th, Lee of the 94th and Bailey of the 93rd:

A bill to amend Code Section 8-2-26 of the Official Code of Georgia Annotated, relating to the enforcement of state minimum standard codes applicable to construction, so as to provide for alternative inspection of water and sewer lines where the installation is outside the building underground; to provide requirements relative to filing of a certificate of self-inspection.

HB 1366. By Representatives Irvin of the 45th, Walker of the 141st, Lee of the 94th and others:

A bill to amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to state government in general, so as to provide that any state board, body, or committee may meet by teleconference or other similar means, unless specifically prohibited.

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

HB 1243. By Representatives Snow of the 2nd, Murphy of the 18th, Streat of the 167th and others:

A bill to amend Part 1 of Article 5 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to commercial driveway access to the state highway system, so as to establish a maximum amount of money which may be charged by the Department of Transportation as a condition of obtaining a commercial driveway permit under certain circumstances.

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

HB 1437. By Representatives Reaves of the 178th, Floyd of the 138th and Purcell of the 147th:

A bill to amend the Official Code of Georgia Annotated, so as to provide that certain exotic animals are livestock for the purposes of certain laws of this state; to amend Title 1 of the Official Code of Georgia Annotated, relating to general provisions of law, so as to change a definition and provide for additional definitions; to amend Title 4 of the Official Code of Georgia Annotated, relating to animals, so as to change provisions relating to marks, brands, and tattoos.

The following Bills of the Senate were taken up for the purpose of considering the Senate's disagreeing to the House substitutes thereto:

SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and others:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

Representative Reaves of the 178th moved that the House insist on its position in substituting SB 583.

The motion prevailed.

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

Representative Simpson of the 101st moved that the House insist on its position in substituting SB 678.

The motion prevailed.

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

Mr. Speaker:

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

HB 1479. By Representative Randall of the 127th:

A bill to amend Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances, so as to change the provisions relating to surrender of principal by surety and forfeiture of bond; to provide conditions under which a surety shall be released of liability on a bond.

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

HB 1586 ~~www~~ By Representatives Royal of the 164th, Jamieson of the 22nd and Buck of the 135th:

A bill to amend Code Section 48-8-49 of the Official Code of Georgia Annotated, relating to dealers' returns as to gross proceeds of sales and purchases, so as to provide for annual filing of such reports by certain dealers.

The Senate adheres to its disagreement to the House substitute and has appointed a Committee of Conference to confer with a like committee on the part of the House on the following bill of the Senate:

SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and Guhl of the 45th:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Ragan of the 11th, Broun of the 46th and Middleton of the 50th.

The Senate adheres to its disagreement to the House substitute and has appointed a Committee of Conference to confer with a like committee on the part of the House on the following bill of the Senate:

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Perdue of the 18th, Dean of the 31st and Marable of the 52nd.

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

HB 1630. By Representatives Parsons of the 40th, Scoggins of the 24th and Coker of the 31st:

A bill to amend Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, known as the "Georgia Computer Systems Protection Act," so as to provide that it shall be unlawful for any person or organization knowingly to transmit certain misleading data through a computer or telephone network for the purpose of setting up, maintaining, operating, or exchanging data with an electronic mailbox, home page, or any other electronic information storage bank.

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

HB 1154. www.libtool.com.cn By Representatives Kinnamon of the 4th, Perry of the 11th, Childers of the 13th and Mosley of the 171st:

A bill to amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to change the provisions relating to the provision of medical services to inmates.

HB 1226. By Representative Skipper of the 137th:

A bill to amend Code Section 48-4-76 of the Official Code of Georgia Annotated, relating to judicial in rem tax foreclosures, so as to authorize the utilization of such foreclosure provisions with respect to delinquent municipal ad valorem taxes through the adoption of a municipal ordinance or resolution.

The following Bills of the House were taken up for the purpose of considering the Senate substitutes thereto:

HB 1447. By Representative McKinney of the 51st:

A bill to re-create a system of state courts of limited jurisdiction for each city of this state having a population of 300,000 or more according to the United States decennial census of 1990 or any future such census so as to give to such courts jurisdiction to try offenses against the traffic laws of this state and offenses against traffic ordinances committed within the territorial jurisdiction of such cities.

The following Senate substitute was read:

A BILL

To re-create a system of state courts of limited jurisdiction for each city of this state having a population of 300,000 or more according to the United States decennial census of 1990 or any future such census so as to give to such courts jurisdiction to try offenses against the traffic laws of this state and offenses against traffic ordinances committed within the territorial jurisdiction of such cities; to provide for the constitutional authority for this Act; to provide for legislative findings; to provide for jurisdiction; to provide for the qualifications, oath, compensation, restriction on the practice of law, and authority of judges; to provide for appointments, vacancies in office, and removal and retirement of judges; to provide for the retention and terms of office of judges; to provide for a chief judge and a chief judge pro tempore and their related duties; to provide for hearings in open court and chambers; to provide for jurors and jury trials; to provide for the appointment, qualifications, and salaries of solicitors and assistant solicitors; to provide for the retention and terms of office of solicitors; to provide for appointment, qualifications, and compensation of a public defender and appointed counsel; to provide for the clerk, constables, bailiffs, investigators, and other court personnel; to provide for service of judges pro hac vice and solicitors and public defenders pro hac vice; to provide for service of senior judges; to provide for terms of court; to provide for the housing, facilities, and violation bureaus of such courts; to provide for a director; to provide for probation for probationers of such courts; to provide for criminal prosecutions and appeals; to provide for the disposition of fines and forfeitures; to provide for additional penalties and their disposition; to provide that any such court shall be a successor court to any current such court; to provide for transfer of cases and certain materials; to provide for the specific repeal of certain prior statutes relating to such courts; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

www.libtool.com.cn Establishment.

Pursuant to the provisions of Article VI, Section I of the Constitution of the State of Georgia, as amended, and the provisions of that constitutional amendment authorizing the General Assembly to create a new court or system of courts in each city having a population of more than 300,000 and to provide jurisdiction of such court or system of courts (Res. Act No. 81; H.R. 167-510; Ga. L. 1967, p. 963), which constitutional amendment was specifically continued in force and effect on and after July 1, 1987, as a part of the Constitution of the State of Georgia by an Act approved March 26, 1986 (Ga. L. 1986, p. 4820), there is hereby established in each city of this state having a population of 300,000 or more according to the United States decennial census of 1990 or any future such a court to be known as the city court of such city. Such courts shall be considered courts of record and shall have a seal of appropriate design prescribed by the governing authority of each city; and the minutes, records, and other books and files that are required by law to be kept for the superior courts shall, in the same manner, so far as the jurisdiction of state courts may render necessary, be kept in and for such courts.

SECTION 2.

Legislative determination.

It is hereby declared as a matter of legislative determination:

- (1) That the problem of the enforcement of the criminal laws and ordinances involving the operation or ownership of motor vehicles upon the streets and highways of the state is particularly acute in areas where there are densely concentrated populations;
- (2) That such traffic laws and regulations may be enforced more effectively, efficiently, and justly by the creation of courts specifically designed for such service in congested areas; and that such courts are state courts of limited jurisdiction.
- (3) That the provisions of this Act will promote the general defense and public welfare.

SECTION 3.

Jurisdiction.

Each such court shall have jurisdiction coextensive with the territorial limits of the city in which it is located over:

- (1) All crimes and offenses under the laws of the state relating to and regulating traffic, and all other crimes and offenses arising out of the same occurrence as such traffic offense, not above the grade of misdemeanor and not exclusively cognizable in the superior courts; provided, however, no defendant shall be tried on a misdemeanor charge in any county except where the alleged offense was committed.
- (2) All offenses against the duly enacted laws and ordinances of such city relating to and regulating traffic, and all other offenses against laws and ordinances of such city arising out of the same occurrence as such traffic offense. Punishment for such offenses shall be imposed as provided by laws and ordinances duly enacted by the governing authority of such city.

SECTION 4.

Judges; qualifications; oath; compensation; restriction
on practice of law.

- (a) There shall be a chief judge of each such court and such number of judges as may be necessary to conduct the business of the court.
- (b) Each judge shall have been for at least one year prior to appointment and continue to be during the term of office a resident of the city in which he or she is selected to serve, shall have been a resident of the state for at least three years next preceding the beginning of his or her term of office, shall as of such date be at least 25 years of age, and shall have been admitted to practice law for at least five years. Any judge holding office in such courts on the effective date of this Act but not a resident of the city as provided herein shall be eligible for retention in office as provided herein.

- (c) Before discharging his or her duties, each judge shall take the same oath as judges of the superior courts.
- (d) The annual salaries of the chief judge and of each judge shall be fixed by the governing authority of each city. However, the annual salaries of the chief judge and judges shall be no less than 90 percent of the annual salaries of the judges of the state court within the territorial jurisdiction of said court.
- (e) A full-time judge of such courts shall not engage in the private practice of law or hold any other public office or office in any political party. Any person appointed a judge pro hac vice pursuant to the provisions herein may engage in the private practice of law in other courts but may not practice in his or her own court, appear on any matter as to which that judge has exercised jurisdiction, qualify for or hold any other public office, or hold an office in any political party.

SECTION 5.

Vacancies; method of appointment; removal; retirement.

- (a) In the event of a vacancy in office of a judge of the court for any cause, the mayor shall fill such vacancy by appointing one of three qualified persons nominated by a judicial nominating commission constituted for the purpose of nominating city court judges in the territorial jurisdiction. All members of such commission shall reside within the city where such court is located. If such a commission does not exist within the territorial jurisdiction, the mayor shall appoint one of three qualified persons nominated by the judges of the superior court having territorial jurisdiction in the county where such court is located. Each judge so appointed shall hold office for a term ending with the regular city election following the date of appointment.
- (b) Judges of a city court shall be subject to discipline, removal, and involuntary retirement pursuant to Article VI, Section VII, Paragraphs VI and VII of the Constitution of the State of Georgia.

SECTION 6.

Retention of judges; term of office; failure to be retained.

- (a) A judge of such court who shall desire to retain judicial office for a succeeding term shall file, with the municipal clerk not more than 90 days nor less than 60 days prior to each regular municipal election prior to the expiration of the judge's then term of office, a declaration of intent to run for another term.
- (b) Upon the filing of the above declaration, a question shall be placed upon the appropriate ballot of such election within the territorial jurisdiction of the court as follows:
- “Shall Judge (Name of judge) of the (Name of the city) City Court be retained in office?
 _____ Yes, to retain
 _____ No, against retention.”

- (c) As of the November, 1997, regular municipal elections in the territorial jurisdiction where such courts are located, if a majority of those voting on such question vote to retain a judge, the judge is thereupon retained for a four-year term commencing on the first Monday in January following each such election. If a majority of those voting on such question vote not to retain a judge, a vacancy shall exist upon the expiration of the term being served by the judge. Such vacancy shall be filled in accordance with the provisions of this Act.
- (d) Any judge failing to be retained by electors shall be ineligible for appointment to any such court for a period of four years.

SECTION 7.

Chief judge—selection; chief judge pro tempore; duties.

- (a) The judges of each such court shall elect by majority vote a chief judge from one of their number for a term of two years. The chief judge may succeed himself or herself for successive terms. A majority vote of all judges, including the chief judge, shall be required to remove an incumbent from the office of chief judge. In case of illness or temporary absence or incapacity of the chief judge, the judges shall select by majority vote one of their number to act as chief judge pro tempore.

(b) If no chief judge has been elected within 30 days after the creation of a vacancy, the judge senior in length of continuous judicial service on such court shall be ex officio chief judge.

(c) The ~~chief judge of the court~~ shall be responsible for the general superintendence of the business of the court. He or she shall promulgate all rules necessary for the supervision, conduct, and administration of said court, including but not limited to the following: determine the number of divisions into which the court shall be divided and assign the judges or judges pro hac vice to duty therein; prescribe the days and hours for the sessions of the various divisions of the court; prescribe the form and manner for the preparation and keeping of such calendars, dockets, and records of such court; call and preside at meetings of the judges of the court; require such reports from the judges, judges pro hac vice, solicitor, clerk, and other court personnel as deemed necessary and proper; prepare and submit the budget of said court to the mayor and city council and other appropriate departments, committees, and agencies; and perform other such duties as required by law.

SECTION 8.

Authority of judges generally.

The judges of such courts shall have the same authority as judges of the superior courts to:

- (1) Compel the production of books, papers, and other documentary evidence in the possession of any party;
- (2) Enforce obedience to their orders, judgments, and sentences with the same authority as judges of superior courts;
- (3) Compel the attendance of witnesses or all parties necessary to a proper disposal of each case by issuance of summonses, subpoenas, warrants, orders, and all other processes in cases within its jurisdiction;
- (4) Punish those in its presence for contempt by fines not exceeding \$500.00 or by imprisonment not exceeding 20 days or both;
- (5) Establish bail and forfeit bonds with the same authority as the judges of superior courts, except such bonds as may by law only be set by judges of superior courts;
- (6) Administer oaths and exercise all other powers necessarily appertaining to their jurisdiction or which may be granted them by law;
- (7) Issue criminal warrants either on their own knowledge or on information given under oath;
- (8) Suspend or revoke the driver's license of any person found guilty of the violation of such traffic laws and ordinances;
- (9) Probate, revoke, amend, remit, modify, alter or suspend sentences imposed;
- (10) Take affidavits and attest other papers; and
- (11) Such other powers and duties as shall be provided by law.

SECTION 9.

Hearings on merits in open court; other proceedings allowed in chambers.

All trials and preliminary hearings on the merits shall be conducted in open court and, so far as convenient, in a regular courtroom. All other proceedings, hearings, and acts may be done or conducted by a judge in chambers and in the absence of the clerk or other court officials. The judges of such courts may hear motions and enter orders in all cases pending in the court over which he or she presides in open court or chambers. The proceedings after information, accusation, uniform traffic citation, or summons shall conform to the rules governing like proceedings in superior courts.

SECTION 10.

Jurors; jury trials.

(a) All laws with reference to the number, composition, qualifications, impaneling, challenging, and compensation of jurors in state courts within the territorial jurisdiction of such courts shall apply to and be observed by each such courts.

(b) In all instances where an accused has a right to a trial by jury, the judges of any such courts shall adhere to the practices and procedures of state courts.

SECTION 11.

Solicitors; appointment; qualifications;
assistants; prohibition on practice of law;
www.libtool.com.cn salaries; budget.

- (a) There shall be a solicitor of such courts and as many assistant solicitors for each of such courts as there are regular judges. Each solicitor and assistant solicitor shall take the same oath and perform the same duties as solicitors of the state courts, as far as applicable to and not inconsistent with this Act.
- (b) The solicitors of each court shall be appointed and retained in the same manner as provided for judges within this Act.
- (c) Each solicitor shall have been for at least one year prior to appointment and continue to be during the term of office a resident of the city in which he or she is selected to serve, shall be at least 25 years of age, and shall have been admitted to practice law in the State of Georgia for at least five years.
- (d) Assistant solicitors shall be appointed by each solicitor and serve at his or her discretion. Each person so appointed shall have been admitted to practice law in the State of Georgia.
- (e) Any full-time solicitors and assistant solicitors may not engage in the private practice of law. A part-time assistant solicitor of such courts may engage in the private practice of law but may not practice or appear in any matter as to which he or she has exercised jurisdiction.
- (f) The annual salary of the solicitor and the annual salary of each assistant solicitor shall be fixed and determined by the governing authority of the city payable as provided by the governing authority for other employees within the city.
- (g) The solicitor shall prepare and submit an annual budget for his or her office to the mayor and city council within the territorial jurisdiction.

SECTION 12.

Public defender; appointment;
qualifications; prohibition on practice of law;
compensation; budget.

- (a) Any such courts shall provide for the representation of indigent defendants by a public defender's office.
- (b) The public defender shall be appointed in accordance with the provisions of subsection (a) of Section 5 of this Act. The provisions relating to the qualifications, appointment of assistants, prohibition on the private practice of law, compensation, and budget of the solicitor in Section 11 of this Act shall apply to the public defender. Any person appointed public defender shall be appointed to a four-year term of office and shall serve until a successor is duly appointed and qualified in accordance with the provisions of this Act.

SECTION 13.

Investigators.

There shall be not less than one investigator for each of such courts, each of whom shall be appointed by and serve at the discretion of the solicitor.

SECTION 14.

Clerk and other court personnel; prohibition.

- (a) There shall be a clerk of each such court, as many deputy clerks as there are regular judges, and such clerical assistants as the judges determine necessary for the efficient operation of the court. The clerk, deputy clerks, and clerical assistants shall be appointed by the judges of each of such courts in conference and shall serve at their discretion. Any person appointed clerk shall be a resident of the city in which such court is located during his or her term of office. However, the residency requirement herein shall not apply to any person holding the position of clerk, but not a resident of the city, on the effective date of this Act.
- (b) The clerk, deputy clerks, and clerical assistants shall have the same powers and duties as like officers of the superior courts, as far as applicable to and not inconsistent with this Act. Each clerk and deputy clerk shall be responsible for all moneys collected and shall

give bond for the faithful discharge of his or her duties in such amount as may be fixed by the governing authority of each of such cities.

(c) The clerk shall further submit to the chief judges of such courts recommendations for improving the efficiency and operation of the court; assist the chief judges in the preparation of budgeting and fiscal reports and documents as may be necessary for the proper operation and maintenance of the court; maintain and keep the seal of such courts; and perform such other duties as may be required by law or the chief judge.

(d) The clerk and court personnel as provided herein are prohibited from practicing law in their own or another's name, as a partner or otherwise, in any court except in their own case.

SECTION 15.

Bailiffs.

There shall be as many bailiffs for each of such courts as there are regular judges. Each bailiff shall be appointed by and serve at the discretion of the judges in conference, shall attend all sittings of the court, and shall perform such other duties as may be prescribed by the judges.

SECTION 16.

Constables.

The constables of each of such courts shall be the sheriffs and deputy sheriffs of the several counties of this state and the chief of police and the regularly elected and qualified members of the police department of each city, each of whom shall serve all processes and orders to them directed.

SECTION 17.

Service by judges pro hac vice.

Upon certification by the chief judge that the business of the court is such that additional help is needed to promptly handle the business of the court, the chief judge may appoint one or more attorneys at law to act as judge pro hac vice. Any person appointed judge pro hac vice shall possess the same qualifications as required for judges within this Act. Each judge pro hac vice while serving as such shall have all the powers and authority of a judge.

SECTION 18.

Service by senior judges.

(a) The office of senior judge of such court is created. Any judge, chief judge, or judge of any such court who retires pursuant to the provisions of applicable laws relating to such retirement shall be a senior judge on the effective date of such retirement.

(b) Senior judges may be called upon to serve as judges of such court when a regular judge for some reason is unable to serve. Any such senior judge may be subject to designation and assignment, with the senior judge's consent, either as additional or substitute judge. Such senior judge shall have all the power and authority when so designated or assigned as a judge of such court. Such senior judges shall be compensated in addition to retirement pay in the amount paid to judges pro hac vice of such court for such services. In addition to such compensation, such judges shall receive mileage at the same rate as other employees of the city for such services. Said compensation and mileage shall be paid from city funds appropriated or otherwise available for the operation of such court upon a certificate by the judge as to the number of days served and the mileage. Such compensation shall not diminish or otherwise impair the payment or receipt of any retirement or pension benefits of such judge.

SECTION 19.

Solicitors and public defenders pro hac vice.

(a) The solicitors shall appoint solicitors pro hac vice as needed by such courts, and as provided by the governing body of each city, to act in the event of emergency or necessity except as provided herein.

(b) The chief judge of any such courts shall appoint solicitors pro hac vice or public defenders pro hac vice when there is a conflict of interest associated with the office of the

solicitor or public defender. For the appointment of a solicitor pro hac vice or public defender pro hac vice, the solicitor or public defender shall make a written request to the chief judge or file a motion before the court setting out the nature of the conflict of interest.

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SECTION 20.

Terms of court.

Each court shall have two terms of six months, each term to be designated by the name of the month in which the term begins and shall also have such adjourned terms as the chief judge may prescribe. Two or more sessions of each court may be held at the same time and each court shall sit at such places within the city as the governing authority shall provide.

SECTION 21.

Housing and facilities for courts.

Each court shall sit at such places within the city as the governing authority shall provide. However, the governing authority of each city shall provide adequate courtrooms, offices, equipment, and other facilities necessary for the operation of each of such courts.

SECTION 22.

Violation bureau; director.

(a) The governing authority of each city may provide a violation bureau for the payment of fines for violations of traffic ordinances of the city without offenders being required to make an appearance in court. The fines for such offenses shall be in accord with a schedule of fines determined by the chief judge. However, such procedures shall not be available for violations involving an accident or driving while under the influence of intoxicants, whether or not an accident occurs.

(b) There shall be a director of the violation bureau who shall be appointed by and serve at the pleasure of a majority of the judges.

SECTION 23.

Probation.

When such courts are located in counties having a county probation system where the probation officers are functioning and deemed to be the same as circuit probation officers under the provisions of Article 2 of Chapter 8 of Title 42 of the O.C.G.A., the "State-wide Probation Act," probationers from such courts shall be supervised by the county probation system. The expense of supervising such probationers shall be paid by such cities out of the moneys collected as fines and forfeitures.

SECTION 24.

Criminal prosecutions.

Criminal prosecutions in such courts may be instituted by summons, written information, or accusation specifically setting forth the offense charged. Such information, accusation, or summons may be signed by the solicitor or assistant solicitor or by the chief of police or any member of the police department.

SECTION 25.

Appellate review.

The orders, verdicts, judgments, and sentences of such courts shall be subject to appellate review in accordance with the provisions of general law:

- (1) By the appropriate appellate court of this state in misdemeanor cases; and
- (2) By writ of certiorari in the appropriate superior court in all other cases.

SECTION 26.

Fines and forfeitures; priority in distribution.

Except as provided in Sections 27 and 28 of this Act, all moneys arising from fines or forfeitures imposed and collected in such courts shall be paid into the treasury of the respective cities and shall be used first to cover the housing facilities, equipment, personnel and personnel training, and other costs necessary for the administration of such courts. Any

remaining funds shall be used to defray the expenses associated with the enforcement of laws and ordinances relating to and regulating traffic.

www.libtool.com.cn **SECTION 27.**
Additional penalty.

(a)(1) In every traffic case, other than parking violations, in which a court imposes a fine under this Act for a violation of a state law or local ordinance there shall be imposed as an additional penalty a sum not to exceed \$3.00.

(2) At the time of posting bail or bond in any traffic case before a court under this section, an additional sum not to exceed \$3.00 shall be posted. In every traffic case in which a court under this section orders the forfeiture of bail or bond, the additional sum posted shall be paid over as provided in subsection (b) of this section.

(b) The additional penalty in cases in which fines are imposed and the additional sum for forfeiture of bails and bonds provided for in paragraphs (1) and (2) of subsection (a) of this section shall be collected by the court officer charged with the duty of collecting fines and forfeited bails or bonds. The funds collected shall be distributed by the finance department of the city served by the traffic court created by this Act. One-third of the funds collected shall be distributed to the court created by this Act in support of the Victims and Witnesses Assistance Program operated by the chief judge of such court. Two-thirds of the funds collected under this Act shall be distributed by the city finance department to the crime commission serving such city, in support of the Victims and Witnesses Assistance Program operated by the crime commission in the municipal court of said city. Budgets for each of the Victims and Witnesses Assistance Programs named in this section shall be submitted to the finance committee of the city council for review and approval of the distribution of the funds. An annual report to the governing authority of the city served by the traffic court created by this Act of the moneys received by each recipient of these funds shall be made by the chief judge of each court in which a Victims and Witnesses Assistance Program is supported by the funds collected under this section.

(c) Except as otherwise provided in subsection (b) of this section and except as otherwise provided in Section 28, all moneys arising from fines or forfeitures imposed and collected in such courts shall be paid into the treasury of the respective city served by the court and shall be used exclusively to defray the expense of operating such courts and the enforcement of the laws and ordinances relating to and regulating traffic.

SECTION 28.

Additional penalty.

(a)(1) In every case in which such courts shall impose a fine, which shall be construed to include costs, for any offense against a criminal or traffic law of this state or any ordinance of a political subdivision thereof, there shall be imposed as an additional penalty a sum equal to 10 percent of the original fine. Such additional penalties shall be paid over as provided in subsection (c) of this section. The penalty provided in this paragraph shall be in addition to any penalty or additional penalty provided for in Sections 26 and 27 of this Act.

(2) At the time of posting bail or bond in any case involving a violation of a criminal or traffic law of this state or ordinance of a political subdivision thereof, an additional sum equal to 10 percent of the original amount of bail or bond shall be posted. In every case in which such courts shall order the forfeiture of bail or bond, the additional sum equal to 10 percent of the original bail or bond shall be paid over as provided in subsection (c) of this section. The additional sums provided for in this paragraph shall be in addition to any sums provided for in paragraph (2) of subsection (a) of Section 27 of this Act.

(b) Such sums required by subsection (a) of this section and Section 27 of this Act shall be in addition to that amount required by Code Section 47-17-60 of the O.C.G.A. to be paid into the Peace Officers' Annuity and Benefit Fund or by Code Section 47-11-51 of the O.C.G.A. to be paid into the Judges of the Probate Courts Retirement Fund of Georgia.

(c) The sums provided for in subsection (a) of this section shall be assessed and collected by the clerk or court officer charged with the duty of collecting moneys arising from fines

and forfeited bonds and shall be paid over to the governing authority of the city in which the court is located by the tenth day of the month following the month in which such sums are collected. Such sums paid over to the governing authority shall be deposited by the governing authority into a special account to be known as the "city jail fund."

(d) Any person whose duty it is to collect and remit the sums provided for in this Act who fails or refuses to remit such sums by the date required by this Act shall be guilty of a misdemeanor.

(e) Moneys collected pursuant to this section and placed in the city jail fund shall be expended by the governing authority of the city solely and exclusively for constructing, operating, and staffing city jails, city correctional institutions, and city detention facilities or for the purpose of contracting for such facilities with other cities, counties, the state, or other political subdivisions. The city jail fund and moneys collected pursuant to this Act to be placed in the city jail fund may be pledged as security for the payment of bonds issued for the construction of city jails, city correctional institutions, and city detention facilities. This section shall not preclude the appropriation or expenditure of other funds by the governing authority of any city or by the General Assembly for the purpose of constructing, operating, or staffing city jails, city correctional institutions, and city detention facilities.

SECTION 29.

Continuance of certain courts; transfer of cases.

Any such court or system of courts created and in existence pursuant to an Act approved April 21, 1967 (Ga. L. 1967, p. 3360), as amended, is continued in existence, but on and after the effective date of this Act shall be constituted as provided in this Act. All cases and matters that are pending in such court or system of courts shall be transferred to the court created under this Act. All records, books, and documents relating to such cases or prior cases shall be transferred likewise.

SECTION 30.

Specific repealer.

An Act to create a system of traffic courts pursuant to the Constitution of Georgia for each city of this State having a population of more than 300,000 by the Federal Census of 1960, or any future Federal Census, giving to such courts jurisdiction to try offenses against the traffic laws of this State and offenses against traffic ordinances committed within the territorial jurisdiction of such cities, approved April 21, 1967 (Ga. L. 1967, p. 3360), and all amendatory Acts thereto, are repealed in their entirety.

SECTION 31.

General repealer.

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

Representative McKinney of the 51st moved that the House agree to the Senate substitute to HB 1447.

On the motion, the ayes were 110, nays 0.

The motion prevailed.

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

The following Senate substitute was read:

A BILL

To amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed on or after a specified date as secretary to a superior court judge if such secretary has previously been employed as a secretary to a state court judge; to provide for an exception to the pay schedule for a person appointed on or after a specified date as secretary to a superior court judge if such secretary has previously been employed as a secretary to a district attorney in certain circumstances; 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 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, is amended by striking in its entirety paragraph (5) of subsection (c) of Code Section 15-6-25, relating to employment of secretaries for judges of the superior court, and inserting in lieu thereof the following:

“(5) Each new secretary appointed after July 1, 1985, shall be placed on Step 1 of the pay schedule in effect on the date of appointment; provided, however, that:

(A) A secretary employed under Code Section 15-18-17, authorizing the employment of district attorney’s secretaries, may transfer to this pay schedule upon appointment as a secretary to a judge of the superior court at the step equal to the current salary being received if no interruption in state employment occurs as a result of the appointment;

(B) A secretary employed as secretary to a state court judge in this state before appointment pursuant to this Code section may transfer to this pay schedule after appointment pursuant to this Code section at the step which is closest to but not lower than the highest salary received in such secretary’s previous employment as secretary to a judge of the state court if such secretary was appointed pursuant to this Code section on or after July 1, 1995, and there was no interruption in employment as a result of such appointment; and

(C) A secretary employed under authority other than Code Section 15-18-17 as a secretary to a district attorney in this state before appointment pursuant to this Code section who was appointed on or after July 1, 1995, may transfer to this pay schedule at the step which is closest to but not lower than the highest salary received in such secretary’s previous employment as a secretary to a district attorney after appointment pursuant to this Code section if there was no interruption in employment as a result of such appointment.”

SECTION 2.

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

Representative Simpson of the 101st moved that the House disagree to the Senate substitute to HB 1218.

The motion prevailed.

HB 500. By Representatives Sherrill of the 62nd, Smith of the 175th, Coleman of the 80th, Walker of the 141st, Taylor of the 134th and others:

A bill to amend Code Section 20-2-152 of the Official Code of Georgia Annotated, relating to special education services, so as to provide that special education funding weight shall apply to special education students placed in general education programs.

The following Senate substitute was read:

A BILL

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 an additional special education category; to provide for the program weight for such additional program; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by striking subsection (d) of Code Section 20-2-152, relating to special education services, and inserting in its place a new subsection (d) to read as follows:

“(d) For purposes of funding under this article, the following special education categories are authorized for the local units of administration of this state:

- (1) Category I: self-contained specific learning disabled and self-contained speech-language disordered;
- (2) Category II: mildly mentally disabled;
- (3) Category III: behavior disordered, moderately mentally disabled, severely mentally disabled, resourced specific learning disabled, resourced speech-language disordered, self-contained hearing impaired and deaf, self-contained orthopedically disabled, and self-contained other health impaired;
- (4) Category IV: deaf-blind, profoundly mentally disabled, visually impaired and blind, resourced hearing impaired and deaf, resourced orthopedically disabled, and resourced other health impaired; ~~and~~
- (5) Category V: those special education students classified as being in Categories I through IV, as defined in this subsection whose Individualized Educational Programs specify specially designed instruction or supplementary aids or services in alternative placements, in the least restrictive environment, including the regular classroom and who receive such services from personnel such as paraprofessionals, interpreters, job coaches, and other assistive personnel; and
- ~~(6)~~(6) Category V VI: intellectually gifted.”

SECTION 2.

Said chapter is further amended by striking subsection (b) of Code Section 20-2-161, relating to the Quality Basic Education Formula, and inserting in its place the following:

“(b) As the cost of instructional programs varies depending upon the teacher-student ratios and specific services typically required to address the special needs of students enrolled, state authorized instructional programs shall have the following program weights:

(1) Kindergarten program	1.3286
(2) Primary grades program (1-3).....	1.2432
(3) Upper elementary grades program (4-5)	1.0197
(4) Middle grades program (6-8).....	1.0242
(5) High school general education program (9-12).....	1.0000
(6) High school nonvocational laboratory program (9-12).....	1.2428
(7) Vocational laboratory program (9-12).....	1.3557
(8) Program for the handicapped: Category I.....	2.3419
(9) Program for the handicapped: Category II.....	2.7204
(10) Program for the handicapped: Category III.....	3.4579
(11) Program for the handicapped: Category IV.....	5.5838
<u>(12) Program for persons with disabilities:</u>	
<u>Category V.....</u>	<u>2.4114</u>
(12) (13) Program for intellectually gifted	
students: Category V VI.....	1.6374
(13) (14) Remedial education program.....”	1.2985”

SECTION 3.

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

Representative Sherrill of the 62nd moved that the House agree to the Senate substitute to HB 500.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

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

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 553. By Senator Henson of the 55th:

A bill to amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors, so as to provide for definition of a certain term; to provide for additional examinations, licenses, and endorsements for plumbers.

The following Senate amendment was read:

Amend the House substitute to SB 553 by adding following the word "conveyance" on line 22 of page 1 the following:

"; provided, however, that after July 1, 1997, only master plumbers and journeyman who have been certified by the Division of Master Plumbers and Journeyman Plumbers to perform such tasks shall be authorized to install, maintain, alter, or repair medical gas piping systems"

Representative Watson of the 139th moved that the House agree to the Senate amendment to the House substitute to SB 553.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
N Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Chambless	Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 156, nays 3.

The motion prevailed.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 106. By Representatives Lane of the 146th, Coleman of the 142nd, Buck of the 135th, Parrish of the 144th, Channell of the 111th and others:

A bill to amend Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions relative to workers' compensation, so as to provide that any person who performs voluntary service without pay for the Atlanta Committee for the Olympic Games, shall be deemed an employee of the organization for purposes of workers' compensation coverage while performing such service.

The following Senate substitute was read:

A BILL

To amend Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, so as to provide for inclusion of a formerly self-insured employer's prior experience in determining an experience modifier; to change certain provisions relating to application for certificate of authority to create group self-insurance fund; to change

certain provisions relating to admission of new members to group self-insurance fund; to change certain provisions relating to termination of participation in group self-insurance fund; to change certain provisions relating to maintenance of loss reserves; to change certain provisions relating to payment of operating expenses by members of fund; to change certain provisions relating to bond of administrator; to amend Code Section 33-23-102 of the Official Code of Georgia Annotated, relating to bond and surety of applicant for insurance administrator's license, so as to provide for fidelity bond; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, is amended by adding a new Code Section 34-9-138 to read as follows:

"34-9-138.

Any insurance company which voluntarily writes a policy for any employer which was self-insured under any provision of this chapter shall include such employer's prior experience while self-insured to determine or have determined an experience modifier for such employer."

SECTION 2.

Said chapter is further amended by striking subsection (d) of Code Section 34-9-152, relating to application for certificate of authority to create group self-insurance fund, and inserting in lieu thereof the following:

"(d) Each application for a certificate of authority shall be accompanied by a filing fee of ~~\$300.00~~ in the amount required by subparagraph (CC) of paragraph (1) of Code Section 33-8-1, which fee shall not be refundable."

SECTION 3.

Said chapter is further amended by striking subsection (a) of Code Section 34-9-155, relating to admission of new members to group self-insurance fund, and inserting in lieu thereof the following:

"(a) Any other provision of law to the contrary notwithstanding, no ~~No~~ person other than a trustee, officer, or administrator of the fund shall solicit membership or participation in any fund unless such person:

- (1) Has a valid agent's license for property and casualty insurance or a counselor's license issued pursuant to Article 1 of Chapter 23 of Title 33; or
- (2) Is an officer, director, or employee of:
 - (A) A professional association or trade association; or
 - (B) A corporation with its income exempt pursuant to Section 115 of the United States Internal Revenue Code."

SECTION 4.

Said chapter is further amended by striking subsection (d) of Code Section 34-9-156, relating to termination of participation in group self-insurance fund, and inserting in lieu thereof the following:

"(d) Any member who is voluntarily terminated or is involuntarily terminated shall ~~carry the same experience modifier promulgated by the fund unless proof can be provided to the Commissioner that either the formula for determining the experience modifier is incorrect or the data being used is incorrect~~ be provided with the data necessary for the replacement workers' compensation insurer to determine or have determined an experience modifier for such former member."

SECTION 5.

Said chapter is further amended by striking subsection (b) of Code Section 34-9-163, relating to maintenance of loss reserves, and inserting in lieu thereof the following:

"(b) For all claims under policies written in the three years immediately preceding the date as of which the statement is made, a fund shall maintain:

(1) Actual loss reserves, incurred but not reported loss reserves, and reserves for aggregate excess insurance which, combined with actual loss and loss expense payments, shall be in an amount at least equal to the loss fund percentage as stated in the fund's ~~excess insurance~~ policy or such higher amounts as required by the Commissioner; or

(2) With the approval of the Commissioner, loss reserves in an amount equal to the greater of the amount established by an independent casualty actuary in accordance with actuarial standards or ~~40~~ 45 percent of earned premiums written in each of the three years prior to the date on which the report or statement is to be made, less all loss and loss expense payments made in connection with the claims under policies written in those three years. For the purposes of this paragraph, the term 'actuarial standards' means the standards adopted by the Casualty Actuarial Society in its Statement of Principles Regarding Property and Casualty ~~Insurance~~ Rate-making Loss and Loss Adjustment Expense Reserves and the Standards of Practice adopted by the Actuarial Standards Board."

SECTION 6.

Said chapter is further amended by striking subsection (a) of Code Section 34-9-164, relating to payment of operating expenses by members of fund, and inserting in lieu thereof the following:

"(a) Each member shall pay into the fund its share of the fund's projected obligation for workers' compensation liability, administrative expenses, and other costs incurred by the fund as may be determined by the board of the fund or by ~~an~~ the fund's administrator and approved by the board of the fund, all in accordance with this article. The share shall be adjusted by the board of the fund according to the claims experience of each participating member in accordance with criteria set forth in the bylaws of the fund; ~~provided, however, that no member of a fund shall be charged a basic rate which is in excess of 108 percent of the basic rate charged to any other member of the fund.~~ The premium for each year shall be paid by each member at the beginning of each fund year unless otherwise provided for under the intrastate agreement or under a payment plan developed by the board of the fund and submitted to and approved by the Commissioner. The board of the fund shall make payments to the employees of the members out of the fund for workers' compensation benefits pursuant to and in accordance with the claims procedures set forth in this chapter; and the board of the fund shall determine what, if any, dividends or assessments shall be paid to or levied against the participating members of the fund."

SECTION 7.

Said chapter is further amended by striking subsection (a) of Code Section 34-9-167, relating to bond of administrator, and inserting in lieu thereof the following:

"(a) The Commissioner shall require each administrator to have and maintain a fidelity bond ~~in an amount which the Commissioner deems appropriate but which is not less than \$100,000.00~~ pursuant to Code Section 33-23-102."

SECTION 8.

Code Section 33-23-102 of the Official Code of Georgia Annotated, relating to bond and surety of applicant for insurance administrator's license, is amended by striking subsection (a) and inserting in lieu thereof the following:

"(a) Every applicant for an administrator's license shall file with the application and shall thereafter maintain in force while so licensed a fidelity bond in favor of the Commissioner executed by a corporate surety insurer authorized to transact insurance in this state. The terms and type of the bond, including, but not limited to, total aggregate liability on the bond shall be established by the rule or regulation of the Commissioner."

SECTION 9.

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

SECTION 10.

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

Representative Towery of the 30th moved that the House agree to the Senate substitute to HB 106.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 161, nays 0.

The motion prevailed.

HB 1591. By Representatives Walker of the 141st, Royal of the 164th and Baker of the 70th:

A bill to amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to state government in general, so as to provide that state and local government shall be authorized to accept credit card payment of amounts due to state and local governments.

The following Senate amendment was read:

Amend HB 1591 by striking line 30 of page 2 and inserting in its place the following:

“state taxes or fees without formal approval by the State Depository Board. The”

Representative Walker of the 141st moved that the House agree to the Senate amendment to HB 1591.

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

Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargerion	Y Bates	Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	Y Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the motion, the ayes were 165, nays 0.

The motion prevailed.

HB 907. By Representative Crawford of the 129th:

A bill to amend Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and fraudulent practices, so as to provide for the crime of misrepresenting the origin of timber.

The following Senate substitute was read:

A BILL

To amend Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and fraudulent practices, so as to provide for the crime of misrepresenting the origin or ownership of timber or agricultural commodities; to provide penalties; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and fraudulent practices, is amended by inserting a new Code section to be designated Code Section 16-9-61, to read as follows:

"16-9-61.

(a) A person commits the crime of misrepresenting the origin or ownership of timber or agricultural commodities when, in the course of a sale, attempted sale, delivery, or other completed or attempted transaction regarding timber or agricultural commodities, he or she knowingly, willfully, and with criminal intent to defraud makes a false statement or knowingly, willfully, and with criminal intent to defraud causes a false statement to be

made with regard to any specific ownership of the timber or agricultural commodities or with regard to the location or ownership of the land where the timber was cut or the agricultural commodities were harvested.

(b) ~~Misrepresenting the origin~~ of timber or agricultural commodities shall be punished, upon conviction, as for a misdemeanor; except that if the property which was the subject of the misrepresentation exceeded \$500.00 in value, it shall be a felony offense punishable upon conviction by a sentence of imprisonment of not less than one year and not exceeding five years."

SECTION 2.

This Act shall apply to conduct occurring on or after July 1, 1996.

SECTION 3.

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

Representative Crawford of the 129th moved that the House agree to the Senate substitute to HB 907.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L.
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Williams, J
Y Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 157, nays 0.

The motion prevailed.

HB 1227. By Representatives Hanner of the 159th, Porter of the 143rd, Carter of the 166th, Royal of the 164th, Coleman of the 142nd and others:

A bill to amend Code Section 12-8-95.1 of the Official Code of Georgia Annotated, relating to hazardous waste management fees and hazardous substance reporting fees, so as to repeal certain hazardous substance reporting fees.

The following Senate amendment was read:

Amend HB 1227 by inserting on line 6 on page 1, following the word and symbol "property," the following:

"to provide that a person who purchases real property listed on the hazardous site inventory and who completes corrective action may qualify for an exemption from third-party liability; to define certain terms; to provide for an administrative consent order incorporating a corrective action plan; to provide for certification of completion; to provide for a limited exemption from liability;"

By inserting immediately following line 39 on page 5 the following:

"SECTION 3.

Said chapter is further amended by inserting immediately following Code Section 12-8-96.2 the following:

'12-8-96.3.

(a) As used in this Code section, the term:

(1) 'Affected property' means real property listed on the hazardous site inventory maintained pursuant to Code Section 12-8-97.

(2) 'Bona fide purchaser' means a person who has purchased affected property and has complied with the provisions of subsection (b) of this Code section relative to such property; provided, however, that no person may qualify as a bona fide purchaser if such person:

(A) Is a person who has contributed or is contributing to a release;

(B) Has or in the past has had a contractual relationship with a person who has contributed or is contributing to a release;

(C) Is related by blood or marriage to a previous owner of the property or to a person who contributed or is contributing to the release or is a shareholder, employee, agent, or is otherwise affiliated with such person;

(D) Is a predecessor or successor entity, subsidiary, owner, or division of any person who has contributed to or is contributing to a release;

(E) Is in violation of any order, judgment, statute, rule, or regulation within the jurisdiction of the division;

(F) Is an owner or operator of an underground storage tank, as defined by Code Section 12-13-3, located at the affected property and subject to the financial responsibility regulations promulgated pursuant to Code Section 12-13-9;

(G) Is an owner or operator of a solid waste handling, disposal, or thermal treatment technology facility, as defined by Code Section 12-8-22, located at the affected property and subject to permitting requirements pursuant to Code Section 12-8-24;

(H) Is an owner or operator of a "hazardous waste facility" as defined by paragraph (11) of Code Section 12-8-62; or

(I) Is not able to meet such other criteria as may be established by the board pursuant to Code Section 12-8-93.

(3) "Cleanup standards" means those rules adopted by the board pursuant to Code Section 12-8-93.

(4) "Contractual relationship" means a contractual relationship established as provided in subsection (d) of Code Section 12-8-96.1.

(5) "Person who has contributed or is contributing to a release" means such term as defined in paragraph (9) of Code Section 12-8-92.

(b) A person desiring to qualify as a bona fide purchaser shall, before purchasing the affected property, present to the director a corrective action plan which describes in detail those actions needed to bring the affected property into compliance with cleanup standards. The director shall approve the plan if, in his or her opinion, the plan will bring the property into compliance with the cleanup standards. Such plan shall include a schedule for completion, which shall be not longer than one year following the date the plan is finally approved, which shall be the date the purchaser and the director enter into an administrative consent order incorporating the plan; provided, however, that the director may extend the completion date by up to six months if, in his or her opinion, the purchaser has made a good faith attempt to complete the corrective action within the time provided in the consent order and that the corrective action can be completed within the period of the extension. If the corrective action provided for in the administrative consent order is completed to the satisfaction of the director, the director shall certify that the purchaser is a bona fide purchaser of the affected property for purposes of this Code section.

(c) A bona fide purchaser shall not be liable for third-party claims for contribution or for third-party claims for damages arising from a release of the hazardous waste, hazardous substance, or hazardous constituent which is the subject of the corrective action included in the consent order provided for in subsection (b) of this Code section.

(d) The limitation of liability provided for in subsection (c) of this Code section shall commence on the date of execution of the consent order provided for in subsection (b) of this Code section; provided, however, that such limitation shall be withdrawn automatically if the director determines at the end of the cleanup period or any extension thereof to certify that the property has not been brought into compliance with the cleanup standards. The limitation shall apply only to the parties to the consent order and for the hazardous waste, hazardous substance, or hazardous constituent addressed in the consent order. The limitation shall not apply with respect to any release occurring in conjunction with an activity related to a corrective action which results in injury to a person not a party to the consent order."

By redesignating Sections 3 and 4 as Sections 4 and 5, respectively.

Representative Dobbs of the 92nd moved that the House agree to the Senate amendment to HB 1227.

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

Allen	Y Bunn	Y Dix	Y Henson	Y Lee
Y Anderson	Y Burkhalter	Y Dixon, H	Y Holland	Y Lewis
Ashe	Y Byrd	Y Dixon, S	Y Holmes	Y Lifsey
Y Bailey	Y Campbell	Y Dobbs	Howard	Y Lord
Y Baker	Y Canty	Y Ehrhart	Hudson	Y Lucas
Y Bannister	Y Carter	Y Epps	Y Hugley	Y Maddox
Y Barfoot	Y Chambless	Y Evans	Y Irvin	Y Mann
Y Bargeron	Y Channell	Y Falls	Y James	Y Martin
Y Barnard	Y Childers	Y Felton	Y Jamieson	Y McBee
Y Barnes	Y Coker	Y Floyd	Y Jenkins	McCall
Y Bates	Y Coleman, B	Y Godbee	Y Johnson, G	Y McClinton
Y Benefield	Y Coleman, T	Y Golden	Y Johnson, J	McKinney
Y Birdsong	Connell	Y Goodwin	N Johnston	Y Mills
Bordeaux	Y Crawford	Y Greene	Y Jones	Y Mobley, B
Y Bostick	Y Crews	Y Grindley	Y Joyce	Y Mobley, J
Breedlove	Y Culbreth	Y Hanner	Y Kaye	Y Mosley
Y Brooks, D	Y Cummings	Y Harbin	Y Kinnamon	Y Mueller
Brooks, T	Y Davis, G	Y Harris	Y Klein	Y O'Neal
Y Brown, J	Y Davis, M	Y Heard	Ladd	Y Orrock
Brush	Y Day	Y Heckstall	Y Lakly	Y Parham
Y Buck	Y DeLoach, B	Y Hegstrom	Y Lane	Y Parrish
Y Buckner	DeLoach, G	Y Hembree	Y Lawrence	Y Parsons

Y Pelote	Y Reichert	Smith, C	Y Stanley, P	Y Walker, R.L
Y Perry	Y Roberts	Y Smith, C.W	Y Stephenson	Y Wall
Y Pinholster	Y Rogers	Y Smith, L	Y Streat	Watson
Y Polak	Y Royal	Y Smith, P	Y Taylor	Watts
Y Ponder	Y Sanders	Y Smith, T	Y Teague	Y Westmoreland
Y Porter	Sauder	Y Smith, V	Y Teper	Whitaker
Y Poston	Y Scoggins	Y Smith, W	Y Thomas	White
Y Powell	Y Shanahan	Y Smyre	Y Tillman	Y Wiles
Y Purcell, A	Y Shaw	Y Snelling	Y Titus	Y Williams, B
Y Purcell, B	Y Sherrill	Y Snow	Towery	Y Williams, J
Y Randall	Y Shipp	Y Stallings	Y Trense	Y Williams, R
Y Randolph	Y Simpson	Y Stancil, F	Y Turnquest	Y Woods
Y Ray	Y Sinkfield	Y Stancil, S	Y Twiggs	Y Yates
Y Reaves	Skipper	Y Stanley, L	Y Walker, L	Murphy, Spkr

On the motion, the ayes were 157, nays 1.

The motion prevailed.

HB 1458. By Representatives Rogers of the 20th, Buck of the 135th, Royal of the 164th, Jamieson of the 22nd, Skipper of the 137th and others:

A bill to amend Code Section 48-5-7.4 of the Official Code of Georgia Annotated, relating to bona fide conservation use property, so as to provide that a family farm limited partnership shall be a qualified owner.

The following Senate amendment was read:

Amend HB 1458 by striking “the controlling” and inserting in its place “all of the control-ling” on line 19 of page 1.

By striking “January 1, 1997” and inserting in its place “July 1, 1996” on line 2 of page 2.

By striking “1997” and inserting in its place “1996” on line 4 of page 2.

Representative Rogers of the 20th moved that the House agree to the Senate amendment to HB 1458.

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

Allen	Y Carter	Y Godbee	Y Kaye	Y Parrish
Y Anderson	Y Chambless	Golden	Kinnamon	Y Parsons
Y Ashe	Y Channell	Y Goodwin	Klein	Y Pelote
Y Bailey	Y Childers	Y Greene	Y Ladd	Y Perry
Y Baker	Y Coker	Y Grindley	Y Lakly	Y Pinholster
Y Bannister	Y Coleman, B	Y Hanner	Y Lane	Y Polak
Y Barfoot	Y Coleman, T	Y Harbin	Y Lawrence	Ponder
Y Bergeron	Connell	Y Harris	Y Lee	Porter
Y Barnard	Y Crawford	Y Heard	Y Lewis	Y Poston
Y Barnes	Y Crews	Y Heckstall	Y Lifsey	Y Powell
Y Bates	Y Culbreth	Hegstrom	Y Lord	Y Purcell, A
Y Benefield	Y Cummings	Y Hembree	Y Lucas	Y Purcell, B
Y Birdsong	Y Davis, G	Henson	Maddox	Y Randall
Y Bordeaux	Y Davis, M	Y Holland	Y Mann	Y Randolph
Y Bostick	Y Day	Y Holmes	Martin	Y Ray
Y Breedlove	Y DeLoach, B	Howard	Y McBee	Y Reaves
Y Brooks, D	Y DeLoach, G	Y Hudson	McCall	Y Reichert
Y Brooks, T	Y Dix	Y Hugley	Y McClinton	Y Roberts
Y Brown, J	Y Dixon, H	Y Irvin	McKinney	Y Rogers
Y Brush	Y Dixon, S	Y James	Y Mills	Y Royal
Y Buck	Y Dobbs	Y Jamieson	Y Mobley, B	Y Sanders
Y Buckner	Y Ehrhart	Y Jenkins	Y Mobley, J	Y Sauder
Y Bunn	Y Epps	Y Johnson, G	Y Mosley	Scoggins
Y Burkhalter	Evans	Y Johnson, J	Y Mueller	Y Shanahan
Y Byrd	Y Falls	Y Johnston	Y O'Neal	Y Shaw
Y Campbell	Y Felton	Y Jones	Y Orrock	Y Sherrill
Y Canty	Y Floyd	Y Joyce	Y Parham	Y Shipp

Y Simpson	Smith, W	Y Stephenson	Y Trense	Y Whitaker
Y Sinkfield	Y Smyre	Y Streat	Turnquest	White
Y Skipper	Y Snelling	Y Taylor	Y Twiggs	Y Wiles
Y Smith, C	Y Snow	Y Teague	Y Walker, L	Y Williams, B
Y Smith, C.W.	Y Stallings	Y Teper	Y Walker, R.L	Y Williams, J
Y Smith, L	Y Stancil, F	Y Thomas	Y Wall	Y Williams, R
Y Smith, P	Y Stancil, S	Y Tillman	Y Watson	Y Woods
Y Smith, T	Y Stanley, L	Y Titus	Y Watts	Y Yates
Y Smith, V	Y Stanley, P	Y Towery	Y Westmoreland	Murphy, Spkr

On the motion, the ayes were 160, nays 0.

The motion prevailed.

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

SB 494. By Senators Oliver of the 42nd, Farrow of the 54th and Starr of the 44th:

A bill to amend Article 4 of Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to accusations, so as to provide that certain violations of Code Section 16-13-30 may be tried upon accusations in certain circumstances; to provide for related matters; to provide an effective date; to provide for applicability.

The following Committee substitute was read:

A BILL

To amend Article 4 of Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to accusations, so as to provide that violations of Code Section 16-13-30 may be tried upon accusations in certain circumstances; to provide for related matters; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to accusations, is amended by inserting in Code Section 17-7-70.1, relating to trial upon accusations in certain felony cases, a new subsection to be designated subsection (a.1) to read as follows:

“(a.1) The provisions of subsection (a) of this Code section shall apply to violations of Code Section 16-13-30 whenever there has been a finding of probable cause pursuant to a commitment hearing under Article 2 of this chapter or the accused has waived either expressly or by operation of law the right to this hearing.”

SECTION 2.

This Act shall become effective on July 1, 1996, and shall apply to violations occurring on or after July 1, 1996.

SECTION 3.

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

The following amendment was read:

Representative Randall of the 127th moves to amend the Committee substitute to SB 494 by adding in the title on line 4 of page 1 between the semicolon and the word “to” the following:

“to provide that felony offenses under Code Section 49-4-15 may be tried upon accusation; to provide for the deferral of such prosecutions under certain conditions; to provide for procedures relative to such deferrals; to provide for consent agreements between the prosecuting attorney and the accused; to provide for the contents and effect of such consent agreements; to provide for restitution; to provide for the filing of such consent agreements; to provide that the successful completion of the terms and conditions of a consent agreement shall bar criminal prosecution for such offense; to provide for prosecution upon failure to comply with such an agreement;”

By renumbering Sections 2 and 3 at the bottom of page 1 as Sections 3 and 4, respectively, and adding between lines 20 and 21 on page 1 a new Section 2 to read as follows:

“SECTION 2.

Said article is further amended by adding at the end of Code Section 17-7-70.1, relating to trial upon accusation in certain felony cases, a new subsection (f) to read as follows:

“(f)(1) Any felony offense under Code Section 49-4-15 may be prosecuted by accusation as provided in this Code section.

(2) Prior to the filing of an accusation or the return of an indictment for a violation of Code Section 49-4-15, a prosecuting attorney may defer further prosecution of such accusation or indictment and shall have the authority to enter into a consent agreement with the individual in which such individual admits to any overpayment, consents to disqualification for such period of time as is or may hereafter be provided by law, and agrees to repay, as restitution, such overpayment. Such agreement may provide for a lump sum repayment, installment payments, formula reduction of benefits, or any combination thereof. Such agreement shall toll the running of the statute of limitations for such offense for the period of the agreement. A consent agreement entered into in accordance with this paragraph shall not constitute a criminal charge.

(3) Any such agreement shall be filed in the criminal docket of the court having jurisdiction over the violation of Code Section 49-4-15 without the necessity of the state filing an accusation or an indictment being returned by a grand jury. The clerk shall enter upon the docket “CONSENT AGREEMENT NOT A CRIMINAL CHARGE.”

(4) Upon successful completion of the terms and conditions of the consent agreement, criminal prosecution of the individual for such offense shall be barred; provided, however, that nothing in this paragraph shall prohibit the state from introducing evidence of such offense as a similar transaction in any subsequent prosecution or for the purpose of impeachment. The successful completion of the terms and conditions of the agreement shall not be considered a criminal conviction.

(5) If the individual fails to comply with the terms of such consent agreement, the state may proceed with a criminal prosecution.”

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

Y Allen	Y Bostick	N Chambless	N DeLoach, B	N Goodwin
Y Anderson	Breedlove	Channell	N DeLoach, G	Y Greene
N Ashe	N Brooks, D	Childers	N Dix	N Grindley
N Bailey	Y Brooks, T	N Coker	N Dixon, H	N Hanner
Y Baker	N Brown, J	N Coleman, B	Dixon, S	Y Harbin
N Bannister	N Brush	Coleman, T	N Dobbs	N Harris
Barfoot	Y Buck	Y Connell	N Ehrhart	Y Heard
Y Bargeron	Y Buckner	N Crawford	Epps	Y Heckstall
N Barnard	N Bunn	N Crews	N Evans	Y Hegstrom
N Barnes	N Burkhalter	N Culbreth	N Falls	N Hembree
Bates	N Byrd	N Cummings	N Felton	Henson
N Benefield	N Campbell	Y Davis, G	N Floyd	N Holland
N Birdsong	Y Canty	N Davis, M	Godbee	Y Holmes
Y Bordeaux	N Carter	N Day	N Golden	N Howard

N Hudson	Y Lucas	Y Ponder	Y Sinkfield	Y Thomas
Y Hugley	N Maddox	Y Porter	Y Skipper	Y Tillman
N Irvin	N Mann	N Poston	N Smith, C	N Titus
Y James	Y Martin	Y Powell	N Smith, C.W	N Towery
Jamieson	N McBee	N Purcell, A	N Smith, L	N Trense
Jenkins	McCall	N Purcell, B	N Smith, P	Y Turnquest
N Johnson, G	McClinton	Y Randall	N Smith, T	N Twiggs
N Johnson, J	McKinney	Y Randolph	N Smith, V	Y Walker, L
N Johnston	N Mills	Y Ray	N Smith, W	N Walker, R.L
Y Jones	Y Mobley, B	N Reaves	Y Smyre	N Wall
N Joyce	N Mobley, J	N Reichert	N Snelling	Y Watson
N Kaye	N Mosley	Y Roberts	Y Snow	N Watts
N Kinnamon	N Mueller	N Rogers	N Stallings	N Westmoreland
N Klein	N O'Neal	N Royal	Y Stancil, F	N Whitaker
N Ladd	Y Orrock	N Sanders	N Stancil, S	White
N Lakly	Y Parham	N Sauder	Y Stanley, L	N Wiles
N Lane	Y Parrish	Scoggins	Y Stanley, P	Williams, B
N Lawrence	N Parsons	N Shanahan	Stephenson	N Williams, J
N Lee	Y Pelote	N Shaw	N Streat	N Williams, R
N Lewis	N Perry	N Sherrill	Y Taylor	N Woods
N Lifsey	N Pinholster	N Shipp	Y Teague	N Yates
Lord	N Polak	N Simpson	Y Teper	Murphy, Spkr

On the adoption of the amendment, the ayes were 50, nays 109.

The amendment was lost.

The Committee substitute was adopted.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	N Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 169, nays 3.

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

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By unanimous consent, SB 446 was postponed until tomorrow.

SB 545. By Senators Slotin of the 39th, Oliver of the 42nd and James of the 35th:

A bill to amend Article 4 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to land bank authorities, so as to change a definition; to change provisions relating to the dissolution of a land bank authority; to change provisions relating to the board of the authority; to change provisions relating to the administration of properties; to change provisions relating to the acquisition and disposal of property.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 163, nays 0.

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

Representative Barnard of the 154th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SB 516. By Senators Griffin of the 25th, Stokes of the 43rd, Newbill of the 56th and others:

A bill to amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, so as to provide that the members of the board of education of any local system which has a budget deficit and submits a corrective action plan to the Department of Education shall, during the period of such deficit, review and acknowledge a report of all monthly expenditures submitted by the system's chief financial officer.

The following substitute, offered by Representatives Smyre of 136th and Parham of the 122nd, was read:

A BILL

To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, so as to provide that the members of the board of education of any local system which has a budget deficit and submits a corrective action plan to the Department of Education shall, during the period of such deficit, review and acknowledge a report of all monthly expenditures submitted by the system's local school superintendent; to require each local board of education to publish annually an actual financial operations statement for the local school system; to provide that the state auditor shall prescribe the form of such statement; to provide for submission of copy of the actual financial operations statement to the Department of Education; to provide for public inspection; to amend Code Section 20-2-230 of the Official Code of Georgia Annotated, relating to staff development programs, so as to extend the hours of orientation training for new members of local school boards and to specify certain areas of training; to change the provisions relating to the entities conducting training workshops; 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 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, is amended by adding at the end thereof a new Code Section 20-2-67 to read as follows:

"20-2-67.

(a) The local system superintendent employed by any local school system which is required to submit to the Department of Education a corrective action plan as provided in Code Section 20-2-283 designed to correct a budget deficit for such local system shall, from the time such deficit is discovered until the time it is eliminated, present to each member of the local board of education for his or her review and written acknowledgment a monthly report containing all anticipated expenditures by budget function for such system during the current month. The report shall be presented to board members on or before the tenth business day of each month. Each monthly report shall be signed by each member of that local board and recorded and retained in the minutes of the meetings of the board of education.

(b) Not later than September 30 of each year, each local board of education shall cause to be published in the official county organ wherein the local school system is located once a week for two weeks a statement of actual financial operations for such local school system for the preceding fiscal year. Such statement of actual financial operations shall be in a form to be specified and prescribed by the state auditor for the purpose of indicating the current financial status of the school system. Prior to publication, such form shall be executed by the local board of education and signed by each member of said board and the local school superintendent.

(c) A copy of the actual financial operations form required to be published by subsection (a) of this Code section shall be mailed by each local board of education to the

Department of Education and the local county board of commissioners or local city governmental administration. A current copy of said form shall be maintained on file in the central administrative office for public inspection by each local board of education for a period of ~~at least two years~~ from the date of its publication. Copies of the statement shall be made available on request.”

SECTION 2.

Code Section 20-2-230 of the Official Code of Georgia Annotated, relating to staff development programs, is amended by striking subsection (b) thereof and inserting in its place the following:

“(b) All new members of governing boards of local units of administration shall, before or within one year after assuming office, receive at least 12 hours of orientation to the educational program objectives of Georgia and instruction in school finance; school law, with special emphasis on the ‘Quality Basic Education Act’; responsiveness to the community; the ethics, duties, and responsibilities of local governing board members; annual performance evaluation of the school superintendent and the local board of education; and such other topics as the State Board of Education may deem to be necessary; provided, however, that at least six of these 12 hours of training shall be specifically related to education finance, generally accepted accounting principles, and budgeting. The board of education of the Department of Children and Youth Services shall be exempt from the six hours of training in education finance, generally accepted accounting principles, and budgeting. All members of boards of local units of administration are required to participate in at least one day of training annually to ensure the effective management and operation of local units of administration. The Georgia Education Leadership Academy is authorized, in cooperation with ~~the Georgia School Boards Association~~ or other agencies and associations, to conduct workshops annually to provide such instruction and to present to each board member completing such annual workshop for the first time an appropriate certificate. The Georgia Education Leadership Academy shall adopt such procedures as may be necessary to verify the attendance at such annual workshops of veteran members of boards of local units of administration. All boards of local units of administration are authorized to pay such board members the same per diem as authorized by local or general law for attendance at regular or special meetings, as well as reimbursement of actual expenses for travel, lodging, meals, and registration fees for such workshops, either before or after such board members assume office.”

SECTION 3.

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

The following amendment was read and adopted:

Representatives Smith of the 175th and Smyre of the 136th move to amend the Floor substitute to SB 516 as follows:

By restoring on page 3 lines 18 & 19 the words

“the Georgia School Boards Association or”

On the adoption of the Floor substitute, as amended, the roll call was ordered and the vote was as follows:

Allen	Bates	Y Buck	Y Childers	Y Davis, M
Y Anderson	Y Benefield	Y Buckner	Y Coker	Y Day
Y Ashe	Y Birdsong	Y Bunn	Y Coleman, B	Y DeLoach, B
Y Bailey	Y Bordeaux	Y Burkhalter	Y Coleman, T	Y DeLoach, G
Y Baker	Y Bostick	Y Byrd	Y Connell	Y Dix
Y Bannister	Breedlove	Y Campbell	Y Crawford	Y Dixon, H
Y Barfoot	Y Brooks, D	Y Canty	Y Crews	Y Dixon, S
Y Barger	Y Brooks, T	Y Carter	Y Culbreth	Y Dobbs
Y Barnard	Y Brown, J	Y Chambless	Y Cummings	Y Ehrhart
Y Barnes	Y Brush	Y Channell	Y Davis, G	Y Epps

Evans	Y Johnson, G	Y Mobley, J	N Sanders	Y Streat
Y Falls	Y Johnson, J	Y Mosley	Y Sauder	Y Taylor
Y Felton	Y Johnston	Y Mueller	Y Scoggins	Y Teague
Y Floyd	Y Jones	O'Neal	Y Shanahan	Y Teper
Y Godbee	N Joyce	Y Orrock	Y Shaw	Y Thomas
Y Golden	Y Kaye	Y Parham	Y Sherrill	Y Tillman
Y Goodwin	Y Kinnamon	Y Parrish	Y Shipp	Y Titus
Y Greene	Y Klein	Y Parsons	Y Simpson	Y Towery
Y Grindley	Y Ladd	Y Pelote	Y Sinkfield	Y Trense
Y Hanner	Y Lakly	Y Perry	Y Skipper	Y Turnquest
Y Harbin	Y Lane	Y Pinholster	Y Smith, C	Y Twiggs
Y Harris	Y Lawrence	Y Polak	Y Smith, C.W	Y Walker, L
Y Heard	Y Lee	Y Ponder	Y Smith, L	Y Walker, R.L
Y Heckstall	Y Lewis	Y Porter	Y Smith, P	Y Wall
Y Hegstrom	Y Lifsey	Y Poston	Y Smith, T	Y Watson
Y Hembree	Y Lord	Y Powell	Y Smith, V	Y Watts
Y Henson	Y Lucas	Y Purcell, A	Y Smith, W	Y Westmoreland
Y Holland	Y Maddox	Y Purcell, B	Y Smyre	Y Whitaker
Y Holmes	Y Mann	Y Randall	Y Snelling	Y White
Y Howard	Y Martin	Y Randolph	Y Snow	Y Wiles
Y Hudson	Y McBee	Y Ray	Y Stallings	Y Williams, B
Y Hugley	McCall	Y Reaves	Y Stancil, F	Y Williams, J
Y Irvin	Y McClinton	Y Reichert	Y Stancil, S	Y Williams, R
Y James	McKinney	Y Roberts	Y Stanley, L	Y Woods
Y Jamieson	Y Mills	Y Rogers	Y Stanley, P	Y Yates
Y Jenkins	Y Mobley, B	Y Royal	Y Stephenson	Murphy, Spkr

On the adoption of the Floor substitute, as amended, the ayes were 169, nays 2.

The Floor substitute, as amended, was adopted.

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

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 173, nays 0.

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

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The following Bills and Resolution of the House were taken up for the purpose of considering the Senate amendment or substitutes thereto:

HB 1575. By Representatives Jones of the 71st, Culbreth of the 132nd and Childers of the 13th:

A bill to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to provide that a person entering an emergency facility shall be evaluated as soon as possible.

The following Senate amendment was read:

Amend HB 1575 by striking line 22 on page 2 and inserting in lieu thereof the following:

“or injury if such testing is appropriate to stabilize the”

By striking lines 27 and 28 on page 2 and inserting in lieu thereof the following:

“intervention to stabilize the condition of the patient without seeking or receiving prospective authorization by an”

Representative Jones of the 71st moved that the House agree to the Senate amendment to HB 1575.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R. L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C. W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 170, nays 0.

The motion prevailed.

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HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th, Holmes of the 53rd, Stanley of the 49th and others:

A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

The following Senate substitute was read:

A BILL

To amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles; to provide for legislative purpose and intent; to provide for definitions; to provide for the creation of special districts; to provide for the levy and collection of such taxes and for the use of the proceeds thereof; to provide for procedures, conditions, and limitations; to provide for statutory construction; to provide for reimbursements and procedures; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, is amended by adding immediately following Article 4 thereof a new article to read as follows:

“ARTICLE 5

48-13-90.

It is declared to be the purpose and intent of the General Assembly that:

- (1) Each county and municipality in this state shall be authorized to levy certain excise taxes as provided in this article; and
- (2) Funds derived from such tax shall be made available for the purpose of promoting industry, trade, commerce, and tourism; for the provision of convention, trade, sports, and recreational facilities; and for public safety purposes.

48-13-91.

As used in this article, the term:

- (1) ‘Rental charge’ means the total value received by a rental motor vehicle concern for the rental or lease for 31 or fewer consecutive days of a rental motor vehicle, including the total cash and nonmonetary consideration for the rental or lease including, but not limited to, charges based on time or mileage and charges for insurance coverage or collision damage waiver but excluding all charges for motor fuel taxes or sales taxes.
- (2) ‘Rental motor vehicle’ means a motor vehicle designed to carry ten or fewer passengers and used primarily for the transportation of persons that is rented or leased without a driver regardless of whether such vehicle is licensed in this state.
- (3) ‘Rental motor vehicle concern’ means a person or legal entity which owns or leases five or more rental motor vehicles and which regularly rents or leases such vehicles to the public for value.

48-13-92.

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. One such

district shall exist within the geographical boundaries of each county, and the territory of each district shall include all of the territory within the county except territory located within the boundaries of any municipality that imposes an excise tax on charges to the public for the rental or lease of rental motor vehicles under this article.

48-13-93.

(a)(1) The governing authority of each municipality in this state may levy and collect an excise tax upon the rental charge collected by a rental motor vehicle concern when such charge constitutes a taxable event for purposes of sales and use tax under Article 1 of Chapter 8 of this title. Within the territorial limits of the special district located within the county, each county in this state may levy and collect an excise tax upon the rental charge collected by a rental motor vehicle concern when such charge constitutes a taxable event for purposes of sales and use tax under Article 1 of Chapter 8 of this title. The tax levied pursuant to this article shall be levied or collected at the rate of 3 percent of the rental charges. The tax levied pursuant to this article shall be imposed only at the time when and place where a customer pays sales tax with respect to the rental charge. The customer who pays a rental charge that is subject to a tax levied as provided in this article shall be liable for the tax. The tax shall be paid by the customer to the rental motor vehicle concern. The tax shall be a debt of the customer to the rental motor vehicle concern until it is paid and shall be recoverable at law in the same manner as authorized for the recovery of other debts. The rental motor vehicle concern collecting the tax shall remit the tax to the governing authority imposing the tax, and the tax remitted shall be a credit against the tax imposed on the rental motor vehicle concern. Every rental motor vehicle concern subject to a tax levied as provided in this article shall be liable for the tax at the applicable rate on the charges actually collected or the amount of taxes collected from the customers whichever is greater.

(2) A county or municipality levying an excise tax as provided in paragraph (1) of this subsection shall only levy such tax by ordinance which shall specify with particularity the authorized projects or purposes, or both, for which proceeds of the tax are to be expended and shall apply in each fiscal year during which the tax is collected such tax proceeds for the purpose of:

(A) Promoting industry, trade, commerce, and tourism;

(B) Capital outlay projects consisting of the construction of convention, trade, sports, and recreational facilities, or public safety facilities, including the acquiring, constructing, renovating, improving, and equipping of parking facilities, pedestrian walkways, plazas, connections, and other public improvements associated with such convention, trade, sports, and recreational facilities or public safety facilities or the retirement of debt issued with respect to such capital outlay projects; and

(C) Maintenance and operation expenses or security and public safety expenses associated with capital outlay projects funded pursuant to subparagraph (B) of this paragraph.

(3) Amounts collected pursuant to this article may be expended pursuant to a contract or contracts with a county, municipality, development authority, downtown development authority, urban redevelopment authority, recreation authority, or any combination of two or more of such entities. Nothing in this article shall be construed to limit the formation of intergovernmental contracts pursuant to the authority granted by Article IX, Section III, Paragraph I of the Constitution of this state to accomplish the purposes described in paragraph (2) of this subsection including the construction and maintenance of facilities located outside the special district within which the excise tax is levied and collected and which benefit the special district.

(4) Any tax levied pursuant to this article shall terminate not later than December 31, 2038. Following the termination of the tax, any county or municipality which has levied a tax pursuant to this article shall not thereafter be again authorized to levy a tax under this article.

(5) No tax shall be imposed under this article on the rental charge associated with the rental or lease of a rental motor vehicle if either:

(A) The customer picks up the rental motor vehicle outside this state and returns it in this state; or

(B) The customer picks up the rental motor vehicle in this state and returns it outside this state.

(6) Nothing in this Code section shall be construed to impair, or authorize or require the impairment of, any existing contract or contractual rights.

(7) Any action by a local governing authority to impose the tax authorized under this Code section shall become effective no sooner than the first day of the month following the month of its adoption by the local governing authority.

(b) No tax under this article may be levied or collected by a county outside the territorial limits of the special district located within the county.

48-13-94.

Each person collecting the tax authorized by this article shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due if the amount due is not delinquent at the time of payment. The rate of deduction shall be 3 percent of the amount due but only if the amount due was not delinquent at the time of payment.

48-13-95.

The manner of imposition, payment, and collection of the tax and all other procedures related to the tax shall be as provided by each county and municipality electing to exercise the powers conferred by this article.

48-13-96.

As a part of the audit report required under Code Section 36-81-7, the auditor shall include, in a separate schedule, a report of the revenues and expenditures pertaining to the tax under this article.”

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.

The following amendment was read:

Representative Burkhalter of the 41st moves to amend the Senate substitute to HB 1319 as follows:

On page 4 on line 6 after “entities.” insert

“If the amounts collected are to be expended, directly or indirectly, for any sports or recreational facility or public improvements associated with any such facility and such facility is to replace another facility which is to be demolished and the facility to be demolished had been leased by any professional sports franchise for at least two of the five years immediately preceding such demolition, the owners or operators of the replacement facility shall make reasonable attempts to accommodate the needs of each such franchise; otherwise, such amounts collected may not be used for such facilities or public improvements associated therewith.”

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

- | | | | | |
|----------|-------------|-------------|------------|-------------|
| N Allen | N Baker | Y Barnard | N Birdsong | Y Brooks, D |
| Anderson | Y Bannister | Y Barnes | N Bordeaux | N Brooks, T |
| Y Ashe | N Barfoot | Y Bates | Y Bostick | Y Brown, J |
| N Bailey | Bargeron | N Benefield | Breedlove | Y Brush |

N Buck	Y Felton	N Ladd	N Poston	N Stallings
Y Buckner	Y Floyd	Y Lakly	Y Powell	N Stancil, F
Y Bunn	N Godbee	Y Lane	N Purcell, A	Y Stancil, S
Y Burkhalter	N Golden	Y Lawrence	Y Purcell, B	N Stanley, L
N Byrd	N Goodwin	N Lee	N Randall	N Stanley, P
Y Campbell	Y Greene	N Lewis	N Randolph	N Stephenson
N Canty	N Grindley	Y Lifsey	Y Ray	N Streat
N Carter	Y Hanner	Lord	N Reaves	N Taylor
N Chambless	Y Harbin	N Lucas	N Reichert	N Teague
N Channell	Y Harris	Y Maddox	N Roberts	N Teper
N Childers	N Heard	Y Mann	N Rogers	N Thomas
Y Coker	N Heckstall	N Martin	N Royal	N Tillman
Y Coleman, B	N Hegstrom	N McBee	Y Sanders	Y Titus
Y Coleman, T	N Hembree	McCall	Y Sauder	Y Towery
N Connell	N Henson	N McClinton	N Scoggins	Y Trense
Y Crawford	N Holland	McKinney	N Shanahan	N Turnquest
Y Crews	N Holmes	Y Mills	Y Shaw	Y Twiggs
N Culbreth	Y Howard	N Mobley, B	N Sherrill	N Walker, L
N Cummings	N Hudson	N Mobley, J	Y Shipp	Y Walker, R.L
N Davis, G	N Hugley	N Mosley	N Simpson	N Wall
Y Davis, M	Y Irvin	Y Mueller	N Sinkfield	Y Watson
Y Day	N James	N O'Neal	N Skipper	Y Watts
Y DeLoach, B	Jamieson	N Orrock	Y Smith, C	Y Westmoreland
Y DeLoach, G	Jenkins	N Parham	Y Smith, C.W	Y Whitaker
Y Dix	Y Johnson, G	N Parrish	Y Smith, L	N White
N Dixon, H	Y Johnson, J	Y Parsons	Y Smith, P	N Wiles
N Dixon, S	Y Johnston	N Pelote	N Smith, T	Y Williams, B
Y Dobbs	N Jones	Y Perry	Y Smith, V	Y Williams, J
Y Ehrhart	N Joyce	Y Pinholster	Y Smith, W	Y Williams, R
N Epps	N Kaye	N Polak	N Smyre	N Woods
Y Evans	Y Kinnamon	N Ponder	N Snelling	Y Yates
Y Falls	N Klein	Y Porter	Y Snow	Murphy, Spkr

On the adoption of the amendment, the ayes were 77, nays 92.

The amendment was lost.

Representative Mills of the 21st stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Stanley of the 50th moved that the House disagree to the Senate substitute to HB 1319.

The motion prevailed.

HR 1096. By Representatives Teper of the 61st, Baker of the 70th, Lawrence of the 64th, Sherrill of the 62nd, Davis of the 60th and others:

A resolution re-creating the Joint Study Committee on DeKalb County's Form of Government.

The following Senate substitute was read:

A RESOLUTION

Re-creating the Joint Study Committee on DeKalb County's Form of Government; and for other purposes.

WHEREAS, DeKalb County's form of government is unique in the State of Georgia; and

WHEREAS, the local Act of the General Assembly which established this unique form of county government and fixed the powers and duties of the officers constituting the governing authority, including the Chief Executive Officer, was enacted in 1981, pursuant to authority granted by a local constitutional amendment enacted in 1979 and subsequently approved by the voters; and

WHEREAS, many portions of the local Act can be amended only after approval by the voters of DeKalb County in a referendum; and

WHEREAS, DeKalb County's form of government was adopted after careful study by several commissions, including the DeKalb County Government Reorganization Commission, which was created by an Act of the General Assembly in 1979 providing for the membership to be appointed by former members of a previous study committee, by the Chairman of the Board of Commissioners of DeKalb County, by other members of the Board of Commissioners of DeKalb County, by the DeKalb County legislative delegation to the General Assembly, and by numerous civic organizations; and

WHEREAS, DeKalb County has been through many changes in the 14 years since the adoption of its form of government, and careful study is needed to determine if a reorganization of the county's government could provide a government more representative of county citizens and more responsive to their needs and promote more efficient and effective delivery of governmental services for the citizens of the county; and

WHEREAS, the Joint Study Committee on DeKalb County's Form of Government, created in 1995 to explore these issues, made excellent progress but went out of existence without completing its task.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY that there is re-created the Joint Study Committee on DeKalb County's Form of Government to be composed of 14 members. Three members of the House of Representatives shall be appointed by the chairperson of the DeKalb County delegation in the House of Representatives, and three members of the Senate shall be appointed by the chairperson of the DeKalb County delegation in the Senate. The chairperson of the DeKalb County delegation in the House of Representatives shall appoint four additional members who shall be citizens of DeKalb County with interest and expertise in county government. The chairperson of the DeKalb County delegation in the Senate shall appoint four additional members who shall be citizens of DeKalb County with interest and expertise in county government. The chairperson of the DeKalb County delegation in the House of Representatives shall designate the chairperson of the committee, and the chairperson of the DeKalb County delegation in the Senate shall designate a member of the committee as vice chairperson of the committee. The chairperson shall call all meetings of the committee.

BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any actions or legislation which the committee deems necessary or appropriate. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution. In the event the committee makes a report of its findings and recommendations, with suggestions for proposed legislation, if any, such report shall be made on or before December 1, 1996. The committee shall stand abolished on December 1, 1996.

Representative Teper of the 61st moved that the House agree to the Senate substitute to HR 1096.

On the motion, the ayes were 110, nays 0.

The motion prevailed.

HB 1502. By Representative Ashe of the 46th:

A bill to provide a new charter for the City of Atlanta.

The following Senate substitute was read:

A BILL

To provide a new charter for the City of Atlanta; to provide for a bill of rights; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for ordinances and codes; to provide for initiative and referendum; to provide for staff of the council; to provide for a city internal auditor and audit committee; to provide for their powers, duties, and authority; to provide for an elected officials compensation commission; to provide for a mayor and certain duties, powers, and other matters relative thereto; to provide for administrative affairs and responsibilities; to provide for departments, boards, commissions, and authorities; to provide for a chief financial officer; to provide for a city attorney, a municipal clerk, and other personnel and matters relating thereto; to provide for rules and regulations; to provide for a civil service system; to prohibit discrimination; to provide for residency of employees; to provide for credit preference, temporary employees, retirement, modification of pension plans, and other personnel matters; to regulate complaints, fraud, waste, and abuse; to provide for development plans; to provide for a citizen's service planning review commission; to provide for a municipal court and the judge or judges thereof and other matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and procedures; to provide for court officers and personnel; to provide for the right of certiorari; to provide for selection and retention; to provide for taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting, and appropriations; to provide for a budgeting commission; to provide for city contracts and purchasing; to provide for the conveyance of property; to provide for bonds for officials; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal certain specific local Acts; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

THE CHARTER
BILL OF RIGHTS

The council, mayor, and all departments of government of the City of Atlanta shall be guided by the provisions of this Bill of Rights:

1. Religion and Conscience. The City of Atlanta shall not interfere with the freedom of each person in the city to follow the dictates of his or her own conscience concerning religious worship, nor shall the city support any religion.
2. Speech, Assembly, and Press. The City of Atlanta shall not interfere with the rights of freedom of speech, of freedom of the press, to petition the government, or of peaceable assembly.
3. Unreasonable Searches and Seizures. The City of Atlanta shall not authorize any unreasonable search or seizure.
4. Nondiscrimination. The City of Atlanta shall not, directly or indirectly, discriminate among persons because of race, religion, sex, marital status, sexual orientation, or national origin. Nothing herein shall prevent the City of Atlanta from remedying present discrimination or the present effects of past discrimination by a race-conscious affirmative action program which is in compliance with the Constitution and laws of the United States of America and State of Georgia.
5. Environmental Protection. The City of Atlanta shall promote the right of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and aesthetic qualities of the environment.

ARTICLE 1

Name, Powers, and Boundaries

www.libtool.com.cn SECTION 1-101.

Name.

The name of the city shall be the "City of Atlanta" which shall be a municipal corporation of the State of Georgia with perpetual duration.

SECTION 1-102.

Powers.

(a) The City of Atlanta (hereinafter at times referred to as "city") shall be the legal continuation of and successor to said city as heretofore incorporated; and may contract and be contracted with; may sue and be sued, and plead and be impleaded in all courts of law and equity and in all action whatsoever, and do all other acts relating to its corporate capacity; may purchase, lease, or otherwise acquire such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed or dedicated to or otherwise acquired by it, and from time to time may hold or invest, lease, sell, or dispose of any such property; and shall have and use an official seal.

(b) The city shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the city and its inhabitants.

(c) The city shall have all powers now vested in the city and now or hereafter granted to municipal corporations by the laws of Georgia and shall have the power to do the following:

(1) To levy and to provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;

(2) To levy and provide for the collection of license fees and taxes on privileges, occupations, trades, and professions, not in conflict with the general law of this state, and to license and regulate such privileges, occupations, trades, and professions and to provide for the manner and method of payment of such licenses and taxes;

(3) To assess, charge, and collect rentals, interests, fees, penalties, fines, and costs; to assess and collect fees, charges, and tolls for sewer and water services under such rules and regulations prescribed by ordinance; to levy and collect garbage, trash, refuse, and rubbish collection service charges and sanitary taxes under such rules and regulations as prescribed by ordinance; to collect income on investments and to accept funds, services, or property from other political subdivisions and public agencies, either local, state, or national, and from private persons, firms, or corporations;

(4) To make appropriations for the support of the government of the city, to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia, and to provide for the payment of expenses of the city;

(5) To appropriate and borrow money to provide for payment of the debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the general laws of the state; provided, however, such bonding authority shall be exercised in accordance with the laws governing the issuance of bonds by municipalities;

(6) To acquire, dispose of, and hold in trust or otherwise any real, personal, or mixed property, or any interest therein, inside or outside the corporate boundaries of the city and to dispose of said property or any interest therein by sale, lease, or easement;

(7) To accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to the powers and duties of the city and the general welfare of its citizens, on such terms and conditions as the donor or grantor may impose;

(8) To condemn property, inside or outside the corporate boundaries of the city, for present or future use, and for any corporate purpose deemed necessary by the council, under Title 22 of the O.C.G.A., as now or hereafter amended, including but not limited to an Act approved Feb. 20, 1945 (Ga. L. 1945, p. 690), granting to the city a fee simple title to property condemned upon payment of the condemnation of money, or under other applicable state Acts, including but not limited to an Act of the General Assembly of Georgia, approved March 2, 1953 (Ga. L. 1953, Jan.-Feb. Sess., p.

360), as now or hereafter amended, and Section 6 of an Act of the General Assembly of Georgia, approved March 7, 1955 (Ga. L. 1955, p. 3025, Sec. 6). The city may also condemn any real property or interest therein necessary for the collection, conveyance, treatment and disposal of sewage, and other sanitary purposes both inside and outside the city, including but not limited to the waters known as Tanyard Branch and adjacent land. In addition, the city shall be authorized to construct water and sewer utility lines through private property by condemnation or agreement; provided, however, that the condemnation of an existing public use shall be denied unless it can be shown that the specific property to be condemned is absolutely essential to the condemning authority and the use to be condemned does not materially impair the existing public use;

(9) To acquire, lease, construct, operate, maintain, regulate, control, sell, and dispose of public utilities, including but not limited to a system of waterworks, sewers and drains, sewage disposal, natural gas systems, electrical power systems, transportation facilities, airports, and any other public utility inside and outside the corporate limits; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and liens, penalties, and withdrawal of service for refusal or failure to pay same and the manner in which such remedies shall be enforced, provided liens shall be enforced in the same manner and with the same remedies as a lien for city property taxes; to assess the cost or a portion of the cost of such facilities and services against abutting property under such rules, procedures, terms, and conditions of payment and enforcement thereof as provided by ordinance, provided the council shall have no power or authority to sell or in any way alien the city's system of waterworks;

(10) To grant franchises or make contracts for public utilities and public services as provided by law. The council may prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with such regulations by the Public Service Commission, and may grant franchises and rights-of-way throughout the streets and roads, and over the bridges and viaducts, for the use of public utilities; the council may extend, renew, or amend a franchise at any time by mutual agreement of the parties and by adoption thereof by the council at two consecutive meetings. In all other cases, the council shall have no authority or power to grant, consent to, or permit the extension, removal, or change of the term for which franchises have been or may be granted or in any way to extend or renew the time for which permission has been or may be given to occupy the streets and public places, except and only during the 12 months immediately preceding the expiration of the term of such franchises and permit; and all extensions and renewals made in violation of this section shall be void;

(11) To lay out, open, extend, widen, narrow, establish or change the grade of, vacate, abandon, or close, construct, pave, repave, curb, gutter, adorn with shade trees, otherwise improve, maintain, repair, clean, prevent erosion of, and light streets, alleys, sidewalks, and walkways within the corporate limits of the city; to acquire land for such improvements and to assess the cost or a portion of the cost of payment and enforcement thereof against abutting property under such rules, procedures, terms, and conditions as provided by ordinance;

(12) To undertake and expend tax or nontax funds to foster mutual understanding, tolerance, respect, and improvement of human relations among all citizens of the city;

(13) To establish and fix a system of grading and draining of the streets of the city; and to cause the owners of lots or cellars to drain or fill the same to the level of the streets or alleys upon which said lots or cellars are located. After reasonable notice, the city shall be authorized to have said lots or cellars so drained or filled and the amount so expended collected by executions against the owner or occupant thereof;

(14) To acquire, lease, construct, operate, maintain, regulate, control, sell, and dispose of public ways, parks, public grounds, cemeteries, markets, and market houses, public buildings, libraries, airports, auditoriums, and charitable, educational, recreational, conservation, sport, curative, corrective, detentive, penal, and medical institutions,

agencies, and facilities; and any other public improvements, inside or outside the corporate limits of the city; and to regulate the use thereof, and for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A., as now or hereafter amended, or other applicable public Acts, or under any power or procedure of eminent domain now or hereafter provided by the General Assembly of Georgia;

(15) To require estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands; and to enact ordinances establishing the term and conditions under which such repairs and maintenance shall be effected, including the penalties to be imposed for failure to do so;

(16) To regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air conditioning codes and to regulate all housing, building, and building trades; to license all building trades; and to license the construction and erection of buildings and all other structures;

(17) To regulate or prohibit junk dealers; to regulate and control billiard rooms; to regulate and control pawnshops; to regulate the manufacture, sale, or transportation of intoxicating liquors; to regulate the use and sale of firearms; and to regulate the transportation, storage, and use of combustible, explosive, and inflammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property;

(18) To regulate and control the conduct of peddlers, and itinerant trades, theatrical performances, exhibitions, or shows of any kind whatever, by taxation or otherwise;

(19) To license, tax, regulate, or prohibit professional fortunetelling or palmistry;

(20) To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or abutting the corporate limits of the city, and to prescribe penalties and punishment for violation of such ordinances;

(21) To prescribe standards of safety and sanitation and to provide for the enforcement of such standards;

(22) To regulate emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the city;

(23) To fix and establish fire limits and from time to time extend, enlarge, or restrict same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting, and to prescribe penalties and punishment for violation thereof;

(24) To provide for the destruction and removal of any building or other structure which may or might become dangerous or detrimental to the public;

(25) To provide for the collection and disposal of garbage, rubbish, and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials and to provide for the sale of such items; and to establish and operate incinerators for the purpose of disposal of garbage and other refuse of the city;

(26) To levy, fix, assess, and collect a garbage, refuse, and trash collection and disposal and other sanitary service charge, tax, or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business therein benefiting from such services; to enforce the payment of such charges, taxes, or fees and to provide for the manner and method of collecting such service charges, provided that any such charges, taxes, or fees, if unpaid, shall constitute a debt which shall be subject to a lien against any property of persons served, which lien shall be enforceable in the same manner, and under the same remedies, as a lien for city property taxes;

(27) To levy a fee, charge, or sewer tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining, and extending of a sewage disposal plant and sewage system and to levy on the users of sewers and the sewerage system a sewer service charge, fee, or sewer tax for the use of the sewers; and to provide for the manner and method of collecting such service charges and for enforcing payment of same;

(28) To charge, impose, and collect a sewer connection fee or fees and to change the same from time to time; such fees to be levied on the users connecting with the sewerage system;

(29) To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards;

(30) To define a nuisance in the city and to provide for its abatement; to cause nuisances which are likely to endanger the health of the city or any neighborhood therein to be abated in a summary manner at the expense of the party whose act or negligence caused such nuisance, or of the owner of the property upon which the same may be located, as the council shall elect. The council may provide by ordinance for any building, structure, or condition maintained in violation of any valid law of this state or any valid ordinance of the city to be adjudged a nuisance and for its abatement at the owner's expense upon failure or refusal to abate the same within ten days after written notice and hearing from the city to do so, said expense to be a lien upon the property for which execution may issue as for property taxes;

(31) To provide for the preservation and protection of property and equipment of the city and the administration and use of same by the public and to prescribe penalties and punishment for violations thereof;

(32) To establish minimum standards for, and to regulate building construction and repair, electrical wiring and equipment, gas installation and equipment, plumbing, and housing for the health, sanitation, cleanliness, welfare, and safety of inhabitants of the city and to provide for the enforcement of such standards; to require adequate fire escapes on buildings; and to regulate or restrict smoking in public places, dangerous substances, and weapons;

(33) To provide that persons given jail sentences in the municipal court shall work out such sentences in any public works or on the public streets of the city as provided by ordinance; or the council may provide for the commitment of city prisoners to any county or other correctional institution, to jail, or to any other government agency, by agreement with the appropriate county officers or any other government agencies; or the council may provide programs of conditional leave or furlough persons given sentences by any court prior to completion of such sentences;

(34) To adopt ordinances and regulations for the prevention and punishment of disorderly conduct, public drunkenness, and disturbing the peace in the corporate limits of the city and to prohibit the playing of lotteries, except as otherwise authorized under the Constitution and general laws of this state, and to prohibit and regulate by ordinance such other conduct and activities within said city which, while not constituting an offense against the laws of this state, is deemed by the council to be detrimental and offensive to the peace and good order of the city or to the welfare of the citizens thereof;

(35) To regulate and license, or prohibit, the keeping or running at large of animals and fowl and to provide for the impoundment of same in violation of any ordinance or lawful orders; also to provide for their disposition, by sale, gift, or humane destruction, when not redeemed as provided by ordinance; to provide for the location, use, and cleanliness of private stables; to forbid the erection of such stables when they are likely to be injurious to the health of citizens; and to provide punishment for violation of ordinances enacted hereunder;

(36) To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in amounts prescribed by ordinance; to regulate and rent parking spaces in public ways for the use of such vehicles; to regulate transportation lines and terminals, pedestrian and vehicle traffic, parking, and common carriers;

(37) To regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the city;

(38) To provide that upon the conviction of the violation of any ordinance, rule, regulation, or order such person shall be punished as provided by ordinance but not exceeding any limitations now or hereafter prescribed by the charter;

(39) To develop for park or recreational purposes land adjacent to the banks of rivers, creeks, and other streams in counties of which the city is a part, which is now owned by the city or which may be dedicated or otherwise acquired by it for such purposes; and to solicit and accept grants of land adjacent to said banks and use the same for such purpose; and to abate in any manner provided by law any pollution of said rivers, creeks, or other streams caused by deleterious substances such as sewage of any kind, brush, logs, or other deleterious matter or things; and any of such pollution shall constitute a nuisance;

(40) To levy taxes and to make appropriations for the purpose of advertising the city, its advantages, and resources, so as to bring new capital, commercial, manufacturing, and other enterprises into the city, and also to levy taxes and to make payment from the general revenues and funds of the city for the support of libraries;

(41) To regulate and control streets, public alleys, and ways and the uses thereof; and to negotiate and execute leases over, through, under, or across any city property or the right of way of any public street, public alley, or way or portion thereof for bridges, passageways, or any other purpose or use between buildings on opposite sides of the street and other bridges, overpasses, and underpasses for private use at such locations; and to charge a rental therefor in such manner as may be provided by ordinance;

(42) To regulate land use by the adoption of zoning ordinances, planning ordinances, and other regulatory ordinances. This power to regulate land use shall include authority to identify, nominate, designate, and regulate historic zones or areas, whether such zones or areas are individual buildings, structures, or sites, or are combinations of buildings, structures, or sites, so as to promote the public health, safety, and morality, and the educational, aesthetic, cultural, economic, and general welfare of the city, by preserving and protecting historic buildings, structures, and sites and combinations thereof. It shall also include authority to empower the Atlanta Urban Design Commission to: prepare inventories and conduct studies and surveys; prepare and promulgate administrative design criteria for historic zones or areas; apply for and use public or private funds; hold public hearings; review urban design aspects, including works of art, of public projects and private projects impacting public property; identify, nominate, and make recommendations regarding historic zones or areas; prohibit or authorize, conditionally or otherwise, construction, demolition, or alteration within or of designated historic zones or areas and issue permits relative thereto; and in connection therewith, may form a three-person panel of real estate and economic experts to render decisions and advice regarding economic hardships affecting historic properties; administer Atlanta's historic preservation regulations; promulgate administrative rules governing the commission's operating procedures; and perform other similar historic preservation and urban design functions. It shall also include authority to provide for appeals of final decisions of the urban design commission to the Superior Court of Fulton County;

(43) To engage the necessary personnel to administer and enforce ordinances, rules, and regulations adopted by the council;

(44) To inspect, weigh, measure, and otherwise regulate any products grown, mined, manufactured, or otherwise produced or acquired;

(45) To regulate by licenses, bonds, permits, or otherwise, or restrict, the manufacture, sale, lease, rental, use, or solicitation of any real or personal property and the presentation of any services or spectator activities;

(46) To regulate or restrict through permits, fees, codes, review boards, or otherwise the construction, use, and maintenance of real or personal property and the emission and disposal thereon or therefrom of any substance that tends to pollute land, water, or air;

(47) To enforce city ordinances outside the city limits along and for 50 feet on all sides of transportation lines in unincorporated Fulton County and to the end of transportation lines, except as to railroads, along and for 300 feet on all sides of city water mains and along and for ten feet on all sides of the city sewer lines and sewage treatment property;

(48) To make contracts for and to accept grants-in-aid and loans from the federal, state, city, and county governments and their authorities and other agencies for constructing, expanding, examining, and operating any project or facility or performing any function, which the city may be authorized by law to provide or perform;

(49) To provide for post entry training, blanket surety bonds, federal social security, and other employee services;

(50) To establish a civil defense plan for the continuity of city government in the event of any enemy attack or other emergency;

(51) To grant to city police officers the same power in the unincorporated areas of Fulton County to make arrests, to execute and return all criminal warrants and processes, and exercise other powers as peace officers as sheriffs have;

(52) To build, repair, or put in a safe condition a bridge or the approaches thereto across tracks and roadbeds at the expense, with interest and cost, of a railroad or railroad company in the case of the latter's failure after reasonable notice to do so when the council shall have declared the same necessary for the protection of human life. Execution may issue therefor, as other executions are issued by the city, and be levied on any property of such railroad or railroad company; and such execution shall bear interest at the rate of 7 percent per annum; provided, however, that nothing in this paragraph shall require railroads or railroad companies to build bridges otherwise than is required by the general laws of this state, or the charter of such railroad companies, respectively, except in all cases in which a public street was in existence before the tracks of any such railroad or railroad companies were laid or placed across any such public streets;

(53) Group life insurance for all officers and employees of the City of Atlanta and the Atlanta Board of Education shall be managed by a board of trustees consisting of 18 trustees, whose initial terms of office shall commence on the third Thursday in March, 1978. Twelve trustees shall be elected for staggered terms of four years as follows: Two by employees of the City of Atlanta's Department of Public Works, two by employees of the City of Atlanta's Department of Public Safety, six by officers and employees of the Atlanta Board of Education and two by officers and employees of the City of Atlanta outside the departments, bureaus, and offices set forth above. In February, 1980, and February of each even-numbered year thereafter, an election shall be held to fill the vacancies of those trustees whose terms expire on the third Thursday of March of each such year. For the initial election of said trustees, that trustee of the two trustees elected by employees of the department of public works who receives the larger number of votes from said employees shall serve for a term of four years, with the trustee who receives the fewer number of votes from said employees serving for a term of two years. That trustee of the two trustees elected by employees of the department of public safety who receives the larger number of votes from said employees shall serve for a term of four years, with the trustee who receives the fewer number of votes from said employees serving for a term of two years. Those three trustees of the six trustees elected by officers and employees of the Atlanta Board of Education who receive the largest number of votes from said officers and employees shall serve for terms of four years, with those three trustees who receive the fewest votes from said officers and employees serving for terms of two years. That trustee of the two trustees elected by officers and employees of other departments, bureaus, and offices who receives the larger number of votes from said officers and employees shall serve for a term of four years, with the trustee who receives the fewer number of votes from said officers and employees serving for a term of two years. One trustee shall be elected as chairperson of the board, and one trustee shall be elected as vice-chairperson of the board for terms of two years by the 12 elected members of the board of trustees from among their number, provided that said chairpersonship and vice-chairpersonship shall be held by a representative of City of Atlanta officers and employees and a representative of the Atlanta Board of Education officers and employees on an alternating basis. If said chairperson or vice-chairperson is a licensed insurance agent or counselor, he or she shall not be affiliated with any insurance company with which the board of trustees shall maintain insurance coverage for its officers and employees. The remaining six trustee positions shall be ex officio, nonvoting

positions and shall be filled by the city's chief financial officer, who also shall serve as secretary-treasurer of said board, director of purchasing and real estate, and commissioner of the department of personnel and human resources, and the Atlanta Board of Education's comptroller, purchasing agent, and director of the department of personnel and human resources. Said board shall be required to meet at least twice each year. A majority of the voting members shall constitute a quorum for meeting purposes. Said board shall have the power to adopt bylaws putting into effect these provisions and other provisions relating to meetings of the board, the filing of vacancies occurring on said board, and such other matters pertaining to the management of group insurance as may properly come under its supervision. Said board, exclusive of those trustees representing officers and employees of the Atlanta Board of Education, shall also manage the hospitalization and major medical insurance for the officers and employees of the City of Atlanta, including the power to adopt bylaws relating to meetings, election of officers, and such other matters relating to the management of group hospitalization and major medical insurance as may properly come under its supervision;

(54) To make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city;

(55) To establish procedures for determining and proclaiming that an emergency situation exists inside or outside the city, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

(56) To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the city and its inhabitants; to exercise all implied powers necessary to carry into execution all powers granted in this charter, as fully and completely as if such powers were fully enumerated herein; to exercise all powers now or in the future authorized to be exercised by other municipal governments under the Constitution and general laws of the State of Georgia, and to do, perform, and render (or refrain therefrom) all things necessary or convenient to the carrying out of the objects of the powers, duties, and requirements set forth anywhere in this charter. No enumeration of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to cities under the Constitution or applicable public laws;

(57) To appropriate moneys from the general fund for the purchase of evidence and the purchase of information by law enforcement officers of the city in the performance of their official duties;

(58) To exercise the power and to provide services in the area of public housing; to make appropriations and to authorize the expenditure of funds for such purposes; and to provide a definition of public housing;

(59) To cooperate or join, by contract or otherwise, with other cities, with the state or nation, or other governmental bodies, singly or jointly, or in districts or associations, for promoting or carrying out any of the powers of the city for the sharing of tax base or revenue with other governments, for agreements concerning allocation of taxes among other governments to the extent such allocation is or becomes authorized under the Constitution of Georgia, or for the acquisition, construction, or operation of any works, plants, or structures convenient or necessary for carrying out any of the purposes or objects authorized by this charter;

(60) To transfer or consolidate functions of the city government to or with appropriate functions of the state, county, or other municipal government, or to make use of such functions of the state, county, or other municipal government and, in the case of any such transfer or consolidation, the provisions of this charter and code of ordinances providing for the function of the city government so transferred or consolidated shall be deemed suspended during the continuation of such transfer or

consolidation to the extent that such suspension is made necessary or convenient by said transfer or consolidation and is set forth in the contract or other document establishing such transfer or consolidation.

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SECTION 1-103.

Legislative powers.

(a) All legislative powers of the city are hereby vested in the council (hereinafter at times referred to as the "governing body"), except those powers specifically reserved in this charter to the electors of the city. The power to levy, assess, and provide for the collection of all taxes and fees authorized to be levied, assessed, and collected by the city by general law and this charter shall be vested in the council.

(b) The council shall adopt and provide for the execution of such ordinances, resolutions, and rules, not inconsistent with this charter, as shall be necessary or proper for the purpose of carrying into effect the powers and duties conferred by this charter and may enforce all ordinances by imposing penalties and fines for the violation thereof not to exceed a \$1,000.00 fine or six months' imprisonment, or both.

SECTION 1-104.

Executive powers.

All executive and administrative powers of the city are hereby vested in the mayor and such other administrative officers, departments, and agencies created or continued by this charter or now or hereafter established by ordinance.

SECTION 1-105.

Boundaries.

The corporate boundaries of the city shall be the same as those of the City of Atlanta as provided by law and existing on the effective date of this charter, or as hereafter lawfully changed. The municipal clerk shall maintain a current map and written legal description indicating the boundaries and council districts of the city.

ARTICLE 2 LEGISLATIVE

Chapter 1. The Council

SECTION 2-101.

Composition; term of office.

Effective with the regular municipal elections of November, 1997, the qualified electors of the city shall elect 15 representatives, in accordance with the provisions of this charter, to serve as a city council. Twelve representatives shall be elected from 12 individual council districts apportioned in accordance with the provisions of this charter. Three representatives shall be elected at large and shall represent residency posts as follows: Post 1 which shall consist of contiguous Council Districts 1 through 4; Post 2 which shall consist of contiguous Council Districts 5 through 8; and Post 3 which shall consist of contiguous Council Districts 9 through 12. At-large representatives must be residents of the residency posts from which they are elected.

SECTION 2-102.

Qualifications.

(a) To qualify for election as a councilmember, a person:

- (1) Must be at least 18 years of age;
- (2) Must be a resident of the city and of the council district from which he or she seeks to qualify for at least one year immediately preceding the date of his or her filing of notice of candidacy to seek office;
- (3) Must be a qualified elector of the city; and
- (4) Must not be an employee of the city.

(b) To hold office as a councilmember, a person:

- (1) Must continue to possess the qualifications prescribed in subsection (a) of this section;

- (2) Must, if elected from one council district or residency post, continue to reside in the same council district or post from which elected; and
- (3) Must not hold any other elective public office.
- (c) ~~The one-year residency requirement~~ as provided in subparagraph (a)(2) herein shall not be applicable to persons seeking election to the council if this charter is amended by the General Assembly reapportioning council districts of the city. Under such circumstances, persons seeking election to the council must have been a resident of the city and the council district from which he or she seeks to qualify for at least six months.
- (d) The council shall be the judge of the qualifications of its members.

Chapter 2.
President of the Council

SECTION 2-201.
Election; term.

The president of the council shall be elected from the city at-large for a term of four years commencing on the first Monday in January after each regular municipal election as provided in this charter and shall serve until his or her successor has taken office.

SECTION 2-202.
Qualifications.

- (a) To qualify for election as president of the council, a person:
- (1) Must be at least 18 years of age;
 - (2) Must be a resident of the city for at least one year immediately preceding the date of his or her filing of notice of candidacy to seek office;
 - (3) Must be a qualified elector of the city; and
 - (4) Must not be an employee of the city.
- (b) To hold office as president of the council, a person:
- (1) Must continue to possess the qualifications prescribed in subsection (a) of this section; and
 - (2) Must not hold any elective public office.

SECTION 2-203.
Powers and duties; limitations.

- (a) The president of the council:
- (1) Shall preside at meetings of the council but shall not be a member of that body;
 - (2) Shall vote only in the case of a tie vote of the council;
 - (3) Shall appoint the members and chairpersons of such committees as may be established by the council pursuant to its rules, and fill vacancies therein, provided any such appointments shall be subject to rejection by a majority vote of the total membership of the council; and the president of the council shall not be a member of any said committees;
 - (4) Shall exercise all powers and discharge all duties of the mayor in the case of a vacancy in the office of mayor or during the disability of the mayor;
 - (5) Shall be authorized to compel the attendance of councilmembers by subpoena, subject to the rules of council;
 - (6) Shall have such further powers and perform such other duties consistent with law as may be provided by ordinance or resolution of council; and
 - (7) May speak to any pending matter before the council but shall not introduce ordinances or resolutions.
- (b) If the president speaks to a matter pending before the council, the president shall temporarily relinquish his or her role as presiding officer to the president pro tempore while speaking to such matter.
- (c) If the president of the council exercises the powers and discharges the duties of the mayor as provided in subsection (a) herein, he or she shall not exercise any of the powers and duties enumerated herein.

Chapter 3.
Organization, Rules, Officers and Employees

www.libtool.com.cn SECTION 2-301.

Organizational meeting; oath of office.

The council shall meet for organization in the council chamber, or any other designated public place, on the first Monday in January following each regular election, or, if such Monday is a legal holiday, then on the next following day not a legal holiday. The mayor, president of the council, and councilmembers shall take and subscribe before a judge of the superior court, or any official authorized to administer oaths, the following oath of office: "I do solemnly swear (or affirm) that I will faithfully and impartially discharge the duties of the mayor, the president of the council or councilmember of the City of Atlanta, Georgia, during my term in office. I will not knowingly permit my vote in the election or appointment of any person to a position in the city government to be influenced by fear, favor, or affection, reward or expectation thereof. In all things pertaining to my said office, I will be governed by the public good and interests of the city. I will observe the provisions of the charter, ordinances, and regulations of the City of Atlanta. I further swear that I will support and defend the Constitutions and laws of the State of Georgia and of the United States of America."

SECTION 2-302.

Rules; quorum; voting.

- (a) The council shall by ordinance adopt and publish rules to govern its proceedings and transactions of business consistent with the provisions of this charter.
- (b) A majority of the councilmembers, excluding the president, shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members. The council may by ordinance provide methods to compel the attendance of its members and to punish for the violation thereof.
- (c) The affirmative vote of a majority of the councilmembers shall be required for the transaction of business and the passage of ordinances and resolutions, except as otherwise provided by law. Where no quorum can be assembled except by the filling of vacancies, a smaller number of members may transact business by a majority vote of members present to the extent necessary to fill such vacancies in the membership of the council as provided in this charter and by law. Should the number of vacancies in the membership of the council be one-half or greater than its total membership, the remaining members of the council shall cause to be called a special election to fill such vacancies.
- (d) No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Such member of the council shall, prior to the vote being taken, publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting.
- (e) No councilmember present at a meeting shall abstain from voting for any reason other than those provided herein.

SECTION 2-303.

Meetings.

- (a) The rules of the council shall provide for the time and place of holding regular meetings which shall be held at least twice each month on the first and third Monday with the exception of July and December. If such Monday is a legal holiday, then the meeting shall be held on the next day not a legal holiday. The council shall designate in its rules the place for holding regular meetings and shall designate a time for such meetings which is convenient for public participation. The council shall be in recess during the second cycle of committee and council meetings in July and December of each year.
- (b) Special meetings of the council may be called by the president of the council or mayor and shall be called by the president upon the written demand of at least seven members of the council. Notice of any special meeting shall be made as provided by Code Section 50-14-1 of the O.C.G.A., as now or hereafter amended. No business may

be transacted at such special meeting other than that specified in the call and notice of such meeting.

(c) All meetings of the council and of the committees and of every agency, board, commission and authority, or similar body of the city, shall be public in the same manner and to the same extent as required by Chapter 14 of Title 50 of the O.C.G.A., relating to open and public meetings, as now or hereafter amended. Any person shall have access to the minutes and records thereof at reasonable times in the same manner and to the same extent as required by Article 4 of Chapter 18 of Title 50 of the O.C.G.A., relating to inspection of public records, as now or hereafter amended.

(d) The council and its committees shall provide a reasonable opportunity for the public to be heard during its meetings. The council shall prescribe rules and regulations for the receipt of such comments from the public.

SECTION 2-304.

Election of president pro tempore.

At its first regular meeting in January of each year, the council shall elect one of its members as president pro tempore who shall act as the presiding officer in the absence of the president of the council and, in case of disability of the president of the council or of vacancy in the office of the president of the council, shall exercise the powers and duties which remain in the president of the council under the provisions of this article. The president pro tempore shall not lose his or her rights as a member of the council during any temporary absence or disability of the president of the council. When the president pro tempore is serving during the temporary absence or disability of the president, he or she cannot also vote as the president of the council.

SECTION 2-305.

Succession to offices of mayor and president of council.

The council shall by ordinance establish a line of succession to the offices of mayor and president of council beyond that specified in this charter.

SECTION 2-306.

Compensation and expenses of elected officials.

(a) The council may by ordinance change the annual salary of the mayor, the president of the council, or councilmembers, subject to the following conditions and requirements:

(1) Such action shall take into consideration any recommendation made by the Elected Officials Compensation Commission as provided in Chapter 7 in this article;

(2) No action to increase such salaries shall be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the city at least once a week for three consecutive weeks immediately preceding the week during which the action is taken;

(3) Any action to change such salaries shall not become effective until the date of commencement of the terms of the mayor, president of the council, and councilmembers elected at the next regular municipal election following such action;

(4) Such action shall not be taken during the period between the date when the candidates for election to the positions of mayor, president of the council, and councilmembers may first qualify as candidates and the date when the mayor, president of the council, and councilmembers take office following their election; and

(5) The amount established for each councilmember shall be the same.

(b) As used in this section, the words "salary or compensation" shall include any expense allowance or any form of payment or reimbursement of expenses, except reimbursement of expenses actually and necessarily incurred by the mayor, president of the council, or councilmember in carrying out his or her official duties. The council is authorized to provide by ordinance for the reimbursement of such actual and necessary expenses.

SECTION 2-307.

Municipal clerk.

(a) There shall be a municipal clerk, who shall be appointed and removed by the council in accordance with this section. To be eligible to occupy this position, the municipal

clerk must be designated a certified municipal clerk by the Georgia Municipal Association and the Georgia Finance Officers Association, or by an equivalent certifying agency from another state, or must receive such certification within one year following his or her appointment. No member of the council shall be eligible for appointment. The municipal clerk shall be appointed and removed at the pleasure of the council upon a majority vote of its membership. The municipal clerk need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(b) The municipal clerk shall be the custodian of the official seal and of all records and documents of the city which are not assigned to the custody of some other officer. The clerk, or his or her designee, shall keep the rules of the council and the minutes of the proceedings of the council, maintain a current and comprehensive index of all ordinances and resolutions, publish notice of ordinances proposed for adoption under rules prescribed by council or required by this charter or law, and perform such other duties as may be assigned by this charter or by ordinance.

(c) The municipal clerk shall be responsible to the council and perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council, acting through its chairperson.

SECTION 2-308.

Staff of council

and president of the council.

(a) Staff of council. The council shall be authorized to employ such employees as may be necessary for the proper discharge of its functions. Adequate facilities and office space for such staff shall be provided for by the council.

(b) Staff of president of the council. The president of the council shall be authorized to employ such employees as may be necessary for the proper discharge of the functions of the office of president of the council. Adequate facilities and office space for such staff shall be provided.

(c) Director of council staff.

(1) The council shall appoint a director of council staff who shall not be a member thereof. The director of council staff shall be appointed and removed at the pleasure of the council upon a majority vote of its membership. The director of council staff need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(2) The director of council staff shall supervise all research undertaken on behalf of the council and shall further supervise the provision of administrative support to hearings and meetings of committees and subcommittees of the council and shall perform such other duties as may be assigned by this charter or by ordinance.

(3) The director of council staff shall be responsible to the council, and shall perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council.

Chapter 4.

Procedures of Council

SECTION 2-401.

Form of legislation.

Every official act of the council having the force and effect of law shall be by ordinance and shall begin with the words: "The City Council of the City of Atlanta, Georgia, hereby ordains...." All other actions shall be by resolution or shall take such other form as prescribed by rules of the council.

SECTION 2-402.

Introduction, consideration, passage, and publication of legislation.

(a) Every proposed ordinance and every amendment shall embrace one subject which shall be clearly expressed in its title.

(b) No ordinance shall be passed and adopted until it has been read by title at two regular meetings not less than one week apart, except for emergency ordinances as provided in subsection (c) herein.

(c) To ~~meet a public emergency~~ threatening life, health, property, or public safety, the requirement herein for ordinances may be dispensed with, and the emergency ordinance may be passed and adopted on the same day of its introduction. The emergency ordinance shall be in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and contain a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or it may be rejected at the meeting at which it is introduced, but the affirmative vote of two-thirds of the members of the city council shall be required for adoption. Any emergency ordinance shall become effective upon adoption or at such later time as specified within the ordinance. Every emergency ordinance shall be automatically repealed on the sixteenth day following the date on which it was adopted; however, should the emergency still persist, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance also may be repealed by adoption of a repealing ordinance in the same manner specified in this section for the adoption of emergency ordinances.

(d) The passage of all ordinances shall be contingent upon the recording in the minutes of council proceedings of the "ayes" and "nays" of each councilmember and the names of the members voting for and against each proposed ordinance or amendment, those abstaining, and those absent.

(e) The caption or title of every ordinance, excluding emergency ordinances, showing its general contents shall be published once, within seven days after the proposed ordinance has been introduced, in a newspaper of general circulation in the city and such electronic media as determined by the council, and shall include notice that a copy thereof is available in the office of the municipal clerk for public inspection and purchase at any reasonable time.

SECTION 2-403.

Submission to mayor; mayor's veto.

Every ordinance or resolution adopted by the council shall be signed by the president of the council, certified by the municipal clerk, and presented to the mayor's office within two calendar days following its adoption. The mayor shall approve or veto the ordinance or resolution within eight calendar days after adoption, and no ordinance or resolution shall become effective without the mayor's approval except as herein provided. If the mayor vetoes an ordinance or resolution, he or she shall within two business days of such veto return it to the council accompanied by a written statement of the reasons for the veto. If the council shall pass the ordinance or resolution by a vote of two-thirds of its total membership at the regular meeting next held after the ordinance or resolution has been returned with the mayor's veto, it shall become law without his or her approval. In the event the mayor does not approve or veto the ordinance or resolution within the time required, it shall become law without such approval. The mayor may veto any item or items of any ordinance or resolution making appropriations; the part or parts of any ordinance or resolution making an appropriation which is not vetoed shall become law, and the part or parts vetoed shall not become law unless passed by the council over the mayor's veto as provided herein with respect to the passage of a vetoed ordinance or resolution.

SECTION 2-404.

Codes of technical regulations.

The council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. A copy of each adopted code of technical regulations shall be made available by the municipal clerk for public inspection at any reasonable time or for purchase at a reasonable price.

SECTION 2-405.

Codification and printing.

The council shall provide for the continuous updating, revision, codification, and printing of all ordinances of general application, copies of which shall be made available to

the public at reasonable cost. The municipal clerk shall file any ordinances amending or revising the charter as required by Code Section 36-35-3 of the O.C.G.A., as now or hereafter amended.

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SECTION 2-406.

Hearings and investigations.

(a) The council, or any committee composed entirely of councilmembers to which such power is specifically granted by the council, shall be authorized to conduct hearings and investigations of the operations and affairs of the city or of any office, department, or agency thereof, and for such purpose the council or said designated committee thereof shall have power to compel the attendance of witnesses by subpoena, administer oaths, take testimony, and require the production of documents and other evidence at any meeting thereof. The conduct of such proceedings shall be subject to such rules and regulations as the council may prescribe.

(b) If any person duly subpoenaed as a witness shall fail to appear or appearing refuse to testify or produce such books and papers, the council shall report such failure to any court of record or judge thereof, who may make such order as shall be proper as to the future appearance of the witness for the purpose of giving testimony and for the production of any such books and papers and who may, after due notice and opportunity to be heard, punish him or her for failure to comply therewith.

SECTION 2-407.

Quadrennial relegation of pending legislation.

Following the general election, and on a quadrennial basis, all pending legislation in committee will be automatically terminated by being adversed or filed at the end of the last council meeting in December of that year.

Chapter 5.

Initiative and Referendum

SECTION 2-501.

Initiative and referendum.

(a) The council shall by ordinance prescribe procedures to govern the initiation, adoption, and repeal of ordinances by the electorate, and the council shall authorize an initiative or referendum election on petition of at least 15 percent of the registered voters qualified to vote in the preceding general municipal election.

(b) The council shall be authorized to submit to the qualified voters of the city at any election not called only for the purpose of putting said ordinance or resolution before the voters any ordinance or resolution which it may deem proper; and in the event a majority of voters shall vote for this ordinance or resolution, it shall be adopted. If a majority of the votes so cast are against the resolution or ordinance, it shall be defeated and shall not thereafter be adopted by the council until resubmitted to and adopted by the qualified voters of the city. If it receives a majority vote of the people and becomes effective, then it can only be repealed by a majority vote of the qualified voters voting at an election for such purpose.

Chapter 6.

City Internal Auditor

SECTION 2-601.

Selection; removal.

(a) There is hereby created the office of city internal auditor. The city internal auditor must be a certified internal auditor or a certified public accountant, demonstrating at least ten years' experience in public financial and fiscal practices, performance and financial auditing, and municipal accounting. The city internal auditor shall be appointed by a majority of the members of the audit committee, subject to confirmation by a majority of the council, for a period not to exceed six years. Removal of the city internal auditor from office before the expiration of the designated term shall be for cause by a vote of two-thirds of the members of city council.

(b) The city internal auditor need not be a resident of the city at the time of his or her appointment, but he or she shall reside in the city within six months of such appointment and continue to reside therein throughout such appointment.

(c) The city internal auditor shall not be involved in partisan political activities or the political affairs of the city.

SECTION 2-602.

Appointment of assistants and employees.

(a) Within the budget approval process and established personnel policies for all departments, the city internal auditor shall have the power to appoint, employ, and remove such assistants, employees, and personnel as he or she may deem necessary for the efficient and effective administration of the office. The present employees in the division of internal auditing of the finance department are hereby transferred to the city internal auditor's office and shall serve such assistants and employees to the city internal auditor as provided herein.

(b) Professional employees employed in this office shall serve in unclassified positions. The city internal auditor shall appoint such other employees subject to the civil service rules, and such employees shall be within the civil service system of the city.

(c) Neither the members of the council, the president of the council, nor the mayor shall in any manner dictate the appointment or removal of any such officer or employee whom the auditor is empowered to appoint.

SECTION 2-603.

Powers and duties.

The city internal auditor and city internal auditor's office shall be charged with the following duties and responsibilities:

(1) To conduct performance and financial audits of all departments, offices, boards, activities, and agencies of the city in order to independently determine whether:

(A) Activities and programs being implemented have been authorized by the council, state law, or applicable federal law or regulations and are being conducted and funds expended in compliance with applicable laws;

(B) The department, office, or agency is acquiring, managing, protecting, and using its resources, including public funds, personnel, property, equipment, and space, economically, efficiently, and effectively and in a manner consistent with the objectives intended by the authorizing entity or enabling legislation;

(C) The organization, programs, activities, functions, or policies are effective, including the identification of any causes of inefficiencies or uneconomical practices, such as inadequacies in management information systems, internal and administrative procedures, organization structure, use of resources, allocation of personnel, purchasing policies, and equipment;

(D) The desired result or benefits are being achieved;

(E) Financial and other reports are being provided that disclose fairly, accurately, and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities, and that is necessary to establish a proper basis for evaluating the results of programs and activities including the collection of, accounting for, and depositing of revenues and other resources;

(F) Management has established adequate operating and administrative procedures and practices, systems, or accounting internal control systems and internal management controls; and

(G) Indications of fraud, or abuse or illegal acts are present;

(2) To submit at the beginning of each fiscal year an audit schedule to the Audit Committee for review and comment. The schedule shall include the departments, offices, boards, activities, subcontractors, and agencies subject to audit for the period. This schedule may be amended during the period after review by the Audit Committee. Additionally, the city auditor may initiate and conduct any other audits deemed necessary;

(3) To submit an annual report to the council and mayor indicating audits completed, major findings, corrective actions taken by administrative managers, and significant findings which have not been fully addressed by management;

- (4) To perform such other duties and responsibilities as provided for by this charter or ordinance.

www.libtool.com.cn SECTION 2-604.

Audit Committee; established;
powers and duties generally.

(a) To ensure independence of the audit function, an Audit Committee is hereby established. The Audit Committee is a management committee and not a public board, commission, or committee as specified in Article 3 herein. The Audit Committee shall be comprised of five voting members who shall include the mayor or mayor's appointee, the president of the council or the president's appointee, and three at-large members appointed by the entire city council. The three at-large members shall be residents of the city with expertise in auditing, preferably internal or management auditing, and shall be either a certified public accountant, certified internal auditor, or certified management auditor. Of the three at-large members initially appointed, one member shall be appointed for a term expiring on January 31, 1998; one member shall be appointed for a term expiring on January 31, 1999; and one member shall be appointed for a term expiring on January 31, 2000. Thereafter, members shall be appointed for three-year terms. Members of the committee shall select a chairperson from among its members yearly.

(b) The Audit Committee shall consult with the city internal auditor regarding technical issues and work to assure maximum coordination between the work of the city auditor's office and the needs of the council, the mayor, and departments and the coordination of external audit efforts.

(c) The Audit Committee shall meet as needed to perform its duties but shall not meet less than once quarterly and shall be responsible for:

- (1) Providing general direction to the internal audit function by reviewing the internal auditor's annual audit plan and any proposed amendments thereto and submitting the plan and the committee's recommendations to the council;
- (2) Reviewing and approving internal audit reports before the final audit report is issued;
- (3) Sending copies of draft and final internal audit reports to the mayor, president of the council, and members of the council;
- (4) Performing an evaluation of the city internal auditor annually and reporting the results of the evaluation and effectiveness of the audit function annually to the council;
- (5) Providing oversight of the external audit efforts and coverage; and
- (6) Performing such other duties as provided for by an ordinance of the council.

SECTION 2-605.

Access to records and property.

(a) All city officers and employees shall allow the city internal auditor immediate access to any and all books, records, documents, and other requested information, including automated data, pertaining to the business of the city and within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts, and methods of business required to conduct an audit or other official duties. In addition, such officers and employees shall provide access for the auditor to inspect all property, equipment, and facilities within their custody. Further, all contracts with outside contractors and subcontractors shall provide for the city auditor's access to all financial and performance-related records, property, and equipment purchased in whole or in part with city funds and facilities.

(b) The city internal auditor shall not publicly disclose any information received during an audit that is considered confidential by nature by any local, state, or federal law or regulation.

(c) Any reports issued by the internal auditor shall be made available for public inspection or copying at a reasonable cost.

SECTION 2-606.

Quality assurance reviews.

(a) The audit activities of the city internal auditor's office shall be subject to a quality review ~~at least every three years~~ by a professional, nonpartisan objective group utilizing guidelines endorsed by the National Association of Local Government Auditors or the State Auditors' Association of the United States General Accounting Office. A copy of the written report of the independent review shall be furnished to the council, president of the council, mayor, and members of the Audit Committee and made available to the public.

(b) The quality review shall determine compliance with generally accepted governmental auditing standards and the quality of audit effort and reporting, including but not limited to staff qualifications, due professional care, and quality assurance; fieldwork standards such as planning, supervision, and audit evidence; and reporting standards such as report content, presentation, and timeliness.

(c) The city shall reimburse travel and living expenses for the quality review team from funds budgeted in the city internal auditor's budget or other in-kind support.

SECTION 2-607.

Funding of auditor's office.

The council shall provide funds necessary for the facilities, equipment, and staffing of the city internal auditor's office to carry out the responsibilities specified herein and by ordinance.

SECTION 2-608.

Special audits.

The president of the council or members of council may request the city auditor to perform special audits or assignments of a limited scope intended to determine the accuracy of information provided to council, costs and consequences of recommendations made to the council, and other information concerning the performance of departments, offices, or agencies of the city. After consultation with the Audit Committee, a special audit requested by the president of the council or members of the council may become an amendment to the annual audit schedule.

Chapter 7.

Elected Officials Compensation Commission

SECTION 2-701.

Created.

There is hereby created an elected officials compensation commission which shall make recommendations regarding the salaries of the mayor, president of the council, councilmembers, and members of the Atlanta Board of Education.

SECTION 2-702.

Composition; appointment; term of office; vacancies.

(a) Composition; appointment. The elected officials compensation commission shall consist of seven members with one member appointed by the mayor, one member appointed by the president of the council, two members appointed by the council, two members appointed by the board of education, and one member appointed by the Atlanta Planning and Advisory Board. Each member must be a qualified elector of the city at the time of his or her appointment and all times during the term of office. No member or employee of the executive, legislative, or judicial branch of the city or family members of any member or employee shall be eligible to be a member of the commission.

(b) Term of office. Except as provided herein, the term of office of each member shall be four years. The initial members shall be appointed within 30 days after the effective date of this charter and shall serve until the regular municipal elections of November, 1997. Thereafter, each member shall be appointed to serve with a term of office expiring with the regular municipal elections.

(c) Vacancies. If a vacancy occurs before the expiration of a member's term, the vacancy shall be filled in the same manner as prescribed for the original appointment.

SECTION 2-703.

Powers and duties.

At least one year prior to a regular municipal election, the commission shall recommend to the council and board of education the amount of compensation which it deems appropriate for the mayor, president of council, members of council, and members of the board of education. The amount recommended for each member of council or the board of education shall be the same; however, the amount recommended for the president of the council or the president of the board of education may exceed that of the members of the council or board of education. Any amount recommended shall be an amount which takes into account the nature of the office and which is commensurate with salaries then being paid for other public positions having similar duties, responsibilities, or obligations. No recommendations shall be made except upon the affirmative vote of four members of the commission. Recommendations, with supporting rationale, shall be made in writing. Prior to the submission of any recommendation to the council or board of education, the commission shall conduct at least one public hearing on the matter.

SECTION 2-704.

Meetings; quorum; election of chairperson;
compensation of members.

The elected officials compensation commission shall meet as needed every four years. A majority of the members of the commission shall constitute a quorum for conducting the business of the commission. The commission shall elect a chairperson from among its members. The members of the commission shall receive no compensation but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

SECTION 2-705.

Assistance to commission.

The council shall provide such assistance as the commission shall reasonably require.

ARTICLE 3
EXECUTIVEChapter 1.
The Mayor

SECTION 3-101.

Election; term; limitation of term.

The mayor shall be elected from the city at-large for a term of four years commencing on the first Monday in January after each regular municipal election, and he or she shall serve until his or her successor has taken office. Any mayor who has been elected for two consecutive four-year terms under the provisions of this charter shall not be eligible to be elected for the succeeding term.

SECTION 3-102.

Qualifications.

- (a) To qualify for election as mayor, a person:
 - (1) Must be at least 18 years of age;
 - (2) Must be a resident of the city for at least one year immediately preceding the date of his or her filing of notice of candidacy to seek office;
 - (3) Must be a qualified elector of the city; and
 - (4) Must not be an employee of the city.
- (b) To hold office as mayor, a person:
 - (1) Must continue to possess the qualifications prescribed in Section 3-102(a); and
 - (2) Must not hold any other elective public office or hold any position of employment with the State of Georgia, any county thereof, or with the city.

SECTION 3-103.

Oath of office.

Before entering upon the duties of his or her office, the mayor shall take and subscribe to the oath as provided in Section 2-301 of this charter.

SECTION 3-104.

Powers and duties.

The mayor shall be the chief executive officer of the city and he or she shall have the power and it shall be his or her duty to:

- (1) Execute and enforce the provisions of this charter, the ordinances of this city, and all other laws;
- (2) Exercise supervision over all the administration of all departments of the city and delegate all or part of such supervision to the chief operating officer;
- (3) Prepare periodically, but not less than annually, and submit to the council for approval a comprehensive development policy which shall consider the city's physical, economic, and social aspects and state the goals and objectives of Atlanta and its citizens and the necessary recommendations, policies, plans, programs, and priorities for attaining them;
- (4) Submit to council the recommended annual budget prepared by the appropriations committee as provided in Section 6-302 in this charter;
- (5) Approve or veto proposed ordinances and resolutions as provided in this charter;
- (6) Convene special meetings of the council at his or her discretion;
- (7) At his or her discretion, conduct studies and make investigations and reports to the council concerning the operations of departments, offices, and agencies of the city and require any department, board, commission, or agency under his or her jurisdiction to submit written reports and information;
- (8) Prescribe, require, publish, and implement standards of administrative, management, and operating practices and procedures to be followed and adhered to by all offices, departments, boards, commissions, authorities, and other agencies of the city subject to his or her supervision and jurisdiction or delegate all or part of such responsibilities to the chief operating officer;
- (9) Advise the council as to the financial condition, future needs, and general welfare of the city and make such recommendations to the council concerning the affairs of the city as he or she deems desirable;
- (10) When authorized by the council, negotiate deeds, bonds, contracts, and other instruments and documents on behalf of the city and execute same after final approval by the council;
- (11) Represent the city in affairs of intergovernmental relations, promote and improve the government of the city, encourage the growth of the city, and promote and develop the prosperity and social well-being of its people;
- (12) At his or her discretion, initiate such administrative reorganization within city government as he or she may deem desirable and as provided in Section 3-302(b);
- (13) Perform such duties as may be required by law, and in his or her discretion perform such other duties as may be authorized by law;
- (14) Purchase supplies, material, equipment and personal property of every type and description, and services for the rental, repair, or maintenance of equipment, machinery, and other city-owned property; provided, however, the purchase amount does not exceed \$100,000.00, such purchases conform with the provisions within Chapter 4 of Article 6 herein and any purchasing and procurement ordinances of the city, and a duly enacted appropriation by the council authorizes expenditures for such purposes. Any award of contract not competitively procured in accordance with this charter or ordinances of the city, or not awarded to the lowest bidder or offeror, shall be approved by the city council prior to an award;
- (15) Prepare annually a plan for increasing the efficiency of city services based upon the findings and recommendations of the Citizen's Service Planning Review Commission as provided in Chapter 7 of this article.

SECTION 3-105.

Delegation of powers and duties; prohibition.

In no event shall the mayor delegate to the chief operating officer or any other appointed officer or employee the power to approve or veto ordinances or resolutions, convene meetings of the council, serve as acting mayor, remove the city attorney, chief financial officer, or chief operating officer, or amend budgets.

SECTION 3-106.

Mayor's staff.

(a) The mayor may appoint such staff to aid in the discharge of the mayor's duties, including a chief of staff, as authorized by the council. The chief of staff shall have such duties as assigned by the mayor but shall not be assigned any supervisory or management duties outside of the mayor's office or duties which are inconsistent with the provisions of this charter. Such persons shall serve at the pleasure of the mayor.

(b) Any person appointed chief of staff need not be a resident of the city at the time of his or her appointment but shall be a city resident during his or her appointment.

SECTION 3-107.

Investigations of departments.

The mayor may conduct an investigation of any city department or office within the executive branch, hear and determine all charges affecting the work of the department under investigation or any of its employees, and administer oaths and affirmations at such hearings. For furtherance of such investigations, the mayor may issue subpoenas to compel the attendance of witnesses and the production of books, papers, vouchers, and other written instruments. If any person duly subpoenaed as a witness shall fail to appear or appearing refuse to testify or to produce such books and papers, the mayor shall report the failure of the witness to appear or refusal to testify or to produce books and papers to any court of record or judge thereof, who may make such order as shall be proper as to the future appearance of the witness for the purpose of giving testimony and for the production of any such books and papers and who may, after due notice and opportunity to be heard, punish him or her for failure to comply therewith.

Chapter 2.

Chief Operating Officer

SECTION 3-201.

Appointment; qualifications; residency; compensation; removal.

(a) Appointment. The mayor shall appoint, subject to the confirmation by a majority vote of the entire council, an officer whose title shall be "chief operating officer."

(b) Qualifications. The chief operating officer shall have a graduate or professional degree plus a minimum of ten years, or an undergraduate degree plus a minimum of 15 years, of progressively responsible administrative experience in the public or private sector which has included responsibility for supervising a large scale service delivery program with a substantial budget. The qualifications herein may be waived by the city council upon a three-fourths' vote of its membership.

(c) Residency. The chief operating officer need not be a resident of the city or of the State of Georgia at the time of his or her appointment but shall reside in the city throughout his or her appointment.

(d) Compensation. The chief operating officer shall receive such compensation as fixed by the council.

(e) Removal. The chief operating office shall hold office at the pleasure of the mayor and may be dismissed by the mayor without the approval of the council.

SECTION 3-202.

Powers and duties.

The chief operating officer shall have the following powers and duties:

(1) To the extent delegated by the mayor, to exercise supervision over all activities of city departments and the boards and commissions connected with such departments and be the contact officer between the mayor and such departments, boards, and commissions;

(2) To make periodic reports with such recommendations to the mayor regarding the activities of the various departments, bureaus, boards, commissions, authorities, and other agencies of the city under his or her jurisdiction and make or cause to be made investigations and studies of the organization and procedures thereof and to require such reports therefrom as deemed necessary;

- (3) To provide liaison, coordination, and communications between and among city departments and agencies and the various agencies of the federal, state, and local governments and other public and private agencies concerning the affairs of the city;
- (4) To provide direction on participation in federal and state grant-in-aid programs, monitoring and evaluation of grant contract programs, and communication of program policies and priorities;
- (5) To conduct research and make information available to the mayor, council, and the various departments, offices, and agencies of the city;
- (6) To attend meetings of the council and its committees and to make available such information as may be requested; and
- (7) To perform all other duties as required by this charter or lawfully delegated to him or her by the mayor.

Chapter 3. City Departments

SECTION 3-301.

General.

- (a) Except where another meaning is clearly intended, the word "department" in this charter shall mean any agency in the executive and administrative branch of the city government. The departments of the city shall be created and established by ordinance, and the departments shall be responsible for the performance of the functions and services enumerated therein.
- (b) The operations and responsibilities of such departments shall be distributed among such divisions or bureaus and shall consist of such officers, employees, and positions as may be authorized by ordinance.
- (c) There shall be a director of each department who shall be the principal officer thereof. Each director shall be responsible for the administration and direction of the affairs and operations of his or her department and shall exercise general management and control thereof.
- (d) Vacancies occurring in an appointive office shall be filled in the same manner as prescribed by this charter for original appointments.
- (e) The directors of departments and other appointed officers shall be appointed solely on the basis of their respective executive, administrative, and professional qualifications which shall be prescribed by ordinance.
- (f) The compensation of appointed officers and directors of departments shall be fixed by the council.
- (g) The mayor may initiate or create additional departments, or propose the abolishment of departments, subject to the provisions of this charter and approval by the council.

SECTION 3-302.

Administrative reorganization.

- (a) The mayor, as chief executive of the city, is hereby empowered, subject to any limitations of this charter, to initiate, direct, and implement the reorganization of any department.
- (b) The mayor shall prepare and sign a plan of reorganization of any department or departments and shall submit such plan to the council. Any plan presented shall be in the form of a proposed ordinance and the council shall by majority vote approve, modify, or reject any such plan within 60 days of its submission to the council. No reorganization shall become effective until the council has acted or 60 days have elapsed from the date of submission, whichever first occurs.

SECTION 3-303.

City attorney.

- (a) Appointment; removal. There shall be a city attorney who shall be appointed by the mayor subject to confirmation by a majority vote of the city council. The city attorney

may be removed at the pleasure of the mayor or the city council by a three-fourths' vote of its membership.

(b)Qualifications. The city attorney shall be an active member of the State Bar of Georgia in good standing and shall have at least ten years' experience in the active practice of law immediately preceding his or her appointment. The number of years' experience herein may be waived by the city council upon a three-fourths' vote of its membership.

(c)Residency. During his or her appointment, the city attorney shall be a resident of the City of Atlanta.

(d)Duties. The city attorney shall serve as the chief legal advisor of the city and shall be the director of the department of law. He or she shall perform such duties as prescribed by this charter, ordinance, or law.

(e)Prohibited activities. The city attorney and all full-time assistants shall not engage in the private practice of law.

SECTION 3-304.

Chief financial officer.

(a)Appointment; removal. There shall be a chief financial officer who shall be appointed by the mayor, subject to the confirmation by a majority vote of the city council. The chief financial officer may be removed at the pleasure of the mayor or by the city council upon a three-fourths' vote of its membership.

(b)Qualifications. The chief financial officer shall have at least ten years' experience in the management of fiscal operations or public finance and proven administrative ability or have served at least ten years as a comptroller or financial head of a business with a substantial budget. The number of years' experience herein may be waived by the city council upon a three-fourths' vote of its membership.

(c)Residency. During his or her appointment, the chief financial officer shall be a resident of the city.

(d)Duties. The chief financial officer shall be the director of the department of finance and shall perform such duties as shall be provided by this charter or by ordinance or resolution or required by law.

SECTION 3-305.

Directors of departments—Appointment; removal; residency; appointment of other city employees.

(a)Appointment; removal. The mayor shall appoint all directors of departments, subject to confirmation by a majority of the city council. As used in this section, "director" means the administrative head of each department regardless of the title of a particular department head. Directors may be removed at the pleasure of the mayor.

(b)Residency. A director, deputy director, or bureau administrator of a department need not be a resident of the city at the time of his or her appointment but shall reside in the city throughout such appointment.

(c)Appointment and removal of other employees. Directors of departments shall have the power and duty to appoint and remove deputy directors and bureau administrators. A deputy director or bureau administrator may be removed by a director.

Chapter 4.

Boards and Commissions

SECTION 3-401.

General.

(a) As related to corporate, municipal, governmental, or public purposes and for the security of the peace, health, and good government of the city, the council shall have the authority to create commissions, councils, or boards which shall perform duties prescribed by the council, including, but not limited to, making studies, conducting research and investigations, holding hearings, and preparing recommendations as to needed ordinances and resolutions. All members of such boards, commissions, or councils shall be legal residents of the city.

(b) The council shall have the authority to provide for the composition of such commissions, councils, or boards, their periods of existence, and for the compensation of their members and employees, in whole or in part. The council may provide by ordinance for reimbursement of the actual and necessary expenses incurred by the members thereof in the performance of their official duties. The council shall have the authority to annually appropriate and donate money, derived from taxation, contributions, or otherwise, for and to such commissions, councils, and boards to provide for their operation, either in whole or in part.

(c) All regular, full-time employees of commissions, councils, or boards which have been previously created or hereafter created by the council shall be considered to be employees of the city. Such employees shall be entitled to all of the benefits and privileges as are other employees of the city and shall be subject to all laws, ordinances and resolutions governing employees of the city except as otherwise specifically prescribed in the code of ordinances. Such employees shall be within the unclassified service of the civil service unless the council shall provide by ordinance for other terms and conditions of employment and personnel matters relating to such employees. No member of a board or commission shall be deemed an employee of the city under the provisions of this subsection.

(d) Any vacancy in office of any member of a board or commission shall be filled for the unexpired term in the manner prescribed for the original appointment.

(e) No member of any board or commission shall assume office until he or she has executed and filed with the municipal clerk an oath or affirmation obligating himself or herself to faithfully and impartially perform the duties of his or her office, such oath or affirmation to be prescribed by ordinance and administered by the mayor or the municipal clerk.

(f) Any member of a board or commission created by the council may be removed from office for cause by a majority vote of the councilmembers present.

(g) Each board and commission may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the council, or applicable state law, as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be filed with the municipal clerk.

(h) All boards and commissions and their employees shall comply with the budgetary procedures of the city as provided in this charter.

(i) The functions of boards and commissions of the city, whether established by Acts of the General Assembly or the city council, shall be provided for by ordinances or resolutions of the city council. However, any boards and commissions which derive their powers from general law shall continue to exercise such powers.

(j) The mayor may initiate the creation of additional boards and commissions subject to the approval of the council.

SECTION 3-402.

Charter review commission authorized.

The council shall by ordinance establish a charter review commission so that a review of the city charter may be accomplished every 20 years, to make recommendations, and to hold hearings with respect to amendments to the charter.

SECTION 3-501.

Civil service.

(a) The council shall establish by ordinance a system of civil service of the city, which shall be divided into a classified and an unclassified service. The classified and unclassified service shall cover the positions presently in the classified or unclassified service respectively on the effective date of this charter, unless otherwise provided by ordinance. The civil service system of the city shall not include employees of the Atlanta school system.

(b) The council shall adopt by ordinance civil service rules and regulations to govern the classification of positions, the manner and method of publicizing vacancies, employing and appointing, and dismissing personnel, the qualifications of employees, the terms, conditions, and benefits of employment, retirement policy, grievance procedures, and

any other measures that promote the hiring and retaining of capable, diligent, honest career employees.

www.libtool.com.cn SECTION 3-502.

Discrimination prohibited.

It shall be the policy of the city, its departments, and boards that all personnel matters shall be determined solely on the basis of merit and qualification, without respect to race, color, religion, sex, national origin, or political affiliation.

SECTION 3-503.

Residency of employees.

Except as otherwise provided in this charter, the council may by ordinance provide from time to time for employees to reside within the city during their continuance in such office or employment with the city.

SECTION 3-504.

Credit preference.

The council may provide by ordinance for a credit preference to be given to residents of the city on their employment examination scores.

SECTION 3-505.

Temporary employment of persons retired
under pension laws.

The mayor and council may authorize the employment of any person who has retired under any of the pension laws, notwithstanding the age of such person, to render any special or particular service under contract, provided the employment is temporary and the necessity therefor is certified by the department head making the contract of employment. Such employees shall acquire no further pension or civil service rights by virtue of such temporary employment.

SECTION 3-506.

Compulsory retirement; waiver of penalties.

(a) No employee of the city shall be required to retire from employment with the city based upon the age of any such employee.

(b) Any employee of the city who has completed at least five years of service with the city and who retires under any pension plan covering city employees shall be entitled to retire upon attaining 65 years of age without the application of any vesting penalties which may be set forth under any such pension plan.

SECTION 3-507.

Modification of pension plans.

As authorized by the provisions of the Constitution of the State of Georgia of 1983, Article IX, Section II, Paragraph III (a)(14), the Acts, approved February 15, 1933, August 13, 1927, and August 20, 1974 (found respectively at Ga. L. 1933, p. 213, et seq.; Ga. L. 1927, p. 265, et seq.; Ga. L. 1924, p. 167, et seq., all as amended), providing for pensions for officials and employees of cities having a population of 300,000 or more according to the United States Census of 1920 or any subsequent census thereof, shall be modified, insofar as they appertain to employees and officials of the City of Atlanta and its board of education in accordance with the following rules and procedures:

- (1) Any other provisions in the charter notwithstanding, any pension law modification shall be effected only by ordinance adopted by at least two-thirds of the total membership of the council and duly approved by the mayor;
- (2) Any such ordinance shall be considered by the council only after receipt of:

(A) An investigation by an independent actuary of any such proposed modification, evidenced by a written report from such actuary which shall include, but not be limited to, such actuary's analysis of the funding requirements relating to any such modification and the opinion of such actuary as to the propriety of any such modification. Any such opinion must state that such modification is in conformity with applicable state laws governing the funding requirements for modifications to such

pension plans. Such opinion shall be accompanied by the written recommendations of the city attorney and chief financial officer;

(B) A written recommendation concerning such ordinance adopted by at least two-thirds of the membership of the board of trustees of each of the respective pension funds affected by such modification; such recommendation shall be considered by, but shall not be binding upon, the council;

(C) Any such ordinance modifying the Act approved August 13, 1927 (Ga. L. 1927, p. 265 et seq., as amended) and affecting employees of the Atlanta Board of Education shall become effective as to such employees only after such modification is adopted by a majority of the total membership of the Atlanta Board of Education;

(3) No substitute or amendment to any ordinances presented to the council hereunder shall be considered without a subsequent investigation of such proposed substitute or amendment by an independent actuary as provided in (b)(1), hereinabove, and the recommendation of the board of trustees of the respective pension fund affected by such modification as set forth in (b)(2), hereinabove;

(4) No ordinance which modifies any of the aforesaid pension laws and has a fiscal impact on the pension systems established by such laws shall be adopted by the council or approved by the mayor until adequate provision for funding such modification has been made to defray the fiscal impact of such modification;

(5) Limitation on annual benefit. Notwithstanding any provisions to the contrary, an employee's or officer's annual benefit attributable to nonemployee contributions shall not exceed the lesser of: (A) 100 percent of the employee's or officer's highest three consecutive years' average applicable compensation or (B) a dollar amount which is adjusted for inflation based on Section 215(i)(2)A of the Social Security Act, as amended. Furthermore, if the employee or officer retires before age 62 the limit shall be actuarially reduced in accordance with Internal Revenue Code Section 415(b), as now or hereafter amended;

(6) Forfeiture of benefits. An employee or officer who is not entitled to any vested continuing pension benefits at or after his or her last termination date must, within seven years thereafter, apply for a refund of his or her employee contributions to the fund; otherwise said contributions shall be forfeited to the pension fund.

An employee or officer who is entitled to a continuing pension benefit on or after the date of the last termination date must, within seven years after said benefits become duly vested and payable, either apply for benefits or claim a refund of his or her employee contributions to the pension fund; otherwise said payments shall be forfeited to the pension fund.

SECTION 3-508.

Regulation of complaints, fraud, waste, and abuse; definitions.

(a) As used in this section, the term:

(1) "Municipal employee" means classified and unclassified employees of the City of Atlanta, and individuals who perform services for the City of Atlanta on a contract or fee basis, but does not include elected officials.

(2) "Municipal employer" means any department, board, bureau, commission, authority, or other agency of the city which employs or appoints any municipal employee, except the mayor and members of the city council and the City Court of Atlanta.

(b) A municipal employer may receive and investigate complaints or information from any municipal employee concerning the possible existence of any activity constituting fraud, waste, and abuse in or relating to any municipal programs and operations under the jurisdiction of such municipal employer.

(c) Notwithstanding any other local law or ordinance to the contrary, such municipal employer shall not, after receipt of a complaint or information from a municipal employee, disclose the identity of the municipal employee without the written consent of such municipal employee, unless the municipal employer determines such disclosure is necessary and unavoidable during the course of the investigation. In such event, the municipal employee shall be notified in writing at least seven days prior to such disclosure.

(d) No action against any municipal employee shall be taken or threatened by any municipal employer who has authority to take, direct others to take, recommend, or approve any personnel action as a reprisal for making a complaint or disclosing information to the municipal employer unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(e) Any action taken in violation of subsection (d) of this section shall give the municipal employee a right to have such action set aside by the personnel board after a hearing.

Chapter 6. Planning

SECTION 3-601.

Comprehensive development plan.

The mayor shall have a comprehensive development plan of the City of Atlanta prepared and maintained to be used as a guide for the growth and development of the city and which will identify its present and planned physical, social, and economic development. This plan shall: (1) set forth the comprehensive development goals, policies, and objectives for both the entire city and for individual geographic areas and communities within the city and (2) in conformance with such development goals, objectives, and policies, identify the general location, character, and extent of streets and thoroughfares, parks, recreation facilities, sites for public buildings and structures, city and privately owned utilities, transportation systems and facilities, housing, community facilities, future land use for all classifications, and such other elements, features, and policies as will provide for the improvement of the city over the next 15 years.

SECTION 3-602.

Five-year and one-year development plans.

The mayor shall have a comprehensive five-year development plan prepared which shall: (1) present a recommended generalized land use development pattern to guide the growth of the city over a succeeding five-year period and (2) include the city's specific development goals and objectives based upon existing and projected demographic and socioeconomic factors and public and private community facilities for the entire city and individual geographic areas and communities within the city, as related to the comprehensive development plan and to regional plans. In addition, the mayor shall have a one-year development plan prepared that delineates the city's proposed land use development pattern for a succeeding 12 month period and is based upon the development goals and objectives specified in the city's five-year development plan.

SECTION 3-603.

Implementation; updating and revision.

(a) Prior to the preparation of each comprehensive development plan, the mayor shall have hearings held in such manner as the council shall prescribe by ordinance. The mayor shall submit to the council such plans that will include a 15 year, five-year, and one-year comprehensive development plan, along with a comprehensive land use plan for all property within the city limits. These plans, updated each year, shall be submitted to the council not later than its first regular meeting in May each year. Beginning with the transmittal date of said plans to council, the general public shall be afforded a period of 45 consecutive days in which to review said plans. Subsequent to the expiration of the aforementioned 45 day period, the council shall conduct public hearings concerning such plans. Thereafter, the council shall adopt the comprehensive development plans, after making any amendments or revisions thereto that the council considers appropriate, but not later than the last regular council meeting in July of each year. Such plans shall become effective immediately upon adoption and approval of the authorizing legislation.

(b) The approved comprehensive development plans shall be used as a guide for the preparation of the city's capital improvement program and capital budget.

(c) The mayor shall maintain an up-to-date zoning map for all properties within the city limits.

(d) Following the annual updating and adoption of the city's development plans, the council shall amend the city's zoning ordinance to conform with the updated development plans in accordance with procedures prescribed by general law.

(e) Approved comprehensive development plans distributed to the public shall include a brochure or similar document containing the names, addresses, telephone numbers and facsimile numbers of appropriate city and county officers, as an appendix to the document, and such comprehensive development plans and appendices shall be provided to all neighborhood planning units of the city within 30 days of the adoption of such comprehensive development plans.

SECTION 3-604.

Program for human and economic development.

Within one year after the effective date of this charter, the mayor and city council shall provide an administrative mechanism with appropriate status and adequate budget to develop and implement a comprehensive program of human and economic development. The program shall be responsible for identifying and securing resources needed to address these problems and needs effectively. The program shall encourage efforts to enable, empower, and involve the disadvantaged; address the causes of crime; work to enhance the quality of life of all citizens; and help to ensure that the city government will be responsive to the needs of all citizens.

Chapter 7.

Citizen's Service Planning Review Commission

SECTION 3-701.

Creation; composition.

There is hereby created and established the Citizen's Service Planning Review Commission which shall consist of nine members.

SECTION 3-702.

Appointments; terms; vacancies.

(a) Members shall be appointed by the mayor subject to confirmation by a majority vote of the council. Any person so appointed shall be a resident of the city at the time of appointment and during the term of office. Of the initial members appointed to the commission, three of the members shall be appointed for a term expiring on December 31, 1998; three members shall be appointed for a term expiring on December 31, 1999; and three members shall be appointed for a term expiring on December 31, 2000. Thereafter, all members shall be appointed for three-year terms. Members of the commission shall select one of its members as chairperson.

(b) Any vacancy on the commission, however created, shall be filled for the unexpired term in the same manner as the position was originally filled, and the person filling the vacancy shall have and retain all the qualifications prescribed for membership.

SECTION 3-703.

Powers and duties.

Each year the commission shall study such city services as agreed upon by a majority of its members and prepare a report to be presented to the mayor and chief operating officer by September 1 of each year. The report shall contain the findings of the commission and present actions that the city may implement to increase the efficiency and reduce the cost of service provision. For each service area reviewed and investigated by the commission, the report shall include but not be limited to:

- (1) The level of expenditures for each service;
- (2) The quality of the service provided;
- (3) The cost of providing the service;
- (4) Available competitive contracting for such service;
- (5) Consolidation of service delivery with other jurisdictions; and
- (6) Ways to improve the efficiency of service provision.

The commission shall also conduct an evaluation of any previously determined service delivery plans and actions taken by the administration in order to improve delivery of the service.

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SECTION 3-704.

Mayor's action.

The mayor shall hold at least one public hearing on the report. After the public hearing and prior to the submission of the budget each year, the mayor shall present an annual plan and actions the city may implement to the president of the council and members of the council.

SECTION 3-705.

Assistance to the commission.

The mayor's office shall provide the necessary staff and assistance to the commission as required for the completion of its tasks.

ARTICLE 4

Courts

SECTION 4-101.

Establishment; designation.

Pursuant to the provisions of Article VI, Section I, of the Constitution of Georgia, and Title 36 of the O.C.G.A., as amended, there shall be in the city a court to be known as the Municipal Court of Atlanta, which shall have a minute book and a seal of appropriate design prescribed by council.

SECTION 4-102.

Jurisdiction, authority, and powers generally.

The municipal court and each judge thereof shall have jurisdiction and power coextensive with the territorial limits of the City of Atlanta, Georgia, to:

- (1) Try and punish violations of this charter, all city ordinances, and such other violations as provided by law, except those relating to and regulating traffic;
- (2) Try, hear, and abate nuisances as provided by the laws of this state;
- (3) Hear, try, and determine as a committing court all warrants for the violation of any state law and, while acting under the authority of the laws of the State of Georgia, to bind over such persons to an appropriate higher court for the eventual trial of said case;
- (4) Establish a schedule of fees to defray the cost of operation and be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to an appropriate higher court for violations of state laws;
- (5) Punish those in its presence for contempt, provided that such punishment shall not exceed \$200.00 or ten days in jail or both;
- (6) Punish for violations within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for six months or both such fine and imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by law;
- (7) Establish bail and recognizance to ensure the presence of those charged with violations before said court;
- (8) Probate, revoke, amend, remit, modify, alter, or suspend sentences imposed, provided that the mayor may grant reprieves and pardons, commute penalties, and remit any part of a sentence following defendant's request therefor to the court;
- (9) Compel the production of books, papers, and other evidence in the possession of any party with the same authority as magistrates of the state;
- (10) Compel the presence of witnesses or all parties necessary to a proper disposal of each case by issuance of summonses, subpoenas, warrants, orders, and all other process in cases within its jurisdiction arising under the laws of the State of Georgia or this charter or ordinances of the city with full power to enforce the same;
- (11) Enforce obedience to its orders, judgments, and sentences with the same authority as magistrates of the state;

- (12) Administer all oaths as are necessary with the same authority as magistrates of the state and take affidavits and attest other papers;
- (13) Issue warrants for the arrest of persons charged with offenses against any ordinance of the city, and each judge of the municipal court shall have the authority as magistrate of the state to issue warrants for offenses against state laws committed within the city; and
- (14) Such other powers and duties as shall be provided by law or ordinance.

SECTION 4-103.

Appellate review.

The orders, verdicts, judgments, and sentences of the court shall be subject to appellate review by writ of certiorari in the appropriate superior court or as otherwise provided by general law.

SECTION 4-104.

Judges; qualifications; term of office;

appointment; oath; vacancies; compensation;

- (a) Number of judges. The municipal court shall be presided over by such number of municipal court judges as shall be authorized by the city council.
- (b) Qualifications. To qualify for appointment as a judge of the municipal court, a person shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. To hold office as a judge after such appointment, a person shall continue to possess said qualifications and shall not hold or qualify for any other public office.
- (c) Appointment. The mayor shall appoint a person to the position of municipal court judge in accordance with the provisions in this article.
- (d) Term of office. A judge of the municipal court shall be appointed for a term of four years and, upon completion of such term, such judge shall continue to serve until not retained by a vote of city electors as provided herein.
- (e) Oath. Before assuming office, each judge shall take and subscribe an oath or affirmation, before some officer authorized to administer oaths, faithfully to discharge the duties of the office. The oath shall be filed with the municipal clerk.
- (f) Vacancies. In the event of any vacancy in the office of a municipal court judge for any cause, whether by death, resignation, lack of retention, or removal, the mayor shall appoint some qualified person to fill such vacancy in accordance with the provisions of this article. Any judge appointed to fill a vacancy shall not be required to run against his or her record until he or she has held office at least 12 months, and in such event his or her term shall be extended until the end of the calendar year of the second general municipal election following the date of his or her appointment.
- (g) Compensation. The annual salary of municipal court judges shall be as authorized by the city council.

SECTION 4-105.

Chief judge.

- (a) Selection. The municipal court judges shall by a majority vote select a chief judge to serve at their pleasure.
- (b) Duties. The chief judge shall be responsible for the general supervision of the municipal court and shall promulgate all rules necessary for the supervision, conduct, and administration of the court, including but not limited to the number of divisions into which the court is divided and the assignment of judges to duty therein; the hours of operation of the court; the preparation of calendars deemed necessary and proper; and a system for keeping court records and shall require such reports from the judges, solicitor, public defender, clerk/administrator, and other court personnel as deemed necessary and proper. Such rules so promulgated shall be reduced to writing. The chief judge shall be responsible also for the preparation and submittal of budgets of said court to the mayor and city council and appropriate departments, committees, and agencies. He or she shall further perform other duties as the council may provide by ordinance or as required by law.

(c) Vacancy, incapacity, or inability. In the event of a vacancy, incapacity, or inability of the chief judge to perform his or her duties, the remaining judges of the court, by a majority vote, shall select another chief judge in accordance with this section.

www.libtool.com.cn SECTION 4-106.

Judicial commission.

(a) Creation. There is hereby created an Atlanta Judicial Commission, established for the purpose of nominating to the mayor persons for appointment to the positions of judges, solicitors and public defenders of city and municipal courts, and any judge pro hac vice of municipal court.

(b) Composition; appointments. The Atlanta Judicial Commission shall be composed of eight voting members, consisting of three members appointed by the Atlanta Bar Association who are actively engaged in the practice of law, three members appointed by the Gate City Bar Association who are actively engaged in the practice of law, and two members appointed by the mayor who are residents and qualified electors of the city but not attorneys. All persons appointed to the judicial commission shall have resided in the city for at least 12 months and continue to reside in the city during their terms of office. Of the members first appointed after the effective date of this charter, one member of the Atlanta Bar Association and Gate City Bar Association shall be appointed for two years, one member of the Atlanta Bar Association and Gate City Bar Association shall be appointed for three years, one member of the Atlanta Bar Association and Gate City Bar Association shall be appointed for four years, and the two members appointed by the mayor shall be appointed for four years. Thereafter, all members shall be appointed to four-year terms. A chairperson and secretary shall be elected by the members; however, the chairperson shall be a member of the State Bar of Georgia.

(c) Functions; duties. Whenever a vacancy occurs in the positions of judges, solicitors and public defenders of city and municipal courts, or a judge pro hac vice of municipal court for any cause, the mayor shall provide written notification to the chairperson within 30 days of the act creating the vacancy or any new position. The judicial commission shall certify to the mayor a list of three nominees who are members of the State Bar of Georgia in good standing. Such list shall be submitted by the judicial commission no later than 90 days after receiving the above written notification from the mayor. The nominations and appointments to fill vacancies shall be based solely upon merit, legal experience, ability, and integrity. Any member shall be disqualified from consideration of an applicant who is related by blood or marriage.

(d) Confidentiality of deliberations. The deliberations of the judicial commission shall be confidential and privileged. The identity of the applicants and nominees certified to the mayor shall be public information.

(e) Failure to submit nominations. If the judicial commission has not presented its nominations as required by subsection (c) herein to the mayor within 120 days after being informed by the mayor of a vacancy or pending vacancy, the mayor may thereafter fill such vacancy on his or her own motion, applying the standards herein. However, any such appointment made by the mayor shall be confirmed by a majority vote of the members of council.

SECTION 4-107.

Retention of judges.

(a) Filing of declaration. A judge of the municipal court who desires to retain judicial office for a succeeding term shall file with the municipal clerk, not more than 90 days nor less than 60 days prior to each regular general municipal election prior to the expiration of the judge's term of office, a declaration of intent to run for another term.

(b) Ballot question. Upon the filing of the above declaration, a question shall be placed upon the appropriate ballot of such municipal election as follows:

"Shall Judge (Name of judge) of the Atlanta Municipal Court be retained in office?"

Yes, to retain.

No, against retention."

If a majority of those voting on such question vote to retain a judge, the judge is thereupon retained for a four-year term commencing on the first Monday in January following each municipal election. If a majority of those voting on such question vote not to

retain a judge, a vacancy shall exist upon the expiration of the term being served by the judge. Such vacancy shall be filled in accordance with the provisions within this article.

(c) ~~Prohibition against appointment.~~ Any judge failing to be retained by city electors shall be ineligible for appointment to the municipal court for a period of four years.

SECTION 4-108.

Removal of judges.

(a) A judge of the municipal court may be removed from office in accordance the provisions of the Code of Judicial Conduct effective on January 1, 1994, as now or hereafter amended, as adopted by the Supreme Court of Georgia.

(b) Whenever a judge of the municipal court shall be indicted for a crime involving moral turpitude, a felony, or other crime involving malfeasance or misfeasance while in office, he or she shall be automatically suspended from office without pay until final conviction, acquittal, or other disposition of the charges against him or her. Immediately thereafter, unless he or she has been convicted or pleaded guilty, he or she shall be reinstated in office and shall receive all compensation withheld during his or her suspension; otherwise his or her office shall be vacant.

SECTION 4-109.

Judges pro hac vice; city court judges.

(a) The council shall determine the initial number of court officers pro hac vice. The mayor shall appoint judges pro hac vice from panels of three nominees submitted by the Atlanta Judicial Commission. The qualifications for said appointees shall be the same as for judges and a judge pro hac vice shall act in the event of an emergency, conflict of interest, or other necessity.

(b) At such time a judge pro hac vice is needed by the municipal court for more than three-fourths of the working days of this court in any six-month period, an additional position of associate judge shall be established, subject to approval by majority vote of the council.

(c) Any judge of the City Court of Atlanta may preside in the Municipal Court of Atlanta as provided by ordinance and, when so presiding and acting as judge, have full power and authority in all matters pending in such court.

(d) All judges pro hac vice for the municipal court shall serve four-year terms, commencing on the effective date of this charter, or commencing on the effective date of their respective appointments, whichever date is earlier.

SECTION 4-110.

Solicitor; qualifications; selection; term; assistants; duties; oath; prohibited activities; compensation; vacancies; removal.

(a) ~~Qualifications.~~ There shall be a solicitor of the municipal court. The solicitor shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. During his or her term of office, the solicitor shall continue to reside within the city.

(b) ~~Selection; term.~~ Upon the submission of three nominees by the Atlanta Judicial Commission, the mayor shall appoint one of the three nominees as the solicitor of municipal court for a four-year term. The solicitor shall discharge the duties of the office until a successor is qualified and appointed. A solicitor may be appointed to subsequent terms.

(c) ~~Assistants.~~ The solicitor shall appoint such deputy or assistant solicitors as may be authorized by the city council. Any deputy or assistant solicitor shall be and remain a member in good standing with the State Bar of Georgia and shall serve at the pleasure of the solicitor.

(d) ~~Duties.~~ The solicitor shall be the prosecuting officer of the municipal court. The solicitor and assistant solicitors shall perform such duties as prescribed by ordinance and required by law.

(e)Oath. Before entering the duties of their offices, the solicitor and assistants shall take and subscribe an oath or affirmation before some officer authorized to administer oaths, to faithfully discharge the duties of the office.

(f)Prohibited activities. The solicitor and deputy or assistant solicitors, excluding solicitor pro hac vice, shall devote full-time to the discharge of their duties and shall not engage in the private practice of law.

(g)Compensation. The annual salaries of the solicitor and assistants shall be fixed by the council.

(h)Vacancies. In the event of a vacancy in the position of the solicitor or any assistant for any cause, whether by death, resignation, or removal, such vacancy shall be filled in accordance with the provisions in this article.

(i)Removal. The solicitor shall be subject to removal from office by the mayor during the term of office to which such solicitor was appointed for any of the grounds enumerated in paragraphs (1) through (6) of subsection (a) of Section 5-304.

SECTION 4-111.

Public defender; qualifications; selection; term; assistants; duties; oath; prohibited activities; compensation; vacancies; removal.

(a)Qualifications. There shall be a public defender of the municipal court. The public defender shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. During his or her term of office, the public defender shall continue to reside in the city.

(b) The provisions of Section 4-110 relating to the appointment, term, assistants, duties, oath, vacancies, removal, prohibited activities, and compensation shall apply also to the public defender and any assistant public defenders. The public defender and assistants shall perform such duties as shall be prescribed by ordinance and required by law.

SECTION 4-112.

Solicitors and public defenders pro hac vice.

(a) The solicitor shall appoint solicitors pro hac vice as needed by the municipal court to act in the event of emergency or necessity, except as provided herein.

(b) The chief judge of the municipal court shall appoint solicitors pro hac vice when there is a conflict of interest associated with the office of the solicitor. Under these circumstances, the solicitor shall make a written request setting out the nature of the conflict of interest to the chief judge.

(c) Any municipal court judge shall have authority to appoint public defenders pro hac vice to act in the event of emergency, conflict of interest, or necessity related to the office of the public defender.

SECTION 4-113.

Clerk/Administrator and other court personnel.

(a)Clerk/Administrator. The office of the clerk/administrator is hereby created. The clerk/administrator shall be appointed by a majority vote of the total number of judges thereof to serve at their pleasure and shall not be subject to civil service rules of the city. Any person appointed clerk/administrator shall be a resident of the city during his or her appointment. The clerk/administrator duties shall consist of submitting to the chief judge recommendations for improving the efficiency and operation of the court; being the official custodian of records of the court; assisting the chief judge in the preparation of the budgeting and fiscal reports and documents as may be necessary and proper for the operation and maintenance of the court; collecting and compiling data, including cases filed and disposed of, and information on the expenditures and receipts of the court; keeping and maintaining the docketing of cases in such form and manner as required by law or the chief judge; and other such duties as provided by ordinance.

(b)Other court personnel. The judges in conference shall employ, subject to the city's civil service laws, regulations, and rules, such employees and staff of the court as shall be authorized by the council. Such employees and staff shall be within the civil service system of the city.

(c) Prohibition. Unless provided otherwise in this charter, personnel of the municipal court shall not be employed by, members of, or under the jurisdiction of the police department or be actively engaged in the practice of law before the court except in the actual discharge of their official duties.

SECTION 4-114.

Court procedures; service of processes and orders.

(a) Criminal prosecutions in the court may be instituted by summons, written information, or accusation specifically setting forth the offense charged. Such information, accusation, and summons may be signed by the solicitor or assistant solicitor, any sworn member of the police department, or such officers as may be specifically authorized by ordinance. The judges of such court may issue warrants either on their own knowledge or on information given under oath. Except in capital cases, they shall have the same power to fix bonds as judges of the superior courts.

(b) All copies of documents and records of the court certified by the clerk/administrator, or such deputy clerk/administrator, under the seal of the court shall be admissible in all proceedings in the same manner and to the same extent as documents bearing the certificate of the clerks of the superior courts of the state and the seals of such courts.

(c) The chief of police and sworn members of the police department of the city and employees of the court designated by the judges, and such other officials or persons authorized by law, shall have the authority to serve all processes and orders of the municipal court in the absence of sufficient designated employees of the court, and members of the police department shall have the authority to serve as bailiffs or constables at the discretion of the chief judge.

SECTION 4-115.

Codes of ethics.

(a) The Code of Judicial Conduct, as adopted by the Supreme Court of Georgia, as now or hereafter amended, shall govern the conduct of the judges of the municipal court.

(b) The Code of Professional Responsibility, as adopted by the Supreme Court of Georgia, as now or hereafter amended, shall govern the conduct of the solicitor, public defender, and their assistants of the municipal court.

(c) Said codes are hereby incorporated herein by reference as if set out at length in this section, and copies thereof are on file in the office of the municipal clerk.

ARTICLE 5

Elections, Removal and Conflicts of Interest

SECTION 5-101.

Applicability of general laws.

Regular and special elections shall be conducted in accordance with provisions of the Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code," as now or hereafter amended.

SECTION 5-102.

Regular elections; time for holding; voting.

(a) The regular general election for electing the mayor, president of the council, and all councilmembers of the City of Atlanta shall be held on the first Tuesday after the first Monday in November, 1997, and quadrennially thereafter.

(b) The entire electorate of the city shall be entitled to vote in elections for mayor, president of council, and at-large councilmembers. The entire electorate of each council district shall be entitled to vote for the election of a councilmember elected solely from that district. The person receiving the majority of the votes cast for each position shall be elected.

(c) The mayor, president of the council, and those members of the council who are serving as such on December 31, 1996, and any person selected to fill a vacancy in any such offices shall continue to serve as such for terms of office which expire December 31, 1997, and shall continue to represent the area or district from which elected.

(d) The first mayor, president of the council, and members of the council under this Act shall be elected at the time of the general municipal election in 1997. The mayor, president of the council, and members of the council elected thereto in 1997 shall take office the first Monday of January immediately following that election and shall serve for initial terms of office which expire December 31, 2001, and upon the election and qualification of their respective successors. Those and all future successors to the mayor, president of the council, and members of the council whose terms of office are to expire shall be elected at the general municipal election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. The mayor, president of the council, and members of the council shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

SECTION 5-103.

Special elections; filling of vacancies.

(a) In the event the office of mayor, president of the council, or councilmember shall become vacant by reason of death, resignation, or any other cause, the council shall, within 15 days after the occurrence of such vacancy, call a special election to fill the balance of the unexpired term of such office by giving notice thereof in one or more newspapers of general circulation within the city, except:

(1) If a regular election for the office of mayor is to be held within one year after the date that a vacancy in the office of mayor occurs, the president of the council shall assume and discharge the powers and duties of the office of mayor for the duration of the mayor's unexpired term, and the president pro tempore shall perform the duties of the president of the council during such period;

(2) If a regular election for the office of the president of the council is to be held within one year after the date that a vacancy occurs in the office president of the council, the president pro tempore shall assume and discharge the powers and duties of the office of the president of the council during such period;

(3) If a regular election for the office of councilmember is to be held within one year after the date that a vacancy occurs in the office of councilmember, the remaining members of the council shall by majority vote appoint a qualified person to fill the vacancy. The members of the council shall appoint such person within 30 days of the date the vacancy occurs.

(b) If any elected officer of the city qualifies for another municipal, county, state, or federal elective office, his or her resignation shall be governed solely by Article II, Section II, Paragraph V. of the Constitution of the State of Georgia.

(c) In all other respects, every special election shall be held and conducted in accordance with applicable provisions of Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code."

SECTION 5-104.

Use of public buildings.

It shall be the duty of the council to make available for voting purposes all public buildings of the city which may be needed or required for such purpose on all election days.

SECTION 5-105.

No partisan primaries; candidates listed without party label.

No political party shall conduct primaries for the purpose of nominating candidates for municipal elections. In all municipal elections conducted by or for the City of Atlanta, the names of all candidates shall be listed upon the ballot without party label.

SECTION 5-106.

Other provisions.

Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe such rules and regulations it deems appropriate to fulfill any options and duties under Chapter 3 of Title 21 of the O.C.G.A., the "Georgia Municipal Election Code."

Chapter 2.
Council Districts; Reapportionment

www.libtool.com.cn SECTION 5-201.
Council districts.

Beginning with the general municipal election of 1997 the territory of the council shall consist of 12 council districts to be designated as Districts No. 1 through 12, and three residency posts for the three at-large members. The boundaries of the districts are specifically described and set forth in Appendix I herein. Said appendix is incorporated herein as if fully set forth in this section.

SECTION 5-202.
Reapportionment of council districts.

(a) Subject to the limitations of state and federal law, the council shall reapportion the council districts from which members of the council are elected following publication of the 2000 United States decennial census or any future such census. Such reapportionment of districts shall be effective for the election of members to the council at the next regular general municipal election following the publication of the decennial census.

(b) The council shall reapportion the council districts in accordance with the following specifications:

(1) Each reapportioned district shall be formed of contiguous territory, and the boundary lines of said district shall be the center lines of streets or other well-defined boundaries;

(2) Variation in population between such districts shall comply with the one-person-one-vote requirements of the United States Constitution; and

(3) The reapportionment shall be limited to adjusting the boundary lines of the existing districts only to the extent reasonably necessary to comply with the requirements of paragraph (2) above; and the number of members of the council and the manner of electing such members, except for the adjustment of district boundary lines, shall not be changed by the council.

(c) In addition to the reapportionment following publication of the decennial census, the council shall reapportion districts pursuant to this section if the annexation of additional territory to the corporate boundaries of the City of Atlanta has the effect of denying electors residing within the newly annexed territory the right to vote for the election of members of the council on substantially the same basis that the other electors of the City of Atlanta vote for members of the council. The reapportionment provided for herein shall meet the criteria specified in subsection (b) of this section and shall be further limited to making only those adjustments in district boundary lines as may be reasonably necessary to include the newly annexed territory within such districts. Reapportionment under this subsection shall be effective for the next regular general municipal election following annexation.

Chapter 3.
Removal of Elected Officials

SECTION 5-301.
Recall elections.

Any person holding an elective office of the city shall be subject to removal from office at a recall election in the manner provided by Chapter 4 of Title 21 of the O.C.G.A., the "Recall Act of 1989," as now or hereafter amended.

SECTION 5-302.
Offices to be vacated immediately
upon the occurrence of certain events.

Upon final conviction of or the entering of a plea of guilty for a crime involving moral turpitude, a felony, or other crime involving malfeasance or misfeasance while in office, the office of the mayor, president of the council, or any councilmember shall be vacated immediately without further action. The unexpired term of office shall be filled as provided in this charter.

SECTION 5-303.

Removal of mayor for temporary inability to serve.

During the temporary inability of the mayor to perform the duties of his or her office, the president of the council shall serve as and shall have all the powers and duties of the mayor, provided the council shall, by three-fourths' vote of the entire membership serving thereon, certify such inability by resolution, which resolution shall become immediately effective without action by the mayor. The council shall determine by majority vote of its members when the mayor is again able to perform the duties of his or her office.

SECTION 5-304.

Removal of elected officials.

(a) Grounds for removal. The mayor, the president of the council, or any councilmember shall be subject to removal from office for any of the following causes:

- (1) Malpractice, misfeasance, or malfeasance in office;
- (2) Failure at any time to possess any of the qualifications of office as provided by this charter or by law;
- (3) Violation of the conflicts of interest and standards of conduct provided in this charter or the code of ordinances;
- (4) Violation of the oath of office as provided in this charter;
- (5) Abandonment of office or ceasing to perform the duties thereof; or
- (6) Failure for any cause to perform the duties of office as required by the provisions herein or by law.

(b) Procedures for removal. Removal of the mayor, the president of the council, or any councilmember pursuant to subsection (a) of this section shall be accomplished by the following method. In the event the mayor, the president of the council, or any councilmember is sought to be removed by action of the council, an impartial panel shall conduct a hearing and render a decision on the matter. Such elected official sought to be removed shall be entitled to a written notice specifying the ground(s) for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. The council shall provide by ordinance or resolution for the appointment of an impartial panel and the manner in which such hearings shall be held to render a decision. Any elected official sought to be removed from office as herein provided shall have the right of appeal from the decision of the council to the Superior Court of Fulton County. Such appeals shall be governed by the same rules as govern appeals to the superior court from the probate court.

Chapter 4.

Conflicts of Interest

SECTION 5-401.

Conflicts of interest provisions applicable to city officials and employees.

(a) Except as otherwise provided by general law, no elected official, appointed officer, or employee of the city or any office, department, or agency thereof, shall knowingly:

- (1) Engage in any business or transaction with, or have a financial or personal interest, direct or indirect, in the affairs of, the city, except through a procedure employing sealed bids;
- (2) Engage in or accept private employment or render services for private interests when such employment or service is in conflict or incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of official duties;
- (3) Disclose confidential information or use information, including information obtained at meetings which are closed pursuant to Title 50, Chapter 14, of the O.C.G.A., as now or hereafter amended, concerning the property, government or affairs of the city or any office, department, or agency thereof, not available to members of the public and gained by reason of his or her official position for his or her personal gain or benefit, to advance his or her financial or other private interest, or to advance the financial or private interest of any other person or business entity;

- (4) Represent other private interests in any action or proceeding against the city or any office, department, or agency thereof;
- (5) Vote or otherwise participate in the negotiation or the making of any contract with ~~any business entity in~~ which he or she has a financial interest.
- (b) No elected official, officer, or employee shall use property of the city for his or her personal benefit or profit except in accordance with policies and procedures of the city.
- (c) All elected officials, appointed officers or employees of the city or any office, department, or agency thereof, shall abide by any further standards of conduct adopted or as may be adopted by an ordinance of the council.
- (d) As used in this chapter, the word "relative" shall mean an individual who is related to the elected official, appointed officer, or employee as father, mother, son, daughter, brother, sister, husband, wife, grandfather, grandmother, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, any other relative living in the household of the elected official, appointed officer, or employee or who otherwise holds himself or herself out as or is generally known as the person whom the elected official, appointed officer, or employee intends to marry or with whom the elected official, appointed officer, or employee intends to form a household, or any other natural person having the same legal residence as the elected official, appointed officer, or employee.

SECTION 5-402.

Disclosures.

- (a) Any elected official, appointed officer, or employee who has any financial interest, directly or indirectly, in any contract or matter pending before or within any office, department, or agency of the city shall disclose such interest in writing to the council by filing a written memorandum with the municipal clerk. Any elected official who has a financial interest in any contract or matter before the council shall disclose such interest as provided in Article 2 within this charter.
- (b) Any elected official shall disclose publicly the identity of any relative, as defined in the code of ordinances, employed by the city, prior to January 31 of each year by filing a written memorandum with the municipal clerk on such form as prescribed by the council.

SECTION 5-403.

Contracts voidable and rescindable.

Any contract between the city and another party shall be voidable or rescindable at the discretion of the council at any time if any elected official, officer, or employee has any interest in such contract and does not disclose such interest in accordance with the provisions within this chapter.

SECTION 5-404.

Ineligibility of elected officials.

No elected official shall hold any compensated appointive office or employment with the city until one year after the expiration of the term for which that official was elected to office, unless this provision is waived by a three-fourths' vote of the council.

SECTION 5-405.

Hearings and determinations.

Any hearings and determinations regarding any violations of the provisions herein shall be in accordance with the provisions of this charter or any ordinance regulating standards of conduct as adopted by the council.

ARTICLE 6

Revenue and Fund Administration

Chapter 1.

Revenue

SECTION 6-101.

General power of taxation.

- (a) For the purpose of raising revenue for the support and maintenance of city government and for other corporate purposes, the governing body shall have full power and

authority to provide by ordinance for the assessment, levy, and collection of an ad valorem tax on all real and personal property, which, under the laws of this state, is subject to taxation within the corporate limits of the city. For the purpose of raising revenue for the ~~payment of interest and~~ principal on the bonded indebtedness of the city, the governing body shall have full power and authority to provide by ordinance for the assessment, levy, and collection of an annual ad valorem tax on all real and personal property, which, under the laws of this state, is subject to taxation within the corporate limits of the city, and to provide such an amount in millage as may be necessary to meet and pay all such obligations.

(b) For the purpose of raising revenue for permanent improvements in the parks of the city, and for facility maintenance, repair, replenishment, enhancement, and the purchase of equipment for such parks, the governing body shall have full power and authority to provide by ordinance for the assessment, levy, and collection of an ad valorem tax on all real and personal property, which, under the laws of this state, is subject to taxation within the corporate limits of the city, in the amount of one-half mill on each dollar of assessed valuation thereon; such tax, when collected, shall be used as follows: 90 percent exclusively for permanent improvements to the zoo, golf courses, recreational, and other park facilities of the city, and 10 percent for park facility maintenance, repair, replenishment, enhancement, and the purchase of equipment. In the event that any part of the tax so collected cannot be used in any one year, it may be invested in short-term securities until such time as the use of said funds becomes necessary or possible. The tax provided for herein shall be in addition to all other taxes authorized by this charter.

(c) The tax authorized by subsection (b) shall be used only as provided herein. Any sums not used in any one year for such purposes shall be converted into a trust fund to be held and expended for such purposes in future years. Half of the half-mill tax may, at the discretion of the council, be used for the purpose of constructing a stadium and related facilities in the city or for the purpose of paying in whole or in part the obligation assumed by the city by contract now or hereafter entered into with any authority now in existence or hereafter created which has agreed to construct a stadium and related facilities in the city.

(d) No enumeration of any right, power, or authority provided in this charter shall be construed as limiting or abolishing any right, power, or privilege herein set forth.

(e) There shall be assessed, levied, and collected an annual ad valorem tax for the support of public schools and for educational purposes, at the millage rate determined by the Atlanta Board of Education, to be billed and collected as other ad valorem taxes are billed and collected in accordance with this charter, the basis for the billing and collection of such tax to be the millage as set forth in an annual written request signed by the president of said board of education together with a certified copy of said board's budget and filed with the governing authority, the format and time of annual filing of such request to be the only action by the governing authority of the city necessary to levy such tax annually. All revenue derived from such school and educational ad valorem tax shall be paid into the treasury of the city and shall be remitted monthly to said board of education free from any charge except the direct cost of collecting such tax.

(f) The governing body shall be authorized to assess, levy, and impose taxes on lots and lot owners for sanitary purposes in such amount, rates, or methods of assessment and taxation; provided, further, the governing body shall be authorized and empowered to collect such taxes by execution against the lot so assessed and the owner thereof and provide for the use of such proceeds. The amount so assessed shall be a lien on the lot from the date of the assessment. The governing body shall be authorized to prescribe what should constitute a lot for sanitary purposes and assessment; provided, however, that assessment shall be made on vacant lots as follows: A front footage fee shall be assessed in accordance with the zoned property category, residential, apartment, or commercial, and no unit fee shall be assessed. Resident lots shall not be subdivided or assessed separately except where they have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment may be levied against the lot for each house situated thereon.

(g) The governing body of the city, in addition to being authorized to assess, levy, and impose taxes for sanitary purposes, as set forth hereinabove in subsection (f), shall be

authorized to charge fees for the collection, removal or disposal, or both, of all solid waste except body wastes, ashes, street cleanings, dead animals, abandoned automobiles, and market and industrial wastes, such fees to be charged against the owners or, when not owner-occupied, against the occupants, tenants, or lessees of the premises from which the fee is collected, and from which such waste is removed or disposed of, or both, from which collection and removal services are made available. The amount of such fees may depend upon the amount, weight, or volume of collections and whether collected from residential, commercial, industrial, or other property.

(h) All public property exempt from taxation by the city by law shall likewise be exempt from all assessments, levies, and taxes specified under subsection (f) above. All fees for services charged against any such property as specified in subsection (g) above shall be due and payable when billed in due course by the city.

SECTION 6-102.

Excise taxes.

(a) Except as otherwise provided by general law, the governing body shall be authorized and empowered to classify businesses and arrange the various businesses, trades, and professions carried on in the city into such classes of subjects for taxation as may be just and proper.

(b) Except as otherwise provided by general law, the governing body shall have full power and authority to require any person, firm, corporation, or company engaged in, prosecuting, or carrying on, or that may engage in, prosecute, and carry on any trade, business, calling, or profession, to register their names and business, calling, or profession annually and to require such person, company, or association to pay for such registration or license, or both, to engage in, prosecute, or carry on such business, calling, or profession such fee, charge, or tax as the governing body may deem expedient for the safety, benefit, convenience, and advantage of the city. Such tax, registration fee, or license shall be imposed at the discretion of the governing body. The governing body shall also have power and authority to prescribe and collect fees for the issuance of business licenses or executions and for the collection of executions.

(c) The governing body shall be authorized to impose and collect license fees and taxes on life insurance companies as authorized by an Act of the General Assembly of Georgia approved February 20, 1964 (Ga. L. 1964, p. 122), as now or hereafter amended, and on fire and casualty insurance companies as authorized by an Act of the General Assembly approved April 12, 1968 (Ga. L. 1968, p. 3706), as now or hereafter amended.

(d) The governing body shall have full and complete power and authority to require every person, firm, or corporation engaged in the business of selling spirituous, vinous, or malt liquors at wholesale to pay excise taxes based on the quantity or value of the commodity sold. Such taxes shall be in addition to any and all other taxes and license fees authorized by law.

(e) If the corporate limits of the city are extended so as to include therein businesses, professions, and trades located therein which were previously licensed through an examination or otherwise by the governing authority of the annexed area, such licenses shall have the same dignity and standing as if they were in the first place issued by the governing authority of the city; provided, however, that any businesses not located therein must secure a new license from the city; provided, further, that city license renewal fees shall be payable thereby following the calendar year of said extension of the corporate limits. No such license shall have such dignity and standing unless the licensee applies to the city for a certificate of proficiency within six months after approval of the annexation affecting such licensee.

SECTION 6-103.

Assessment, return, and collection of city taxes.

(a) Except as otherwise provided by general law, this charter, or ordinance, all taxes on property subject to taxation other than assessments made by the revenue commissioner of Georgia shall be assessed by the Fulton County or DeKalb County board of tax assessors and collected by the Fulton County or DeKalb County tax commissioner in accordance with applicable laws as now or hereafter amended governing the return, assessment,

and collection of taxes with the City of Atlanta. The tax commissioners shall receive all tax returns for the city of all taxable property located in the city within Fulton County and DeKalb County except business property situated in such counties, the return of which shall be made to the board of tax assessors of Fulton or DeKalb Counties as provided by Georgia law. For the City of Atlanta in Fulton County and for that portion of the City of Atlanta located in DeKalb County, the tax commissioners shall prepare consolidated tax return forms for state, county, and city taxes and shall cause their use for the return of such property. The tax commissioners shall bill for all taxes due to the city on property in such counties and shall receive all payments of such taxes, including interest and fi. fa. costs thereon. He or she may be authorized by the governing body to collect delinquent taxes due to the city on property in such counties with the same powers and authorities held by the chief financial officer of the city. Sales made by the tax commissioner shall carry the title to the property as if made by the city's chief financial officer.

(b) Any tax commissioner shall give bond payable to the City of Atlanta, in an amount to be determined by ordinance, conditioned upon payment to the city of all sums collected by him or her for and on behalf of the city. The premium on such bond shall be paid by the city.

(c) The time or times for the payment of taxes assessed against real estate and personal property in the city shall be fixed by ordinance of the governing body; provided, however, that said ordinance shall not be changed during any current year but shall apply to the years succeeding the date of the passage of such ordinance. The ordinance may provide for payment of taxes monthly, quarterly, or otherwise; and on failure to pay the taxes or installment on taxes, such taxes shall bear interest at such rate as may be fixed by the governing body, to be charged on any installment not paid at the time ordained. If all the tax assessed for the current year is paid during the first tax period fixed, as provided by ordinance, a discount for such payment, not exceeding 3 percent, may be provided for by ordinance, on the total amount of such annual taxes. If the total taxes are not paid during the first period, but are paid during some of the other periods fixed in the ordinance, a discount may be allowed thereon not exceeding the stated sum of 3 percent; provided, however, that there shall be deducted from the discount a proportionate sum corresponding to the period of the year during which such taxes remain unpaid. The interest shall be computed from the date the taxes are made payable. The times of payment shall be provided by ordinance, with one or more times of payment during the current year. If any ad valorem tax or portion of ad valorem tax is not paid at the time prescribed by ordinance, execution shall be issued for the entire tax or the unpaid balance of the entire tax on December 20 and shall bear interest from August 15; provided, however, if December 20 of any year shall fall on Sunday, then the fi. fa. shall be dated December 21.

(d) The governing body may provide by ordinance for penalty for late payment of business licenses, taxes, and sanitary services in such amounts as deemed necessary.

(e) The chief financial officer shall be ex officio marshal and shall collect all delinquent taxes and shall be authorized to collect or levy fi. fas. for taxes, assessments, and fines; make sales of property to satisfy executions under the laws applicable to sheriff's sales; issue, sign, and record executions; and issue tax executions instanter against the owner of personal property, subject to a lien for unpaid taxes, which is being removed or is about to be removed beyond the limits of the city. He or she shall pay into the city treasury all fees paid into his or her office. He or she shall transfer and assign all fi. fas. issued for assessments, as provided by law for tax fi. fas. A deputy of the chief financial officer, or any other city officer as provided by ordinance, may issue and sign executions and levy fi. fas. A proportionate amount of taxes due under a fi. fa. may be paid, as to a particular lot or tract of land, to withdraw said land from the lien thereof. Deeds made under this section shall be admissible in evidence on the same terms as deeds made for state and county taxes. The proceedings preliminary to the execution of such deeds shall also be admissible. The governing body may sell and transfer executions at a discount or discounts and preserve liens as provided in Ga. L. 1937, p. 795, as amended. Personal property levied on in the city may be sold at any place within the

corporate limits thereof as provided by ordinance. The chief financial officer shall deduct from any payment due by the city to pay any person, firm, or corporation the amount of any delinquent bill or amount due the city prior to the payment of any such bill or account.

(f) It shall be the duty of the tax commissioners to furnish with all tax bills a detailed statement which includes (1) purposes for which the taxes have been assessed and levied and (2) the number of mills assessed; for general operations and debt service, schools, parks, and any other purpose for which taxes have been assessed and levied; the dollar amount of taxes levied by purpose; and any other relevant information necessary to advise the taxpayers, either on the statement or on a paper to be enclosed with the statement, concerning the taxes imposed on them.

(g) The chief financial officer shall be ex officio treasurer of the city and shall assume all the duties as may be required of that office.

SECTION 6-104.

Collection of public utility taxes.

The chief financial officer, as ex officio marshal, shall collect all taxes, including sanitary taxes and delinquent taxes, due the city by public utilities. Utility ad valorem taxes shall be paid within the period fixed for payment of ad valorem taxes generally or within 20 days following certification by the state revenue commissioner, whichever is later. He or she is further empowered to collect, levy, issue, transfer, and assign all fi. fas. for taxes and fines, to see property so levied on under rules governing the sheriff and his or her deputies, to issue and assign executions and instanter execution for taxes and assessments, and to perform such other services as the governing body shall prescribe by ordinance; provided, however, property so levied upon may be redeemed by proportionate payment of taxes, as provided for in an Act of the General Assembly approved March 24, 1933 (Ga. L. 1933, p. 279). Provided, however, that nothing contained in this section shall abrogate the central assessment and return provisions of general law as applied to public utilities.

SECTION 6-105.

Fulton and DeKalb County territory.

(a) The governing body shall be authorized to contract with Fulton and DeKalb County tax receivers and commissioners for that portion of the city lying within such counties for consolidated tax return forms, tax digests of property returned, billing for taxes, receipt of payment for such taxes, and payment to the city of such sums as provided in this chapter. Compensation for rendering such services shall be an amount equal to the cost of rendering the services but not to exceed 1 percent of all sums collected for the city.

(b) The records of the tax receivers or commissioners of any counties in which portions of the city lie shall be available at all business hours to duly authorized representatives of the city and any members of the public.

(c) The contents and delivery of tax bills, information to be furnished by the city, payment of taxes in installments, apportionment of taxes, partial payments, kinds of taxes collected, tax executions, and bonds of tax collectors or tax commissioners shall be provided for by ordinance in accordance with an Act of the General Assembly approved February 21, 1951 (Ga. L. 1951, p. 3087), and an Act of the General Assembly approved March 2, 1953 (Ga. L. 1953, p. 2809), as amended, and as otherwise required by law.

SECTION 6-106.

Homestead exemptions.

(a) The maximum homestead exemption as authorized by law is applicable to all property qualifying for such exemption which is subject to ad valorem taxes in the city.

(b) The procedures and requirements for determination of eligibility, application for exemption, time for filing, and absence due to duty in armed forces shall be provided for by ordinance.

SECTION 6-107.

No new grant of taxing power.

Any other provisions of this charter to the contrary notwithstanding, nothing contained within this charter shall be deemed nor construed to confer upon the City of Atlanta any power to levy and assess taxes and fees which the city did not possess on January 1, 1973. Provided, however, nothing contained within this section shall preclude said city from exercising additional powers to levy and assess taxes and fees which are conferred by general or local law, other than this charter, which are enacted subsequent to January 1, 1973.

Chapter 2.

Borrowing and Indebtedness

SECTION 6-201.

Bonds to be issued and sold under general state laws.

The city shall issue and sell bonds under the provisions of the general laws of the state; and where an issue of bonds is desired and the purposes thereof are legal and the amount proposed is not in excess of the constitutional limit, the governing body shall call an election when required therefor by ordinance, observing any and all formalities of notice, time, place and manner of election, voting, and declaring the result as provided by the general laws.

SECTION 6-202.

Issuance of general obligation bonds.

(a) The city shall be authorized to issue and sell general obligation bonds under the provisions of the Constitution and of the laws, both general and special, of the state as now or hereafter permitted for any public purpose.

(b) The city shall have the authority to levy and collect ad valorem taxes without limit as to rate or amount on all taxable property within the territorial limits of the city, as the same may now exist and may be hereafter changed, to pay the principal of, redemption premium, if any, and interest on general obligation bonds issued by the city.

SECTION 6-203.

Limitations upon general obligation bonds.

(a) The city shall be authorized to incur general bond indebtedness to the extent authorized by the Constitution of Georgia of 1983, as now or hereafter amended, and the general laws of this state.

(b) The proceeds from said general obligation bonds shall be utilized only for the purposes authorized by the bond issue; provided, however, the proceeds of such bonds shall not be utilized for payment of other than capital expenditures or expenses incidental thereto.

SECTION 6-204.

Issuance of general obligation bonds.

The city shall be authorized to issue general obligation bonds as provided by the Constitution and laws of Georgia.

SECTION 6-205.

Revenue bonds.

The city is empowered and authorized to issue revenue bonds in the manner authorized by the Constitution and laws of Georgia.

SECTION 6-206.

Other revenue bonds.

The city shall be authorized to issue revenue bonds for the waterworks system, for sanitary services, and for grandstands and stadiums as provided by the Constitution of Georgia of 1983, as now or hereafter amended.

SECTION 6-207.

Special assessment bonds.

The city shall be authorized to issue special assessment bonds as provided by the Constitution and laws of Georgia.

SECTION 6-208.

Investment of surplus funds.

The chief financial officer shall be authorized by ordinance to invest or reinvest all surplus funds of any type not immediately needed.

SECTION 6-209.

Registration, transfer, and negotiation of bonds.

The city is hereby authorized and empowered to provide for and regulate the registration of bonds of the city and to prescribe the manner in which such bonds have been registered and may be transferred or negotiated.

SECTION 6-210.

Issuance of registered bonds in lieu
of coupon bonds.

The city may provide for the issuance of registered bonds of the city in lieu of any coupon bonds issued by the city.

Chapter 3.

Fiscal Control

SECTION 6-301.

Budget commission.

(a) There is hereby created a budget commission consisting of the mayor, chief financial officer, chairperson of the finance committee or equivalent committee of the governing body, and two governing body members nominated by the mayor and confirmed by the governing body for one-year terms.

(b) The budget commission:

(1) Shall annually prepare and file with the governing body for submission to the mayor the budget revenue anticipations for the city, provided that such anticipations shall not exceed 99 percent of the normal revenue collected during the previous year, with the following exceptions: (A) the normal revenue which the city may be expected to collect from the taxable property in newly annexed territory may be anticipated; (B) collections from tax executions on real estate and on personal property and choses in actions owned by the city may be anticipated, provided that revenues from such anticipations shall not exceed 85 percent of tax executions on real estate and 50 percent of tax executions on personal property not more than three years old and choses in actions certified solvent and collectable by the tax assessor. When such revenue anticipations have been filed, they shall be binding upon the governing body without any action of approval or disapproval;

(2) Shall allocate a sum sufficient to provide for debt service, including sinking fund and interest on bonded indebtedness, and any other appropriations required by law, which such shall not be diverted to any other purpose;

(3) In the event the income of the city should be decreased by law, either by act of the General Assembly or by the governing body, it shall be the duty of the budget commission to immediately adjust the budget revenue anticipations to comply with such decreased revenue. In the event of an increase in the tax rate, or if the schedule of charges for city service, such as water service, sanitary service, or any other similar assessments or charges should be changed by law, the budget commission may revise the budget revenue anticipations and considering assessments, sanitary service charges, or any other similar assessments or charges of the previous year apply new rates thereto and adjust the budget revenue anticipations accordingly;

(4) In the event the city receives any money, income, or revenue from any extraordinary source, either by sale of its property, gift, grant, or otherwise, which has not been considered in the preparation of the budget revenue anticipations or other normal revenue in excess of appropriations, the budget commission shall have the right to allocate immediately such increased revenue for lawful purposes. However, in the preparation of the budget for the next year no such extraordinary revenue shall be considered as a part of the normal revenue of the city;

(5) If at any time during any year, the expenditures exceed the revenues collected and a deficit is created, it shall be the duty of the budget commission before appropriating any other sum for any purpose other than the interest and sinking fund on the bonded indebtedness to appropriate a sufficient sum to immediately discharge any deficit which has accrued during the preceding year.

SECTION 6-302.

Adoption of budget.

(a) The mayor shall prepare and submit the proposed annual budget to the governing body no later than the second regular meeting of the governing body in the first month of the fiscal year.

(b) The governing body shall hold one or more public hearings on the proposed budget as required by the laws of Georgia, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

(c) The governing body may amend the proposed annual budget, except that the budget as finally amended must provide for all expenditures required by law or by this charter, including but not limited to debt service, sinking fund, and interest on bonded indebtedness which sums shall not be diverted to any other purpose, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund.

(d) The governing body shall by ordinance adopt the annual budget for the ensuing fiscal year not later than the second regular meeting in the second month of each fiscal year.

SECTION 6-303.

Expenditures of excess in receipts over appropriations.

The governing body is hereby authorized to expend and use any excess in the receipts of the city of any year over the amount appropriated for such year, provided such expenditure shall in no case exceed the actual receipts for such year.

SECTION 6-304.

Budget amendments.

(a) The finance committee or equivalent committee of the governing body shall approve or disapprove all measures to expend money prior to their consideration by the governing body, provided that upon the committee's failure to report thereon by the second regular meeting of the governing body following a reference to the committee, the governing body may act on such measures without such report.

(b) The finance committee or equivalent committee of the governing body shall approve or disapprove all measures pertaining to the intradepartmental transfer of appropriations from one line item account to another line item account in the operating funds of the city prior to their consideration by the governing body; provided, however, the governing body shall not transfer to any other department funds that have been set aside for debt service, including sinking fund and interest on bonded indebtedness, and any other appropriations required by law or for the deficit of a prior year.

(c) Intradepartmental transfers of appropriations from one line item account to another line item account in the operating funds, the working capital fund, and the grant funds of the city may be made upon unanimous approval of the chairperson of the finance committee or equivalent committee of the governing body, the head or director of the department affected, the chief financial officer, and the chief operating officer. When the decision to transfer intradepartmental funds is not unanimous, such transfers shall be submitted to the governing body by the chairperson of the finance or equivalent committee of the governing body for approval or disapproval. The chairperson of the finance or equivalent committee of the governing body and the chief financial officer are jointly authorized to transfer appropriation surpluses, as the same may occur, from line accounts in the various departments of the operating funds, the working capital fund, and the grant funds of the city. Copies of any transfers shall be filed with the municipal clerk at the next regular meeting of the governing authority after said transfer of appropriations or appropriation surplus is made. The clerk shall enter such transfers in the

minutes of such meeting and announce to the members of the governing body that such transfers have been made. The provisions of this subsection shall apply to the transfer of surplus funds from salary accounts.

www.libtool.com.cn SECTION 6-305.

Unlawful obligations void.

(a) The city shall incur no obligation, except bonds lawfully issued, in excess of the annual budget and such other special appropriations as may be lawfully made and shall incur no liability except as authorized by such budget or appropriation. Any such liabilities attempted to be incurred shall be void in law and equity.

(b) All contracts entered into by the governing body, contrary to the provisions of this charter, for the purpose of raising money, or otherwise engaging the credit of the city, shall be null and void as to the city, but the mayor, if he or she approves, and all members of the governing body, present and voting, who fail to record their votes against such measure or contract, shall be jointly and severally liable thereon, as upon their own contracts, which liability may be enforced against such mayor and members of the governing body in any court of this state having jurisdiction thereof.

SECTION 6-306.

Appropriations for charitable purposes.

The governing body of the City of Atlanta shall have the authority to annually appropriate and donate money, derived from taxation, contributions, or otherwise, for and to any corporation, company, association, or institution for purely charitable purposes. The governing body shall also have the authority to enter into contracts and agreements with any school of higher learning located in the city for services to be rendered the city and payment for such services may be made from funds derived from taxation. The governing body is authorized, in its discretion, to select the recipients of such appropriations and donations and as to determine the amounts of same.

SECTION 6-307.

Authority of city to contract with commissions,
councils, boards, etc.

With respect to services and properties of any kind or character related to corporate, municipal, governmental, or public purposes, the City of Atlanta shall have the authority to contract with any commission, council, or board, created by the governing body of the city or otherwise, or with any other corporation, company, association, institution, or individual.

SECTION 6-308.

Audit.

(a) The governing body shall provide annually for an independent audit of the accounts and other evidences of financial transactions of the city and departments, boards, and commissions thereof. The audit shall be made by a certified public accountant or a certified public accounting firm, the members of which are independent as defined by professional rules of conduct prescribed by the national association governing the practices of certified public accountants.

(b) The final report of the annual audit shall be completed as soon as practicable after the close of the year and in no event later than six months thereafter. Said report and the opinion and recommendations of those making the same shall be:

- (1) Made available to the public at actual printing cost;
- (2) Made available thereto for inspection at no charge; and
- (3) Sent to the grand juries of Fulton and DeKalb counties then in session, to the Atlanta-Fulton Public Library, and to the state auditor.

SECTION 6-309.

Accounting systems.

The chief financial officer shall be responsible for the administration of the accounting systems of the city, for proper recording of receipts and disbursements of each department, fund, or other breakdown, and shall provide a financial statement not less than monthly to the mayor, governing body, and other agencies as may be required.

SECTION 6-310.

Increase in salaries.

The governing body shall not increase the salaries or other remuneration in any form of any officer or employee of the city during the fiscal year except by ordinance as finally adopted and approved on or before the last day of the third month of any fiscal year; however, normal salary increments as authorized by the city's pay plan and reclassifications may be provided for, salaries for new offices or positions may be fixed, salaries may be reduced because of economic conditions, or positions may be abolished.

SECTION 6-311.

Evidence of justice of claims.

Whenever a warrant or claim shall be presented to the chief financial officer, he or she shall have the power to require evidence that the amount claimed is justly due and for that purpose may summon before him or her any officer, agent, or employee of any department or other person and examine him or her upon oath or affirmation, relative to such warrant or claim, and may require the production of books and papers to be used as evidence before him or her.

Chapter 4.

Procurement and Disposition of Property

SECTION 6-401.

Contracting procedures.

(a) The governing body shall prescribe by ordinance or resolution the procedures to be followed in the making of contracts which shall bind the city. The governing body is authorized to remedy present discrimination or the present effects of past discrimination by an affirmative action program which is in compliance with the Constitution and laws of the United States of America and the State of Georgia. All contracts shall be approved as to form by the city attorney. The mayor shall sign all contracts; however, the governing body may authorize the mayor by ordinance to designate another appropriate official to sign any type contract. The municipal clerk shall authenticate all contracts. The original of all contracts shall be maintained on file in the office of the chief financial officer.

(b) Notwithstanding the foregoing, all contracts which bind the city and Fulton County jointly in accordance with the terms and conditions of a joint venture agreement for the construction and operation of a water treatment plant and appurtenances may be signed and approved by duly authorized officers of said joint venture, provided that sufficient funds for each such contract have been appropriated by the city and Fulton County.

SECTION 6-402.

Purchasing procedures.

(a) The governing body shall prescribe by ordinance or resolution the procedures for all purchases of real and personal property by the city. The following alternative methods of securing contracts are hereby authorized, as set forth in and defined by ordinances currently effective or hereafter adopted or amended by the city council: competitive sealed bidding; competitive sealed proposals; small purchases not exceeding \$20,000.00; sole-source procurement; emergency procurement; and competitive selection procedures for professional and consultant services. Awards of contracts shall be made to the most responsible and responsive firm which complies with the requirements of any existing minority and female business opportunity development plans as established by city ordinance. The terms "competitive bidding" and "most responsible and responsive firm" shall be defined to include compliance with the requirements of any minority and female business participation plan which has been implemented by city ordinance pursuant to:

- (1) A finding by the city that such a plan is necessary to remedy the effects of prior private and public discrimination in the procurement and contracting practices of the city;
- (2) A requirement by federal law that the city maintain such a plan for purposes of receiving any federal grants or loans;

- (3) A finding by a judicial tribunal that such a plan is necessary to remedy past or present private and public discrimination in the procurement and contracting procedures of the city.
- (b) In ~~determining the most~~ responsible and responsive firm, the purchasing and contracting authority shall consider the following factors:
- (1) The ability, capacity, and skill of the firm to perform the contract or to provide the services required;
 - (2) The capability of the firm to perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - (3) The character, integrity, reputation, judgment, experience, and efficiency of the firm;
 - (4) The quality of performance of previous contracts or services;
 - (5) The previous and existing compliance by the firm with laws and ordinances relating to the contract or services;
 - (6) The sufficiency of the financial resources and ability of the firm to perform the contract or provide the service;
 - (7) The compliance of the firm with the requirements of an equal employment opportunity in contracting program as may be prescribed by ordinance;
 - (8) The compliance of the firm with the requirements of a minority and female business enterprise participation program as may be prescribed by ordinance;
 - (9) The quality, availability, and adaptability of the supplies or services to the particular use required;
 - (10) The number and scope of conditions attached to the bid by the firm, if any; and
 - (11) Price.
- (c) Any and all bids or proposals may be rejected when it is in the best interest of the city to do so; in addition to the foregoing, the governing body shall prescribe by ordinance the procedure for amending, modifying, or otherwise changing contracts and for authorizations for the purchase of goods, materials, supplies, equipment, and services. Prior to the making of purchases and contracts, or amendments, modifications, or changes thereto, the availability of adequate funds shall be certified by the chief financial officer as provided by ordinance.
- (d) Any and all competitive bids or proposals shall be sealed and shall be opened at the same time in a public place as directed by the council and remain open for public inspection.
- (e) Contractual work related to any competitive sealed bid or proposal shall not be broken into components or parts so as to avoid the council's approval of awards of greater than \$100,000.00.
- (f) In exercising the power of purchasing and procurement provided for in Section 3-104 of this charter, the mayor shall adhere to the provisions within this charter and any ordinance governing purchasing and procurement; provided, however, when the mayor proposes to let a contract to one other than the lowest bidder or offeror or award a contract which has not been competitively procured, the contract shall be approved by the council prior to an award of contract. Any contracts awarded by the mayor pursuant to the powers provided in Section 3-104 of this charter and the provisions herein shall be reported monthly by the director of the bureau of purchasing and real estate to the president of the council and councilmembers.
- (g) The governing body may prescribe different procedures for sales and other disposition of real and personal property acquired by the city pursuant to any approved application or amended application under Title I of the Housing and Community Development Act of 1974, as amended.
- (h) The governing body may authorize different procedures for all purchases of real and personal property in connection with its joint venture with Fulton County for the construction and operation of a water treatment plant and appurtenances, provided that funds for each such purchase have been appropriated by the city and Fulton County.
- (i) As used in this charter section, the word "firm" shall mean and include any individual, partnership, corporation, association, joint venture, or other legal entity authorized to do business in Georgia which desires to contract with the City of Atlanta.

SECTION 6-403.

Sale and disposition of property.

The governing body shall prescribe by ordinance or resolution the procedures for all sales and ~~with the disposition of~~ real and personal property by the city.

ARTICLE 7

Interim and General Provisions

SECTION 7-101.

Officials; officers and employees.

(a) The current terms of office of all elected and appointed officials and officers of the city and its agencies, serving on the effective date of this charter, shall not be diminished and shall continue in full force and effect.

(b) The provisions of this charter establishing a residency requirement for appointed officials and employees shall not apply to those holding such appointed offices and positions prior to the effective date of this charter.

SECTION 7-102.

Existing ordinances and resolutions continued in effect.

Existing ordinances and resolutions of the City of Atlanta and existing rules and regulations of departments and agencies thereof not inconsistent with the provisions of this charter shall be effective as ordinances and resolutions of the council and rules and regulations of the appropriate department or agency thereof until they have been repealed, modified, or amended.

SECTION 7-103.

Contracts and obligations.

All contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Atlanta or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the city.

SECTION 7-104.

Transfer of certain provisions to the code.

(a) The provisions of Division 2 (Housing Commission), Chapter 4 (Boards and Commissions) of Article 3 being deleted by this charter are hereby transferred to Part 8 of the code of ordinances.

(b) The provisions of Section 3-503 (Civil service board) being deleted by this charter are hereby transferred to Part 5, Chapter 2 of the code of ordinances.

(c) The provisions of Article VIII (Administrative Organization Ordinance) being deleted by this charter are hereby transferred to Part 2, Chapter 4 of the code of ordinances.

SECTION 7-105.

Existing rights and interests.

(a) Any rights or interest, public or private, vested in whole or in part on the effective date of this charter, whose validity might be sustained or preserved by reference to any provisions of law repealed by this charter, shall not be affected by this charter. This section shall not apply to any right or interest in any elective public office not conferred by this charter.

(b) Any rights or interests, public or private, derived from or which might be sustained or preserved in reliance upon action taken (including the adoption of ordinances or resolutions) pursuant to or within the scope of any provisions of law repealed by this charter, shall not be affected by this charter.

(c) Neither the mayor, the council, nor other officers of the city shall have authority or power to sell, exchange, farm out, lease out, or in any way alien the property, easements, income, or other equipment, privileges, or assets belonging and appertaining to its system of waterworks; and all contracts, negotiations, grants, leases, or other forms of transfer in violation of this section are declared void and of no effect, as against the city, and any official voting therefor shall be deemed guilty of violating his or her duty and

subject to impeachment and removal from office therefor; provided, however, that the provisions of this subsection shall not apply to the sale, exchange, or alienation of such articles or equipment of said waterworks system as are worn out or useless or which for the betterment of the service can be advantageously substituted by new or improved machinery or equipment; and provided, further, that the mayor and council or other officers above named are authorized to make exchanges of portions of said property whenever it is to the advantage of the city in order to secure better roads and approaches to from or around said property.

(d) The provisions of Ga. L. 1951, pp. 529 et seq., 531 et seq., 537 et seq., 549 et seq., 3014 et seq., 3018 et seq., 3048 et seq. and 3057 et seq., protecting the pension rights in connection with the plan of improvement recommended by the local government commission (Ga. L. 1949, p. 921), shall continue to apply to employees of counties, boards of education, and any other agencies designated in said Acts in the event of any future annexations of territory to the city.

(e) There shall be on the DeKalb County Board of Health to represent the city two members, who shall be residents of that part of the city situated in DeKalb County, which members shall be appointed by the council. The term of office of such members shall be four years and until their successors have taken office. The municipal clerk shall certify the names of the members thus appointed to the chairperson of the DeKalb County Board of Health. Vacancies for any cause shall be filled by appointment for the unexpired term by the council.

(f) No other municipality or town shall have any authority, although the land may be located within its limits, to charge or exact any license fees or occupation taxes for the operation by the City of Atlanta of a landing field therein or for the operation or conduct of any business or occupation thereon. Nor shall such other municipality or town have any authority to assess or collect any ad valorem tax against said land as against the City of Atlanta or otherwise where said city might be required to pay same, if held under lease; nor shall such other municipality or town have any authority to lay any improvements in, through, or along said property such as street paving, sidewalks, curbing, sewers, or otherwise and assess and collect the cost thereof against said land if owned by the City of Atlanta or under lease contract by the City of Atlanta or otherwise where said city might be called upon to pay or discharge the same.

(g) The mayor, president of the council, and members of council shall receive as their annual salaries such amounts being received as of the effective date of this charter until such amounts are changed by the council in accordance with the provisions of this charter.

SECTION 7-106.

Section captions.

The captions to the several sections of this charter are informative only and are not to be construed as a part thereof.

SECTION 7-107.

Effect of repeals.

No law heretofore repealed, expressly or by implication, shall be revived by the repeal herein of the repealing act or by any provisions of this charter that disclaim an intention to repeal or affect enumerated laws.

SECTION 7-108.

Severability of sections.

If any section, subsection, paragraph, sentence, clause, phrase, word, or provision of this charter, or the application thereof to any person or circumstance, should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions or other applications of this charter, which shall remain in full force and effect; and to this end the provisions of this charter and the applications thereof are hereby declared to be severable. In the event any provision of this charter is declared invalid for any reason, then the provision pertaining to the same subject matter that existed in the prior charter of the City of Atlanta shall be in force and effect and applicable until repealed.

SECTION 7-109.

Effective date.

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

SECTION 7-110.

Specific repeal of prior laws.

All laws and parts of laws in conflict with this charter are hereby repealed. The charter of 1973 (Ga. L. 1973, p. 2188) and all Acts amendatory thereof are hereby specifically repealed in their entirety except for those provisions of said charter and amendatory Acts thereof defining the boundaries of the City of Atlanta on the first Monday in January of 1974; and except for any other provisions of such charter specifically incorporated herein by reference and which are not in conflict herewith.

SECTION 7-111.

Repealer.

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

CHARTER APPENDIX I
COUNCIL DISTRICTS

City Council District Boundaries of the City of Atlanta, Georgia:

COUNCIL DISTRICT 1

BEGINNING at the intersection of Moreland Avenue and Glenwood Avenue; thence west along Glenwood Avenue to the CSX Railroad right-of-way; thence north along said Railroad right-of-way to Interstate 20; thence west along Interstate 20 to Boulevard Drive; thence north along Boulevard Drive to Memorial Drive; thence west along Memorial Drive to Kelly Street; thence south along Kelly Street to Glenwood Avenue; thence west one block along Glenwood Avenue to Connally Street; thence south along Connally Street to Georgia Avenue; thence east along Georgia Avenue to Primrose Street; thence south along Primrose Street to Ormond Street; thence east along Ormond Street to Hill Street; thence south along Hill Street to its intersection with the CSX Railroad right-of-way; thence southwesterly along said Railroad right-of-way to Pryor Street; thence south along Pryor Street to Claire Drive; thence southeasterly along Claire Drive to Shadydale Avenue; thence south along Shadydale Avenue to Lakewood Avenue; thence southwesterly along Lakewood Avenue to Macon Drive; thence southerly along Macon Drive to the South River; thence southeast along the South River to the City limits line; thence north along the City limits line and Moreland Avenue to the intersection of Glenwood Avenue, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 2

BEGINNING at the intersection of North Avenue and Moreland Avenue; thence west along North Avenue to Piedmont Avenue; thence north along Piedmont Avenue to 10th Street; thence west along 10th Street to Peachtree Street; thence north on Peachtree Street to 14th Street; thence west along 14th Street to State Street; thence south along State Street to Ferst Street; thence west, then south, then east along Ferst Drive to State Street, if extended; thence south along State Street, if extended, to North Avenue; thence southwest, then west along North Avenue to its intersection with Northside Drive; thence south, then southeast along Northside Drive to Simpson Street; thence east along Simpson Street to its intersection with the CSX/Southern Railroad right-of-way; thence south along said Railroad right-of-way to its intersection with Martin Luther King, Jr., Drive; thence west along Martin Luther King, Jr., Drive to Elliot Street, as extended, thence south along Elliot Street, as extended, to Nelson Street; thence southwest along Nelson Street to Walker Street; thence southwest along Walker Street to its intersection with Fair Street; then southeasterly, then east along Fair Street to Windsor Street; then south on Windsor Street to its intersection with the Southern Railroad right-of-way; thence southeasterly along said Railroad right-of-way to its intersection with the CSX Railroad right-of-way; thence northeasterly along

the CSX Railroad right-of-way to Hill Street; thence north along Hill Street to Ormond Street; thence west along Ormond Street to Primrose Street; thence north along Primrose Street to Georgia Avenue; thence west along Georgia Avenue to Connally Street; thence north along Connally Street to Fulton Street; thence west along Fulton Street to Martin Street; thence north along Martin Street to Fulton Street; thence west along Fulton Street to Capitol Avenue; thence north along Capitol Avenue to Martin Luther King, Jr. Drive; thence northwest along Martin Luther King, Jr. Drive to Washington Street; thence northeast along Washington Street to the CSX/Georgia Railroad right-of-way; thence southeast, then northeast along said railroad right-of-way to its intersection with Moreland Avenue; thence north along Moreland Avenue to North Avenue, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 3

BEGINNING at the intersection of North Avenue and the CSX/Southern Railroad right-of-way; thence northwesterly along said Railroad right-of-way to the intersection of the Southern/CSX Railroad right-of-way; thence south along said Railroad right-of-way to Proctor Creek; thence westerly along said Creek to the intersection of Proctor Creek and Francis Place; thence north along Francis Place to the intersection with Grove Park Place, thence west along Grove Park Place to the intersection with Hortense Way; thence southwest along Hortense Way to its intersection with Hortense Place; thence west along Hortense Place to the intersection of Elizabeth Place; thence south along Elizabeth Place to Baker Road; thence southwest along Baker Road to the intersection of Arlington Circle; thence north, then west, then south along Arlington Circle to the intersection at Baker Road; thence west along Baker Road to Hightower Road; thence south along Hightower Road to the CSX Railroad right-of-way; thence east along said Railroad right-of-way to its intersection with Anderson Avenue; thence south along Anderson Avenue to Martin Luther King, Jr. Drive; thence northeast along Martin Luther King, Jr. Drive to the intersect of Ashby Street; thence south along Ashby Street to the intersection of Fair Street; thence east along Fair Street to the intersection of Lawshe Street; thence north along Lawshe Street to Parsons Street; thence east on Parsons Street to Elm Street; thence south on Elm Street to Fair Street; thence east on Fair Street to Walker Street; thence northeast along Walker Street to Nelson Street; thence northeast on Nelson Street to Elliot Street; thence north along Elliot Street, as extended, to Martin Luther King, Jr. Drive; thence east along Martin Luther King, Jr. Drive to the CSX/Southern Railroad right-of-way; thence north along said Railroad right-of-way to its intersection with Simpson Street; thence west along Simpson Street to Northside Drive; thence northwest, then north along Northside Drive to North Avenue; thence east along North Avenue to the intersection of the CSX/Southern railroad right-of-way, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 4

BEGINNING at the intersection of Ralph David Abernathy Boulevard and Martin Luther King, Jr. Drive; thence southeast on Ralph David Abernathy Boulevard to the intersection of Cascade Avenue; thence southwesterly along Cascade Avenue to the intersection of Beecher Street; thence west along Beecher Street to the intersection of Rosemary Avenue; thence south along Rosemary Avenue to the intersection of Clearvue Terrace; thence west, then south, then southeast on Clearvue Terrace to Cascade Avenue; thence southwesterly along Cascade Avenue to Cascade Circle; thence southwest, then south along Cascade Circle to the intersection of Cascade Avenue; thence southwest along Cascade Avenue to Centre Villa Drive; thence south along Centre Villa Drive to Venetian Drive; thence east along Venetian Drive to Campbellton Road; thence east along a line, as extended, to Ingram Street; thence east along Ingram Street, as extended, to the intersection of Lee Street; thence northeast along Lee Street to the intersection of the CSX Railroad right-of-way; thence southeast, then northeast along said Railroad right-of-way to the intersection of the Southern Railroad right-of-way; thence northwest along said Railroad right-of-way to the intersection of Windsor Street, as extended; thence north along Windsor Street,

as extended, to Fair Street; thence west, then northwest along Fair Street to Walker Street; thence south along Walker Street to Fair Street; thence west along Fair Street to Elm Street; thence north along Elm Street to Parsons Street; thence west on Parsons Street to Lawsha Street; thence south on Lawsha Street to Fair Street; thence west on Fair Street to Ashby Street; thence north on Ashby Street to Martin Luther King, Jr. Drive; thence west on Martin Luther King, Jr. Drive to Ralph David Abernathy Boulevard, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 5

BEGINNING at the intersection of Capitol Avenue and Fulton Street; thence east on Fulton Street to Martin Street; thence south one block on Martin Street to Fulton Street; thence east on Fulton Street to Connally Street; thence north along Connally Street to Glenwood Avenue; thence east along Glenwood Avenue one block to Kelly Street; thence north along Kelly Street, as extended, to Memorial Drive; thence east along Memorial Drive to Boulevard Drive; thence south on Boulevard Drive to Interstate-20; thence east along Interstate-20 to the intersection of the CSX Railroad right-of-way; thence south along said Railroad right-of-way to the intersection of Glenwood Avenue; thence east along Glenwood Avenue to Moreland Avenue; thence south along Moreland Avenue to Vickers Street; thence following the City limit line in a northeasterly direction until its intersection with the CSX/Georgia Railroad right-of-way near the MARTA East Lake Station; thence west along the CSX/Georgia Railroad right-of-way to Washington Street; thence southwest along Washington Street to Martin Luther King, Dr. Drive; thence southeast along Martin Luther King, Jr. Drive to Capitol Avenue; thence south on Capitol Avenue to Fulton Street, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 6

BEGINNING at the intersection of I-85 North and the City limits line (immediately south of Buford Highway); thence southwest along I-85 to Peachtree Creek; thence southwesterly along Peachtree Creek to its intersection with the CSX Railroad right-of-way; thence southwesterly, then southeasterly along said Railroad right-of-way to the intersection of Piedmont Avenue; thence southwesterly along Piedmont Avenue to the intersection of 14th Street; thence west along 14th Street to Peachtree Street; thence south along Peachtree Street to 10th Street; thence east along 10th Street to Piedmont Avenue, thence south along Piedmont Avenue to North Avenue; thence east along North Avenue to Moreland Avenue; thence south along Moreland Avenue to its intersection with the Georgia/CSX Railroad right-of-way; thence east along said Railroad right-of-way to the City limits line; thence northerly following the City limits line until its intersection with I-85 North, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 7

BEGINNING at the intersection of Roswell Road and the City limits line; thence southerly along Roswell Road to Peachtree Road; thence southerly along Peachtree Road to its intersection with 28th Street; thence west along 28th Street to Ardmore Circle; thence south, then southwest, then west along Ardmore Circle to Tanyard Creek; thence south along said Creek to Interstate-75; thence southeast along Interstate-75 to its intersection with the Southern Railroad right-of-way; thence southwest along said Railroad right-of-way to its intersection with Mecaslin Street; thence south along Mecaslin Street to its intersection with 16th Street; thence east one block along 16th Street to State Street; thence south along State Street to its intersection with 14th Street; thence east along 14th Street to its intersection with Piedmont Road; thence northeast along Piedmont Road to its intersection with the Southern Railroad right-of-way; thence northwest, then northeast along said Railroad right-of-way to Peachtree Creek; thence northeast along said Creek to its intersection with Interstate-85 North; thence northeast along Interstate-85 North to the eastern City limits line; thence northerly following the eastern (north/south) City limits line to the northern (east/west) City limits line; thence westerly following the northern (east/west) City limits line to Roswell Road, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 8

BEGINNING at the intersection of the northern City limits line and Roswell Road; thence south along Roswell Road to the intersection of Peachtree Road; thence south along ~~Peachtree Road to the~~ intersection of 28th Street; thence west along 28th Street to the intersection of Ardmore Circle; thence south, then west along Ardmore Circle, as extended, to Tanyard Creek; thence southeasterly along Tanyard Creek to its intersection with I-75; thence southeasterly along I-75 to its intersection with the Southern Railroad right-of-way; thence southwesterly along said Railroad right-of-way to Mescaline Street; thence south along Mescaline Street to its intersection with 16th Street; thence east one block along 16th Street to the intersection of State Street; thence south along State Street to the intersection of Ferst Drive; thence west, then south, then east along Ferst Drive to State Street, if extended; thence south along State Street, if extended, to North Avenue; thence southwest along North Avenue to its intersection with the Southern Railroad right-of-way; thence northwesterly, then northeast along said Railroad right-of-way to its intersection with Howell Mill Road; thence north along Howell Mill Road to the intersection of I-75; thence northwesterly along Interstate-75 to its intersection with Peachtree Creek; thence westerly along said Creek to its intersection with Bohler Road; thence north along Bohler Road to its intersection with Battleview Drive; thence westerly along said Battleview Drive as extended to Peachtree Creek; thence westerly along said Creek to its intersection with the western City limits at the Chattahoochee River; thence northerly along said western City limits line to its intersection with the northern (east/west) City limits line; thence easterly along the northern (east/west) City limits line to its intersection with Roswell Road, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 9

BEGINNING at the intersection of Peachtree Creek and the western City limits line at the Chattahoochee River; thence southwesterly along said City limits line to a point, which is the common Land Lot line between Land Lots 18 and 20 of the 14 FF District; thence south along said Land Lot line to Sandy Creek; thence east along Sandy Creek to its intersection with Waterford Road, thence southerly along said Road to its intersection with Baker Ridge Drive; thence easterly along Baker Ridge Drive to its intersection with Hightower Road; thence southeast along Hightower Road to its intersection with Baker Road; thence east along Baker Road to Arlington Circle; thence north, then east, then south along Arlington Circle; thence northeast along Baker Road to Elizabeth Place; thence northeast along Elizabeth Place to its intersection with Hortense Place; thence east along Hortense Place to its intersection with Hortense Way, thence southeasterly, then northeasterly along Hortense Way to its intersection with Grove Park Place, then easterly along Grove Park Place to its intersection with Francis Place, then southerly along Francis Place to its intersection with Proctor Creek; thence northeasterly along said Creek to its intersection with the CSX Railroad right-of-way; thence northwest along said railroad right-of-way to the intersection of the CSX/Southern Railroad right-of-ways; thence southeasterly along said railroad right-of-ways to the "Y" track of the CSX/Southern railroad and Southern railroad; thence northeast along the Southern railroad right-of-way to its intersection with Howell Mill Road; thence northerly along Howell Mill Road to its intersection with Interstate-75; thence northwesterly along Interstate-75 to its intersection with Peachtree Creek; thence westerly along Peachtree Creek to its intersection with Bohler Road; then along said Road to its intersection with Battleview Drive; then along said Drive as extended to its intersection with Peachtree Creek; thence westerly along said Creek to the western City limits line, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 10

BEGINNING at the intersection of Cascade Road and Lynhurst Drive; thence north, then northwesterly along Lynhurst Drive to Spreading Oak Drive; thence west along Spreading Oak Drive to Laurelmont Drive; thence north along Laurelmont Drive to Benjamin Mays Drive; thence southeast along Benjamin Mays Drive to Willis Mill Road; thence northerly along Willis mill Road to Utoy Creek; thence southeast along

said Creek to the common Land Lot line between Land Lots 203 and 182 of the 14th District; thence north along said Land Lot line to a point, which is the intersection of Land Lots 182, 203, 181, and 204 of the 14th District; thence east along the common Land Lot line between Land Lots 181 and 182 of the 14th District to its intersection with Handley Avenue; thence north along Handley Avenue to a point, which is one-half block north of Westwood Avenue if Handley Avenue were extended; thence east from said point along the rear property lines of those properties fronting on the north side of Westwood Avenue to a point, which is one-half block west of the eastern Land Lot line of Land Lot 172 of 14th District; thence south from said point to a point on Westwood Avenue, which is one-half block west of the intersection of Westwood Avenue and South Gordon Street; thence east along Westwood Avenue to its intersection with South Gordon Street; thence southwest along South Gordon Street to Beecher Street; thence east along Beecher Street to Cascade Road; thence northeasterly along Cascade Road to Ralph Abernathy Boulevard; thence northwesterly along Ralph David Abernathy Boulevard to Martin Luther King, Jr. Drive; thence west on Martin Luther King, Jr. Drive to Anderson Avenue; thence north along Anderson Avenue to the CSX Railroad right-of-way; thence westerly along said Railroad right-of-way to Hightower Road; thence northwest along Hightower Road to Baker Ridge Drive; thence westerly along Baker Ridge Drive to its intersection with Waterford Road; thence northerly along said Road to its intersection with Sandy Creek; thence northwesterly along Sandy Creek to its intersection with Fulton Industrial Boulevard, the western City limits line; thence southwest, then westerly along the City limits line to the intersection of Mendel Drive and the City limits line; thence southeasterly following the City limits line to its intersection with Cascade Road; thence east along Cascade Road to its intersection with Lynhurst Drive, which is the POINT OF BEGINNING.

COUNCIL DISTRICT 11

BEGINNING at the intersection of Cascade Road and the City limits line, west of Kingsdale Road; thence following said City limits line in a westerly, then southerly, and then northeasterly direction until its intersection with Stanton Road; thence north along Stanton Road to Leslie Road; thence west on Leslie Road to Hadlock Street; thence north on Hadlock Street to Campbellton Road; thence west on Campbellton Road to Willowbrook Drive; thence north on Willowbrook Drive to Venetian Drive; thence west on Venetian Drive to Centre Villa Drive; thence north on Centre Villa Drive to Cascade Road; thence northeast along Cascade Road to Cascade Circle; thence northeast along Cascade Circle to Cascade Road; thence northeast along Cascade Road to Cascade Terrace; thence northwest along Cascade Terrace to Clearvue Terrace; thence northeast along Clearvue Terrace to Rosemary Avenue; thence north along Rosemary Avenue to Beecher Street; thence west on Beecher Street to South Gordon Street; thence north on South Gordon Street to the intersection of Westwood Avenue; thence west along Westwood Avenue to a point, which is one-half block west of the intersection of Westwood Avenue and South Gordon Street; thence north to a point one-half block west of the eastern Land Lot line of Land Lot 172 of the 14th District; thence west from said point to a point, which is the one-half block north of Westwood Avenue, where Handley Avenue would intersect, if extended, thence south from said point along Handley Avenue to a point, which is the common Land Lot line between Land Lots 181 and 182 of the 14th District; thence west along said Land Lot line to a point, which is the intersecting point of Land lots 182, 203, 181 and 204 of the 14th District; thence south along the common Land Lot line between Land Lots 182 and 203 of the 14th District to Utoy Creek; thence northwesterly along said Creek to Willis Mill Road; thence south along Willis Mill Road to Benjamin Mays Drive to Laurelmont Drive; thence south along Laurelmont Drive to Spreading Oak Drive; thence east along Spreading Oak Drive to Lynhurst Drive; thence south along Lynhurst Drive to Cascade Road; thence west along Cascade Road to the western City limits line, which is the POINT OF BEGINNING; except that portion of unincorporated Fulton County which is located in Land Lots 29 and 30 of the 14 FF District.

COUNCIL DISTRICT 12

BEGINNING at the intersection of the City limits line and Interstate-75 South at Mt. Zion Road; thence south along Interstate-75 to Central Avenue; thence northwesterly along ~~Central Avenue to~~ Convoy Drive; thence south along Convoy Drive, as extended, to the southern City limits line; thence east, then north along said City limits line to the South River; thence northwesterly along the South River to Macon Drive; thence northeast, then northwest along Macon Drive to Lakewood Avenue; thence northeast along Lakewood Avenue to Shadydale Avenue; thence north along Shadydale Avenue to Claire Drive; thence west, then northwest along Claire Drive to Pryor Street; thence north along Pryor Street to the CSX Railroad right-of-way; thence west, then northwest along said Railroad right-of-way to Lee Street; thence southwest along Lee Street to a point on Lee Street where Ingram Street would intersect, if extended; thence west from said point along Ingram Street, as extended, to Campbellton Road; thence west along Venetian Drive to Willowbrook Drive; thence south along Willowbrook Drive to Campbellton Road; thence northeast one block along Campbellton Road to Hadlock Street; thence south along Hadlock Street to Leslie Avenue; thence east along Leslie Avenue to Stanton Road; thence south along Stanton Road to the City limits line; thence in a southeasterly direction following said City limits line to Interstate-75, which is the POINT OF BEGINNING; also included is that non-contiguous portion of the City which lies in Land Lots 128 and 127 of the 14th District.

Representative Ashe of the 46th moved that the House agree to the Senate substitute to HB 1502.

On the motion, the ayes were 110, nays 0.

The motion prevailed.

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

SB 584. By Senators Henson of the 55th, Thomas of the 10th, Boshears of the 6th and others:

A bill to enumerate instances of proper and improper political activity for employees of the state in the classified service and to provide for exceptions; to amend Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Department of Public Safety, in order to repeal an existing statutory prohibition against certain political contributions by employees of such department.

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 Allen	Breedlove	Y Childers	Y Dixon, H	Y Harbin
Y Anderson	N Brooks, D	Coker	Y Dixon, S	N Harris
Ashe	Y Brooks, T	Y Coleman, B	Y Dobbs	Y Heard
Y Bailey	N Brown, J	Y Coleman, T	N Ehrhart	Y Heckstall
Y Baker	Y Brush	Y Connell	Y Epps	Y Hegstrom
N Bannister	Y Buck	Y Crawford	N Evans	Y Hembree
Y Barfoot	Y Buckner	Y Crews	Y Falls	Y Henson
Y Bargeron	N Bunn	Y Culbreth	Y Felton	Y Holland
Y Barnard	Burkhalter	Y Cummings	Y Floyd	Y Holmes
Y Barnes	Y Byrd	Y Davis, G	Y Godbee	Y Howard
Y Bates	N Campbell	N Davis, M	Y Golden	Y Hudson
Y Benefield	Y Canty	N Day	Y Goodwin	Y Hugley
Y Birdsong	Y Carter	Y DeLoach, B	Y Greene	Y Irvin
Y Bordeaux	Y Chambless	Y DeLoach, G	N Grindley	Y James
Y Bostick	Y Channell	Y Dix	Y Hanner	Y Jamieson

Y Jenkins	Y McBee	Y Powell	Y Smith, C	Y Tillman
N Johnson, G	Y McCall	Y Purcell, A	N Smith, C.W	N Titus
Y Johnson, J	Y McClinton	Y Purcell, B	Y Smith, L	Y Towery
N Johnston	Y McKinney	Randall	Y Smith, P	Y Trense
Y Jones	N Mills	Y Randolph	Y Smith, T	Y Turnquest
N Joyce	Y Mobley, B	Ray	N Smith, V	Y Twiggs
N Kaye	Y Mobley, J	Y Reaves	Smith, W	Walker, L
Y Kinnamon	Y Mosley	Y Reichert	Y Smyre	N Walker, R.L
N Klein	N Mueller	Y Roberts	Y Snelling	Y Wall
Ladd	Y O'Neal	Y Rogers	Y Snow	Y Watson
N Lakly	Y Orrock	Y Royal	Y Stallings	Y Watts
Y Lane	Y Parham	N Sanders	Y Stancil, F	N Westmoreland
N Lawrence	Y Parrish	Y Sauder	N Stancil, S	Y Whitaker
Y Lee	Y Parsons	Y Scoggins	Y Stanley, L	Y White
Y Lewis	Y Pelote	Y Shanahan	Y Stanley, P	N Wiles
N Lifsey	Y Perry	Y Shaw	Y Stephenson	Williams, B
Y Lord	N Pinholster	Y Sherrill	Y Streat	N Williams, J
Y Lucas	Y Polak	Y Shipp	Y Taylor	Y Williams, R
N Maddox	Y Ponder	Y Simpson	Y Teague	Woods
N Mann	Y Porter	Y Sinkfield	Y Teper	N Yates
Y Martin	Y Poston	Y Skipper	Y Thomas	Murphy, Spkr

On the passage of the Bill, the ayes were 134, nays 34.

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

SB 519. By Senators Crofts of the 17th, Balfour of the 9th, Langford of the 29th and others:

A bill to amend Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to the state flag, seal, and other symbols, so as to designate English as the official language of the State of Georgia.

By unanimous consent, debate on SB 519 was limited to ten minutes with the exception of the Presenter and Committee Chairman.

The motion prevailed.

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:

N Allen	Y Carter	Y Godbee	Y Kaye	Y Parrish
Anderson	Y Chambless	Y Golden	Y Kinnamon	Y Parsons
N Ashe	Y Channell	Y Goodwin	Y Klein	Pelote
Y Bailey	Y Childers	N Greene	Y Ladd	Y Perry
N Baker	Y Coker	Y Grindley	Y Lakly	Y Pinholster
Y Bannister	Y Coleman, B	Y Hanner	Y Lane	N Polak
Y Barfoot	Coleman, T	Y Harbin	N Lawrence	Y Ponder
Y Bargeron	Y Connell	Harris	Y Lee	Y Porter
Y Barnard	Y Crawford	Y Heard	Y Lewis	E Poston
Y Barnes	Y Crews	N Heckstall	Y Lifsey	Y Powell
Y Bates	Culbreth	N Hegstrom	Y Lord	Y Purcell, A
Benefield	Y Cummings	Y Hembree	N Lucas	Y Purcell, B
Y Birdsong	N Davis, G	N Henson	Y Maddox	Y Randall
Y Bordeaux	Y Davis, M	Y Holland	Y Mann	N Randolph
Y Bostick	Y Day	N Holmes	N Martin	Y Ray
Breedlove	Y DeLoach, B	Howard	Y McBee	Y Reaves
Y Brooks, D	Y DeLoach, G	Y Hudson	Y McCall	Y Reichert
N Brooks, T	Y Dix	N Hugley	Y McClinton	N Roberts
Y Brown, J	Dixon, H	Y Irvin	McKinney	Rogers
Y Brush	Y Dixon, S	N James	Y Mills	Y Royal
Y Buck	Y Dobbs	Y Jamieson	N Mobley, B	Y Sanders
Y Buckner	Y Ehrhart	Y Jenkins	Y Mobley, J	Y Sauder
Y Bunn	Y Epps	Y Johnson, G	Y Mosley	Y Scoggins
Y Burkhalter	Y Evans	Y Johnson, J	Y Mueller	Y Shanahan
Y Byrd	Y Falls	Y Johnston	Y O'Neal	Y Shaw
Y Campbell	Y Felton	Jones	N Orrock	Y Sherrill
N Canty	Y Floyd	Y Joyce	Y Parham	Y Shipp

Y Simpson	Y Smith, W	Y Stephenson	Y Trense	Y Whitaker
N Sinkfield	N Smyre	Y Streat	N Turnquest	Y White
Y Skipper	Y Snelling	N Taylor	Y Twiggs	Y Wiles
Y Smith, C	Y Snow	N Teague	Y Walker, L	Y Williams, B
Y Smith, C.W.	Y Stallings	N Teper	Y Walker, R.L	Y Williams, J
Y Smith, L	Y Stancil, F	N Thomas	Y Wall	Y Williams, R
Y Smith, P	Y Stancil, S	N Tillman	Y Watson	Y Woods
Y Smith, T	N Stanley, L	Y Titus	Y Watts	Y Yates
Y Smith, V	N Stanley, P	Y Towery	Y Westmoreland	Murphy, Spkr

On the passage of the Bill, the ayes were 135, nays 31.

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

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 1764 Do Pass, by Substitute

HB 1894 Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

Mr. Speaker:

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

SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and ground-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

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

HB 1231. By Representatives Stancil of the 16th, Pinholster of the 15th, Mobley of the 86th and Smith of the 12th:

A bill to amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning procedures, so as to change the types of zoning decisions to which such procedures are applicable; to provide for applicability of such procedures of annexed property.

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

HB 1894. By Representatives Stanley of the 50th, Stanley of the 49th, Martin of the 47th, Davis of the 48th, Holmes of the 53rd and others:

A bill to amend an Act creating the City of Atlanta and Fulton County Recreation Authority, so as to change the provisions relating to revenue bonds.

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

HB 1764. By Representatives Connell of the 115th and Williams of the 114th:

A bill to amend an Act providing a homestead exemption from all Richmond County ad valorem taxes for educational purposes for certain residents of that school district who have annual incomes not exceeding \$10,000.00 or who are 65 years of age or over, so as to increase the annual income ceiling to \$25,000.00.

The following Committee substitute was read and adopted:

A BILL

To amend an Act providing a homestead exemption from all Richmond County ad valorem taxes for educational purposes for certain residents of that school district who have annual incomes not exceeding \$10,000.00 or who are 65 years of age or over, approved March 24, 1988 (Ga. L. 1988, p. 4147), so as to provide for annual increases in the amount of the income ceiling; to eliminate such ceiling after a five-year period; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing a homestead exemption from all Richmond County ad valorem taxes for educational purposes for certain residents of that school district who have annual incomes not exceeding \$10,000.00 and who are 65 years of age or over, approved March 24, 1988 (Ga. L. 1988, p. 4147), is amended by striking Section 2 and inserting in its place a new Section 2 to read as follows:

“SECTION 2.

(a) For the taxable year beginning on or after January 1, 1997, and prior to January 1, 1998, each resident of the Richmond County School District who is a senior citizen is granted an exemption on that person's homestead from all Richmond County School District ad valorem taxes for educational purposes for the full value of that homestead, if that person's income, together with the income of the spouse of such person who resides within such homestead, does not exceed \$15,000.00 the immediately preceding taxable year.

(b) For the taxable year beginning on or after January 1, 1998, and prior to January 1, 1999, each resident of the Richmond County School District who is a senior citizen is granted an exemption on that person's homestead from all Richmond County School District ad valorem taxes for educational purposes for the full value of that homestead, if that person's income, together with the income of the spouse of such person who resides within such homestead, does not exceed \$25,000.00 the immediately preceding taxable year.

(c) For the taxable year beginning on or after January 1, 1999, and prior to January 1, 2000, each resident of the Richmond County School District who is a senior citizen is granted an exemption on that person's homestead from all Richmond County School District ad valorem taxes for educational purposes for the full value of that homestead,

if that person's income, together with the income of the spouse of such person who resides within such homestead, does not exceed \$35,000.00 the immediately preceding taxable year.

(d) For the taxable year beginning on or after January 1, 2000, and prior to January 1, 2001, each resident of the Richmond County School District who is a senior citizen is granted an exemption on that person's homestead from all Richmond County School District ad valorem taxes for educational purposes for the full value of that homestead, if that person's income, together with the income of the spouse of such person who resides within such homestead, does not exceed \$50,000.00 the immediately preceding taxable year.

(e) For all taxable years beginning on or after January 1, 2001, each resident of the Richmond County School District who is a senior citizen is granted an exemption on that person's homestead from all Richmond County School District ad valorem taxes for educational purposes for the full value of that homestead, without regard to that person's income or the income of the spouse of such person who resides within such homestead."

SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Richmond County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the Richmond County School District for approval or rejection. The election superintendent shall conduct that election on the date of the November, 1996, general election and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Richmond County. The ballot shall have written or printed thereon the words:

- “() YES Shall the Act be approved which provides for annual increases in the amount of the income ceiling applicable to the Richmond County School District homestead exemption for senior citizens and which eliminates that income ceiling after a five-year period?”
- () NO

All persons desiring to vote for approval of the Act shall vote “Yes,” and those persons desiring to vote for rejection of the Act shall vote “No.” If more than one-half of the votes cast on such question are for approval of the Act, then Section 1 of this Act shall become of full force and effect on January 1, 1997, and shall be applicable to all taxable years beginning on or after January 1, 1997. If Section 1 of this Act is not so approved or if the election is not conducted as provided in this section, this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by Richmond County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

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.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	Y Walker, L
Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the passage of the Bills, the ayes were 162, nays 0.

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

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 148. By Representative Dobbs of the 92nd:

A bill to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to provide that certain landfills proposed for reuse shall be subject to provisions relating to major modifications of landfills but shall not be considered vertical expansions; to create the Intergovernmental Solid Waste Coordinating Council and to provide for its membership and duties.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 148

The Committee of Conference on HB 148 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 148 be adopted.

Respectfully submitted,

FOR THE SENATE:

- /s/ Madden
 Senator, 47th District
- /s/ Broun
 Senator, 46th District
- /s/ Rene' D. Kemp
 Senator, 3rd District

FOR THE HOUSE
 OF REPRESENTATIVES:

- /s/ Dobbs
 Representative, 92nd District
- /s/ McBee
 Representative, 88th District
- /s/ Stephenson
 Representative, 25th District

A BILL

To amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to change a certain statement of policy; to delete a certain definition; to amend certain powers and duties of the Board of Natural Resources; to delete certain provisions relating to the permitting of biomedical waste thermal treatment technology facilities; to change certain provisions relating to the permitting of municipal solid waste disposal facilities; to delete certain restrictions on the siting of landfills; to require local governments and authorities to hold a public hearing before entering into certain agreements with private entities relating to landfills; to prohibit permits for municipal solid waste landfills within a specified distance of certain restricted military air space notwithstanding any other provision of law or any administrative action; to provide that no permit shall be issued for certain solid waste disposal facilities and solid waste handling facilities located within the corporate limits of a municipality having a population of 1,500 or less and located without the permission of the governing authority of each county encompassing any part of the corporate limits of such city; to provide that no permit shall be issued for certain solid waste disposal facilities located within the corporate limits of any municipality without the permission of the governing authority of such municipality; to provide for the entry of judgments in accordance with certain administrative rulings; to provide that certain restrictions on the permitting of municipal solid waste disposal facilities cover both publicly and privately owned facilities; to change certain provisions relating to conflict resolution relative to the siting of landfills; to provide that the Department of Community Affairs shall mediate such conflicts; to repeal provisions relating to the Recycling Market Development Council; to create the Intergovernmental Solid Waste Coordinating Council; to provide for the transfer of certain funds; to provide an exemption from certain cost-recovery actions relating to the disposal of scrap tires; to provide that units of local government which have activated waste management authorities may deactivate the same by ordinance or resolution; to provide for the disposition of the assets and liabilities of such authorities; to define certain terms; to change certain provisions relating to pollution prevention plans; to amend Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Community Affairs, so as to change certain powers and duties of the department; to provide for matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, is amended by striking in its entirety subsection (c) of Code Section 12-8-21, relating to a declaration of policy and legislative intent, and inserting in lieu thereof the following:

“(c) (1) It is the intent of the General Assembly that every effort be undertaken to reduce on a state-wide per capita basis the amount of municipal solid waste being received at disposal facilities during fiscal year ~~1992~~ 1994 by 25 percent by July 1, ~~1996~~ 1998; provided, however, that counties and municipalities that establish an annual measurement of municipal solid waste being received at disposal facilities prior to the end

of fiscal year ~~1992~~ 1994 shall be given credit for reductions achieved based on that measurement period prior to fiscal year ~~1992~~ 1994; provided, further, that municipal solid waste received at any waste to energy facility which was in operation on January 1, 1991, is exempted from ~~this subsection.~~

(2)(A) In addition, it is the intent of the General Assembly that not later than October 1, 1996, the Department of Natural Resources, jointly with the Department of Community Affairs and in cooperation with the Georgia Environmental Facilities Authority, local government officials, private businesses, and the general public shall develop and complete a comprehensive review and revision of the state solid waste management plan authorized pursuant to Code Section 12-8-31.

(B) The revised plan provided for in subparagraph (A) of this paragraph shall provide for the manner in which the state will achieve the July 1, 1998, 25 percent state-wide per capita waste reduction goal provided for in Code Section 12-8-21 and shall include but not be limited to the following issues:

(i) An evaluation of the effectiveness of current waste reduction programs, both public and private, including waste management reporting, solid waste reduction plan guidelines, full cost-accounting reports, and state agency procurement;

(ii) An assessment of successful programs in other states;

(iii) The amount and duration of funding required to achieve a 25 percent reduction and options for securing needed funds;

(iv) An assessment of reporting needs for achieving 25 percent waste reduction;

(v) A strategy for conducting a state-wide audit of municipal solid waste;

(vi) A strategy for providing assistance to implement the yard trimmings ban;

(vii) Assessment of technical assistance needs of local governments;

(viii) Identification of priority materials for focused reduction efforts;

(ix) State-wide market development needs for priority materials;

(x) An evaluation of the local economic and community development potential of recycling and reuse; and

(xi) Recommendations for coordinating interagency waste reduction efforts on commercial and industrial waste reduction."

SECTION 2.

Said chapter is further amended by striking in its entirety paragraph (37) of Code Section 12-8-22, relating to definitions relative to the "Georgia Comprehensive Solid Waste Management Act," which reads as follows:

"(37) 'Special solid waste' means any solid waste not otherwise regulated under Part 1 of Article 3 of this chapter, known as the 'Georgia Hazardous Waste Management Act,' and regulations promulgated under such part originating or produced from or by a source or generator not subject to regulation under Code Section 12-8-24.", and by redesignating paragraphs (38) through (42) as (37) through (41), respectively.

SECTION 3.

Said chapter is further amended by striking in its entirety paragraph (1) of Code Section 12-8-23, relating to powers and duties of the Board of Natural Resources relative to solid waste management, and inserting in lieu thereof the following:

"(1) Adopt, promulgate, modify, amend, and repeal rules and regulations to implement and enforce the provisions of this part as the board may deem necessary to provide for the control and management of solid waste to protect the environment and the health of humans. Such rules and regulations may be applicable to the state as a whole or may vary from area to area or may vary by waste characteristics, as may be appropriate to facilitate the accomplishment of the provisions, purposes, and policies of this part. The rules and regulations may include, but shall not be limited to, the following:

(A) Rules and regulations governing and controlling solid waste handling, including measures to ensure that solid waste management practices are regulated, governed, and controlled in the public interest;

(B) Rules and regulations prescribing the procedure to be followed in applying for permits and requiring the submission of such plans, specifications, verifications, and

other pertinent information deemed relevant in connection with the issuance of such permits;

(C) Rules and regulations concerning the establishment of permits by rule;

~~(D) Rules and regulations establishing the use of a manifest during the generation and handling of special solid waste;~~

~~(E)(D)~~ Rules and regulations governing and controlling the handling of ~~special solid waste and~~ biomedical waste;

~~(F)(E)~~ Rules and regulations establishing criteria and a system of priorities for the distribution of any state funds as may be made available through a grant-in-aid program to assist financially local governmental agencies or authorities in the planning, implementing, maintaining, or operating of solid waste handling systems which are consistent with local and regional solid waste management plans;

~~(G)(F)~~ Rules and regulations establishing procedures and requirements for the postclosure care of all solid waste disposal facilities, including but not limited to corrective action of releases, ground-water monitoring, and maintenance of final cover;

~~(H)(G)~~ Rules and regulations establishing the criteria for approval, time periods for coverage, and other terms and conditions for the demonstration of financial responsibility required by this part and for the implementation of financial responsibility instruments;

~~(I)(H)~~ Rules and regulations establishing qualifications for municipal solid waste disposal facility operators and certification of such operators through colleges or universities of the University System of Georgia or other organizations as may be determined acceptable by the board;

~~(J)(I)~~ Rules and regulations regulating the generation, collection, processing, and disposal of scrap tires and governing the investigation and cleanup of sites where scrap tires have been disposed regardless of the date when such disposal occurred; and

~~(K)(J)~~ Rules and regulations further defining what shall or shall not constitute 'recovered materials'; and"

SECTION 4.

Said chapter is further amended by striking in its entirety Code Section 12-8-24, relating to permits for solid waste or special solid waste handling or disposal and for thermal technology facilities, and inserting in lieu thereof the following:

"12-8-24.

(a) No person shall engage in solid waste ~~or special solid waste~~ handling in Georgia or construct or operate a solid waste handling facility in Georgia, except those individuals exempted from this part under Code Section 12-8-30.10 or persons exempted by rules promulgated by the board, without first obtaining a permit from the director authorizing such activity; provided, however, that the board may not exempt persons disposing of solid waste other than inert solid waste.

~~(b)(1) No permit for a biomedical waste thermal treatment technology facility shall be issued by the director unless the applicant for such facility demonstrates to the director that a need exists for the facility for waste generated in Georgia by showing that there is not presently in existence within the state sufficient disposal facilities for biomedical waste being generated or expected to be generated within the state. For purposes of this part, 'biomedical waste thermal treatment technology facility' means any facility that exists for the purpose of reducing the amount of biomedical waste disposed of through a process of combustion, with or without the process of converting such waste to energy.~~

~~(2) Paragraph (1) of this subsection shall not apply to any biomedical waste thermal treatment technology facility which is operated exclusively by a private biomedical waste generator on property owned by the private biomedical waste generator for the purpose of accepting biomedical waste exclusively from the private biomedical waste generator so long as the operation of the biomedical waste thermal treatment technology facility does not adversely affect the public health or the environment. After commencement of operation by a private biomedical waste generator of a biomedical waste~~

thermal treatment technology facility which is permitted by but not included in a local or regional solid waste management plan; amendment of the local or regional solid waste management plan shall be required for any biomedical waste which is no longer to be disposed of by the private biomedical waste generator in its own biomedical waste thermal treatment technology facility prior to any substantial reduction in the amount of biomedical waste produced by the private biomedical waste generator and accepted by its own biomedical waste thermal treatment technology facility or the closure of such facility.

(e) On or after March 30, 1990, any permit for the transportation of municipal solid waste from a jurisdiction generating solid waste to a municipal solid waste disposal facility located in another county shall be conditioned upon the jurisdiction generating solid waste developing and being actively involved in, by July 1, 1992, a strategy for meeting the state-wide goal of waste reduction by July 1, 1996.

(d)(b) If the director determines that such the activity referred to in subsection (a) of this Code section will result in any violation of this part or any rule or regulation promulgated pursuant to this part, he or she shall deny the permit; otherwise, he or she shall issue the permit, specifying on the permit the conditions under which such activity shall be conducted; provided, however, that a public hearing shall be held by the governing authority of the county or municipality in which the municipal solid waste or special solid waste handling shall occur not less than two weeks prior to the issuance of any permit under this Code section and notice of such hearing shall be posted at the proposed site and advertised in a newspaper of general circulation serving the county or counties in which the proposed activity will be conducted at least 30 days prior to such hearing.

(e)(c)(1) The director may suspend, modify, or revoke any permit issued pursuant to this Code section if the holder of the permit is found to be in violation of any of the permit conditions or any order of the director or fails to perform solid waste handling in accordance with this part or rules promulgated under this part. The director may modify any permit issued pursuant to this Code section in accordance with rules promulgated by the board. All modifications of existing permits shall be classified by the board as either major or minor modifications. All modifications of existing permits to allow vertical or horizontal expansion of existing disposal facilities, except a facility operated by a utility regulated by the Public Service Commission, shall be classified as major permit modifications and shall not be granted by the director sooner than three years from the date any such facility commenced operation; provided, however, that a permit may be modified by the director to allow a vertical or horizontal expansion one time within three years from the date the facility commenced operation so long as the capacity of the facility is not increased more than 10 percent.

(2) Prior to the granting of any major modification of an existing solid waste handling permit by the director, a public hearing shall be held by the governing authority of the county or municipality in which the municipal solid waste facility or special solid waste handling facility requesting the modification is located not less than two weeks prior to the issuance of any permit under this Code section and notice of such hearing shall be posted at the site of such facility and advertised in a newspaper of general circulation serving the county or counties in which such facility is located at least 30 days prior to such hearing.

(3) Except as otherwise provided in this part, major modifications shall meet the siting and design standards applicable to new permit applications in effect on the date the modification is approved by the director; provided, however, that a facility may be granted a variance by the director from those standards when vertically expanded unless such variance is inconsistent with federal laws and regulations; provided, further, that the director shall not grant a variance from the provisions of subparagraph (B), (C), (D), or (E) of paragraph (4) of this subsection.

(4) No vertical expansions shall be approved under this subsection unless:

(A) The owner or operator demonstrates compliance with all standards not varied by the director;

(B) The owner or operator has installed a surface and ground-water monitoring system approved by the division under currently promulgated rules and has submitted the initial sampling results to the division;

~~(C) The owner or operator~~ (C) The owner or operator has implemented or installed a methane gas monitoring program or system approved by the division under currently promulgated rules and has submitted the initial sampling results to the division;

(D) The owner or operator has a closure and postclosure care plan approved by the division under currently promulgated rules; and

(E) Where noncompliance with the standards for surface water, ground water, or methane gas has been determined, the owner or operator has a schedule and corrective action plan approved by the division for returning the site to compliance within six months of the director's approval of the corrective action plan. If the owner or operator cannot demonstrate that the site can be returned to compliance within said six-month period, the director shall not issue a permit to expand the site vertically but shall order the facility to prepare a final closure plan, including the cessation of waste receipt within six months of the final effective date of the order. If sufficient permitted capacity is not available to allow orderly closure, the director may allow operation of the facility under authority of the closure order for a period not to exceed six months.

(5) Modifications for vertical expansions issued under this Code section may be restricted in duration, but in no case shall be effective beyond July 1, 1998, for municipal solid waste landfills not having liners and leachate collection systems.

(6) The owner or operator of any site not having a liner and leachate collection system which is vertically expanded and which subsequently fails to demonstrate compliance with all applicable surface water, ground-water, or methane gas standards shall demonstrate to the satisfaction of the director, through a corrective action plan, that the site has been or can be returned to compliance within six months of the director's approval of the corrective action plan. If the owner or operator fails to demonstrate to the satisfaction of the director that compliance has been attained or can be attained, the director shall notify the owner or operator, ordering cessation of the acceptance of waste for disposal, remediation of noncompliance, and implementation of the final closure plan, to include a final date for closure.

~~(f)~~(d) In the event of the modification, suspension, amendment, or revocation of a permit, the director shall serve written notice of such action on the permit holder and shall set forth in such notice the reason for such action.

~~(g)~~(e) Prior to the issuance of any permit for a solid waste handling facility or the granting of any major modification of an existing solid waste handling permit, the director shall require written verification to be furnished by the applicant that the proposed facility complies with local zoning or land use ordinances, if any; and after July 1, 1992, that the proposed facility is consistent with the local, multijurisdictional, or regional solid waste management plan developed in accordance with standards promulgated pursuant to this part subject to the provisions of Code Section 12-8-31.1. Further, prior to the issuance of any permit or major permit modification for a municipal solid waste disposal facility, the applicant shall provide the director with written verification and that the host jurisdiction and all jurisdictions generating solid waste destined for the applicants' facility can demonstrate that they, at the time of application and during the operating life of the facility, are part of an approved solid waste plan developed in accordance with standards promulgated pursuant to this part and are actively involved in and have a strategy for meeting the July 1, 1998, state-wide reduction goal provided by subsection (c) of Code Section 12-8-21 of waste reduction by July 1, 1996. Prior to the issuance of any permit for a solid waste handling facility or the granting of any major modification of an existing solid waste handling permit that will handle solid waste from jurisdictions outside Georgia, the out-of-state solid waste generating jurisdictions shall provide documentation that they have a strategy for and are actively involved in meeting planning requirements and a waste reduction goal that are substantially equivalent to the planning requirements and waste reduction goal contained in this part. As a condition of the issuance of a permit and for the continued active life of such a

facility, and before the facility receives any municipal solid waste, the director shall require the permit holder to submit written verification that the jurisdiction in which the facility is located and all jurisdictions from which municipal solid waste are received are part of an approved solid waste plan and are actively involved in and have a strategy for meeting the July, 1, 1998, state-wide reduction goal provided by subsection (c) of Code Section 12-8-21.

~~(h)~~(f) No permit for a disposal facility shall be issued to any regional solid waste management authority created under Part 2 of this article, the 'Regional Solid Waste Management Authorities Act,' until local and regional solid waste management plans consistent with this part have been developed for all jurisdictions participating in such authority and such plans are found to be consistent with the state solid waste management plan pursuant to subsection (d) of Code Section 12-8-31.1.

~~(i)~~(g) No permit shall be issued for a new solid waste thermal treatment technology facility unless the applicant meets or exceeds standards adopted by the board which shall be consistent with and at least as stringent as the Federal New Source Performance Standards for new municipal waste combustors outlined in regulations pursuant to the federal Clean Air Act, 42 U.S.C. Section 1857, et seq., as amended, and 42 U.S.C. Section 7401, et seq., as amended.

~~(j)~~(h) The director or ~~his~~ the director's designee is authorized to inspect any generator in Georgia to determine whether that generator's solid waste is acceptable for the intended handling facility. The division may require any generator in Georgia to cease offering solid waste for handling if such solid waste is not acceptable under standards promulgated by the board, and the division may prohibit the handling of such solid waste until waste management procedures acceptable to the division are developed. Such prohibition shall continue in effect until the waste management procedure for handling is approved in writing by the division. Any generator or handler in Georgia which does not comply with a prohibition made under this subsection shall be in violation of this part.

(i) Landfills or portions of landfills which have had all waste removed and which are subsequently proposed for reuse as lined landfills shall be subject to the requirements of this part relating to major modifications, but such reuse shall not be considered a vertical expansion.

(j) Unless otherwise expressly provided, any amendment of this part or to regulations promulgated pursuant to this part which impose permit conditions for the operation, closure, or postclosure care of any solid waste handling facility shall be applicable to all new facilities as well as to all similar existing permitted facilities.

(k) The governing authority of any county, municipal corporation, authority, or special district or any combination of such public entities shall hold a public hearing before entering into a contract with any private entity for the lease, sale, or management of a landfill or solid waste disposal facility owned or operated by such public entity. Notice of such hearing shall be posted at the site of the landfill or facility and shall be advertised in a newspaper of general circulation in the county or counties in which the landfill or facility is located at least 30 days prior to the date of such hearing."

SECTION 5.

Said chapter is further amended by striking in its entirety Code Section 12-8-25.3, relating to restrictions on solid waste landfill sites within significant ground-water recharge areas or near military bombing ranges, and inserting in lieu thereof the following:

"12-8-25.3.

(a) Notwithstanding the provisions of Code Section 12-8-25.2, no permit shall be issued for a municipal solid waste landfill which accepts solid waste generated from outside the county in which such landfill is located or, in the case of a regional landfill, from outside any of the counties or special districts empowered to engage in solid waste management activities constituting such region if any part of such site is within any area that has been designated by the director as a significant ground-water recharge area.

(b) In addition to the provisions of subsection (a) of this Code section, in the case of a regional municipal solid waste landfill where any part of such site is within any area

that has been designated by the director as a significant ground-water recharge area, no permit shall be issued for such regional landfill unless the boundaries of the counties or special districts empowered to engage in solid waste management activities are contiguous and such counties or special districts have entered into a joint contract for the collection and disposal of solid waste.

(e)(a) No permit or modification of an existing permit shall be issued for land application of untreated municipal sewage sludge located in an area designated by Hydrologic Atlas 18 prepared by the Department of Natural Resources as a significant ground-water recharge area including, but not limited to, those areas designated as probable areas of thick soils.

(d)(b) Notwithstanding any other provision of law or any administrative action, no permit shall be issued for a municipal solid waste landfill within two miles of a federally restricted military air space which is used for a bombing range. The provisions of this subsection shall apply to all permit applications pending on or submitted on or after the date this subsection becomes effective and to all permits denied prior to such date which are the subject of an appeal or judicial review pending on such date.

(c) No permit shall be issued for a solid waste disposal facility other than a permit-by-rule inert landfill or a solid waste handling facility other than a material recovery facility located within the boundaries of any municipal corporation having a population of 1,500 or less according to the United States decennial census of 1990 or any future such census and which is not included in the same regional solid waste plan or multijurisdictional solid waste plan developed pursuant to Code Section 12-8-31.1 without the express approval of the governing authority of each county encompassing any part of the boundary of the municipality in which the facility is proposed to be located. Such governing authority may consider, without limitation, such factors as the impact the proposed facility will have on the infrastructure, health and welfare, economy, environment, and ecology of the region. The provisions of this subsection shall apply to all permit applications pending on or submitted on or after the date this subsection becomes effective and shall apply to all permits issued prior to such date, which permits are the subject of an appeal or judicial review and such appeal or judicial review is in process.

(d) No new permit shall be issued prior to July 1, 1998, for a solid waste disposal facility other than a permit-by-rule inert waste landfill or a private industry solid waste disposal facility located within the boundaries of any municipal corporation existing within the boundaries of one or more counties which have enacted zoning ordinances unless such municipal corporation is included in a regional solid waste plan or multijurisdictional solid waste plan which also includes the county or counties in which the municipal corporation is located."

SECTION 6.

Said chapter is further amended by striking in its entirety Code Section 12-8-30.3, relating to the entry of judgments in accordance with the order of the director of the Environmental Protection Division of the Department of Natural Resources, and inserting in lieu thereof the following:

"12-8-30.3.

The director may file in the superior court of the county wherein the person under order resides or, if such person is a corporation, in the county wherein the corporation maintains its principal place of business or, in any case, in the county wherein the violation occurred or in which jurisdiction is appropriate a certified copy of an unappealed final order of the director or of a final an order of the administrative law judge unappealed from or affirmed on appeal director affirmed upon appeal or modified on any review or appeal from which no further review is taken or allowed, whereupon such court shall render judgment in accordance therewith and notify the parties. Such judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though such judgment had been rendered in an action duly heard and determined by such court."

SECTION 7.

Said chapter is further amended by striking in their entirety subsections (e) and (f) of Code Section 12-8-31.1, relating to local and regional solid waste plans, and inserting in lieu thereof, respectively, the following:

"(e) After July 1, 1992, no permit, major permit modification, grant, or loan shall be issued for any publicly or privately owned municipal solid waste disposal facility or any solid waste handling equipment or recycling equipment used in conjunction therewith in a county or region which is not consistent with a local, multijurisdictional, or regional solid waste management plan. Each application for a permit, grant, or loan ~~issued~~ submitted after July 1, 1992, shall include the following:

~~(1) Certification that the facility for which a permit is sought complies with local land use and zoning requirements, if any;~~

~~(2)(1) Verification that the facility for which a permit, grant, or loan is sought meets the ten-year capability and capacity needs identified in the approved local, multijurisdictional, or regional solid waste management plan; and~~

~~(3)(2) Demonstration that the host jurisdiction and all jurisdictions generating solid waste destined for the applicant's facility are part of an approved solid waste management plan developed in accordance with standards promulgated pursuant to this part, and are actively involved in, and have a strategy for, meeting the July 1, 1998, state-wide waste reduction goal provided by subsection (c) of Code Section 12-8-21 for reduction of solid waste disposal by July 1, 1996.~~

(f) This Code section shall not apply to:

(1) Any solid waste disposal facility which is operated exclusively by a private solid waste generator on property owned by the private solid waste generator for the purpose of accepting solid waste exclusively from the private solid waste generator so long as the operation of the solid waste disposal facility does not adversely affect the public health or the environment. After commencement of operation by a private solid waste generator of a solid waste disposal facility which is permitted but not included in a local or regional solid waste management plan, an amendment into a local or regional solid waste management plan shall be required for any solid waste which is to be no longer disposed of by the private solid waste generator in its own solid waste disposal facility prior to any substantial reduction in the amount of solid waste accepted by the solid waste disposal facility or its closure; ~~or~~

(2) Effective September 1, 1994, any privately owned solid waste handling facility seeking a permit or major modification of an existing permit where the host local governing authority has failed either to submit or make a good faith effort, as determined by the Department of Community Affairs, to submit a local solid waste management plan or to be included in a multijurisdictional or regional solid waste management plan; provided, however, that the permit applicant and permit recipient, as appropriate, continues ~~continue~~ to be obligated to demonstrate that all generating jurisdictions from which waste will be received at the time of the application and during the operating life of the facility are part of an approved solid waste management plan developed in accordance with standards promulgated pursuant to this part and have a strategy to meet and are actively engaged in meeting the July 1, 1998, state-wide waste reduction goal provided by subsection (c) of Code Section 12-8-21 of reducing waste by 25 percent by July 1, 1996; ~~or~~

(3) Any biomedical waste thermal treatment technology facility."

SECTION 8.

Said chapter is further amended by striking in its entirety Code Section 12-8-32, relating to permits for regional solid waste disposal facilities, and inserting in lieu thereof the following:

"12-8-32.

(a) Prior to submission of an application to the division for a permit for a regional solid waste disposal facility, conflicts as defined in Articles 1 and 2 of Chapter 8 of Title 50 shall follow the mediation procedures developed by the Department of Community Affairs pursuant to Articles 1 and 2 of Chapter 8 of Title 50. Upon the submission of

any application to the division for any municipal solid waste disposal facility for which a permit other than a permit by rule is required by the division, the permit applicant shall within 15 days of the date of submission of the application publicize the submission by ~~public notice and in writing~~ as follows:

- (1) If the application is for a facility serving no more than one county, the public notice shall be published in a newspaper of general circulation serving the host county, and each local government in the county and the regional development center shall further be notified in writing of the permit application;
 - (2) If the application is for a facility serving more than one county, the public notice shall be published in a newspaper of general circulation serving each affected county, and each local government within said counties and the regional development center shall be further notified in writing of the permit application; and
 - (3) The public notice shall be prominently displayed in the courthouse of each notified county.
- (b) The division shall review the application and supporting data, make a determination as to the suitability or unsuitability of the proposed site for the intended purpose, and notify the applicant and the host local government if different from the applicant in writing of its determination.
- (c) Upon receipt from the division of notice that the proposed site is suitable for the intended purpose, the applicant shall within 15 days of receipt of such notification, notify the Department of Community Affairs and publicize the fact by public notice as outlined in paragraphs (1), (2), and (3) of subsection (a) of this Code section. Further, within 45 days of receipt of such notification from the division, the host local government for the proposed site shall as outlined in paragraphs (1), (2), and (3) of subsection (a) of this Code section advertise and hold a public meeting to inform affected residents and landowners in the area of the proposed site and of the opportunity to engage in a facility issues negotiation process.
- (d) Following notification of the applicant of the proposed site's suitability, the division may continue to review the applicant's permit application but the director shall not take any action with respect to permit issuance or denial until such time as the local notification and negotiation processes described in this Code section have been exhausted.
- (e) The division shall not be a party to the negotiation process described in this Code section, nor shall technical environmental issues which are required by law and rules to be addressed in the permitting process be considered negotiable items by parties to the negotiation process.
- (f)(1) ~~Within 30 days following a public meeting held in accordance with subsection (c) of this Code section, a facility issues negotiation process shall be initiated by the host local government, upon receipt of a written petition by at least 25 affected persons, at least 20 of whom shall be registered voters of or landowners in the host jurisdiction, shall initiate a facility issues negotiation process.~~ Multiple petitions may be consolidated into a single negotiating process. For the purposes of this subsection, the term 'affected person' means a registered voter of the host local government or of a county contiguous to such host local government or a landowner within the jurisdiction of the host local government.
- (2) The Department of Community Affairs shall assist the host government, citizen petitioners, and permit applicant in organizing the facility issues negotiation process provided in paragraph (1) of this subsection by providing information and facilitating support during the prenegotiation phase of the process as needed and at the discretion of the department and the host government.
- (g) Within 15 days following receipt of such written petition, the host local government shall validate the petition to ensure that the petitioners meet the requirements of this Code section.
- (h) ~~Within 45~~ 30 days following the validation of the written petition to negotiate, the host local government shall notify the petitioners by publication as provided in paragraphs (1), (2), and (3) of subsection (a) of this Code section; shall notify the permit applicant if different from the host local government, the division, the Department of Community Affairs, and the regional development center that the negotiation process is

being initiated; and shall set a date for a meeting with the citizens facility issues committee, the host local government, and the permit applicant not later than 30 days following validation of such written petition to negotiate.

(i) The ~~petitioning persons~~ shall select up to ten members, at least eight of whom shall be registered voters or landowners in the host local government, to serve on a citizens facility issues committee to represent them in the negotiation process. The membership of the citizens facility issues committee shall be chosen within ~~15~~ 30 days following the validation of such written petition pursuant to this Code section.

(j) The negotiation process shall be overseen by a ~~facilitator~~ mediator named by the host local government, after consultation with the citizens facility issues committee, from a list provided by the Department of Community Affairs. The mediator shall be selected within 30 days of the validation of the petition. The function of the ~~facilitator~~ mediator shall be to assist the petitioners, the host local government, and the permit applicant, if different from the host local government, through the negotiation process. Such assistance shall include both the facilitation of negotiation and the active mediation of disputes between such meetings. The cost, if any, of the ~~facilitator~~ mediator shall be borne by the permit applicant.

(k) Beginning with the date of the first negotiation meeting called in accordance with subsection (h) of this Code section, there shall be no fewer than three negotiation meetings within the following 45 day period; provided, however, that the mediator may approve fewer than three meetings or an extension of the 45 day period provided by subsection (h) of this Code section if all participants to the facility issues negotiation process agree unless waived by consent of the parties. Such negotiation meetings shall be presided over by the ~~facilitator~~ mediator named in subsection (j) of this Code section and shall be for the purpose of assisting the petitioners, the host local government, and the permit applicant, if different from the host local government, to engage in nonbinding negotiation.

(l) ~~Minutes of each meeting and a record of the negotiation process shall be kept by the host local government.~~ The mediator shall keep a record of the negotiation process and shall produce a summary of the meeting report for each meeting. The mediator shall provide the Department of Community Affairs, the host government, the chairperson of the citizens facility issues committee, and the permit applicant, if different from the local host government, with copies of the summary of the meeting report for each meeting within ten days of the meeting.

(m) All issues except those which apply to environmental permit conditions are negotiable. Environmental permit conditions are not negotiable. Issues which may be negotiated include but are not limited to:

- (1) Operational issues, such as hours of operation;
- (2) Recycling efforts that may be implemented;
- (3) Protection of property values;
- (4) Traffic routing and road maintenance; and
- (5) Establishment of local advisory committees.

(n) ~~At~~ Within 15 days of the end of the 45 day period following the first negotiation meeting or at the end of such extension of time as the participants have agreed upon, the ~~facilitator~~ mediator shall provide the Department of Community Affairs with a notice of the results and shall publish a notice of the results, if any, of the negotiation process in the same manner as provided in paragraphs (1), (2), and (3) of subsection (a) of this Code section and shall include the date, time, and place of a public meeting to be held within ten days after publication at which the input of persons not represented by the citizens facility issues committee may be received.

(o) The negotiated concessions reached by the negotiating parties shall be reduced to writing and executed by the ~~chairman~~ chairperson of the citizens facility issues committee, ~~and~~ the chief elected official of the host local government, and the permit applicant, if different from the local host government, and shall be adopted by resolution of the host local government.

(p) If the negotiating parties fail to reach consensus on any issue or issues, the permit applicant may nonetheless proceed to seek a permit from the division. The ~~facilitator~~

mediator shall notify the division and the Department of Community Affairs in writing that the negotiating parties have failed to reach consensus.

(q) If the negotiating parties reach consensus on negotiated issues, the permit applicant may ~~proceed to seek a permit~~ from the division. The ~~facilitator~~ mediator shall notify the division and the Department of Community Affairs in writing that the negotiating parties have reached consensus.

(r) Negotiated concessions shall not be construed as environmental permit conditions.

(s) Upon receipt of a written notification from the ~~facilitator~~ mediator that the parties to negotiation have reached consensus or have failed to reach consensus on negotiated issues, and upon written notification from the permit applicant that he or she wishes to pursue permitting of the solid waste disposal facility for which an application has been filed, the director shall proceed to process the permit in accordance with Code Section 12-8-24.”

SECTION 9.

Said chapter is further amended by striking in its entirety Code Section 12-8-33, relating to the Recycling Market Development Council, which reads as follows:

“12-8-33.

(a) Effective July 1, 1990, there is created a 15 member Recycling Market Development Council to be appointed as follows:

(1) Seven members appointed by the Governor representing the paper, glass, aluminum, plastic, and ferrous and nonferrous metals industries and trade associations which are active in recycling;

(2) One member who is an elected or appointed municipal official to be appointed by the Governor;

(3) One member who is an elected or appointed member of a county governing authority to be appointed by the Governor;

(4) One member appointed by the Speaker of the House of Representatives;

(5) One member appointed by the Lieutenant Governor; and

(6) One representative each from the Department of Administrative Services; the Department of Industry, Trade, and Tourism; the Department of Community Affairs; and the Department of Natural Resources.

(b) The council shall meet as necessary and shall determine what actions, if any, are needed to facilitate the development and expansion of markets for recovered materials in Georgia and shall prepare an annual report with recommendations to the Governor and General Assembly.

(c) The council shall function for a period of five years from its establishment, at which time it shall either be reauthorized or shall stand abolished.”,

and inserting in lieu thereof the following:

“12-8-33.

(a) There is created the Intergovernmental Solid Waste Coordinating Council to be chaired by the director or his or her designee and composed of representatives from departments and agencies within state government which have responsibilities or activities relating to solid waste as well as representatives from county and municipal governing authorities. The council shall be responsible for coordinating the activities of state and local governments responsible for implementing the provisions of this part and shall serve as a forum for sharing information and mobilizing the state’s resources to achieve more effective solid waste management. The council shall meet upon the call of the chairperson.

(b) The Recycling Market Development Council created on July 1, 1990, shall stand abolished on July 1, 1996.”

SECTION 10.

Said chapter is further amended by striking in its entirety subsection (c) of Code Section 12-8-37.1, relating to the authorization of certain state grants to local governing authorities, and inserting in lieu thereof the following:

“(c) The corpus of the solid waste trust fund established in Code Section 12-8-27.1 may be used to make grants and loans to cities and counties, any combination of cities and counties, authorities, and state agencies; or the Georgia Recycling Market Development Council for the cleanup of solid waste disposal facilities, including those used for the disposal of scrap tires; for the development and implementation of solid waste enforcement programs for the abatement of illegal dumping of solid waste; for the funding of grants or loans, in accordance with procedures developed by the division; for the implementation of innovative technologies for the recycling and reuse of solid waste recovered materials, including without limitation scrap tires; and for educational and other efforts to promote waste reduction, recycling, and recycling market development. Ten percent of the funds appropriated by the General Assembly for the solid waste trust fund on an annual basis shall be transferred to the Department of Community Affairs to assist that department in the implementation of solid waste education, recycling, and waste reduction efforts as provided by Code Section 50-8-7.3.”

SECTION 11.

Said chapter is further amended by striking in its entirety subsection (a) of Code Section 12-8-39.3, relating to the collection of taxes, fees, and assessments, and inserting in lieu thereof the following:

“(a) Any city, county, or authority which operates a solid waste handling facility or provides solid waste collection services or both and which levies and collects taxes, fees, or assessments to accomplish the purposes of this part shall be further authorized to enforce by ordinance or resolution the collection of taxes, fees, or assessments due a city, county, or authority in the same manner as authorized by law for the enforcement of the collection and payment of state taxes, fees, or assessments. Any such ordinance or resolution enacted by a county governing authority ~~with concurrence of the tax commissioner or tax collector of such county~~ may provide that said officer the tax commissioner or tax collector of such county shall be the officer charged with the enforcement of its provisions.”

SECTION 12.

Said chapter is further amended by striking in its entirety subparagraph (5) of subsection (i) of Code Section 12-8-40.1, relating to tire disposal restrictions, and inserting in lieu thereof the following:

“(5) The division may bring an action or proceeding against the property owner or the person having possession, care, custody, or control of the scrap tires or other scrap tire materials to enforce the corrective action order issued under Code Section 12-8-30 and recover any reasonable and necessary expenses incurred by the division for corrective action, including administrative and legal expenses. The division's certification of expenses shall be prima-facie evidence that the expenses are reasonable and necessary. Notwithstanding any other provision of this subsection, any generator of scrap tires who is identified as being a contributor to the materials which are the object of the abatement and who can document that he or she has fully complied with this part and all rules promulgated pursuant to this part in disposing of his or her scrap tires shall not be liable for any of the cost recovery actions of the abatement.”

SECTION 12.1.

Said chapter is further amended by inserting immediately following Code Section 12-8-59.1 a new Code section to read as follows:

“12-8-59.2.

(a) As used in this Code section, the term ‘project’ shall mean any interest of the authority in a project as otherwise defined in this part.

(b) The governing body of any unit of local government which has authorized the functioning of an authority pursuant to Code Section 12-8-53 may by proper resolution or ordinance declare that there is no need for such authority to function in the county or municipal corporation. Upon such declaration by all units of local government which previously authorized the activation of the authority, and compliance by such units of local government with the provisions of subsection (c) of this Code section, the authority

shall cease to transact any business or exercise any powers inconsistent with the winding up of its affairs.

(c) No resolutions or ordinances of units of local government declaring the functioning of a previously activated authority to be unnecessary shall be of any force and effect until:

(1) In the case of an authority having outstanding notes or bonds:

(A) Said notes or bonds have been paid or retired according to their terms or acquired by such units of local government; or

(B) Appropriate contractual arrangements have been made by such units of local government to lease or purchase the authority's projects, or to arrange to have the authority's projects leased or purchased by others, consistent with the terms of said notes or bonds on such terms as will together with any existing debt service reserves held by the authority provide for the payment of the principal and interest on said notes or bonds; and

(C) Appropriate arrangements have been made by such units of local government, or in the case of authorities activated pursuant to subsection (b) of Code Section 12-8-53, appropriate contractual and other arrangements have been made by, among, and between all units of local government which previously authorized the activation of the authority:

(i) To hold, operate, or dispose of all assets or projects of the authority in the case of the transfer of such assets and projects by the authority to such units of local government, but nothing in this Code section shall require the continued operation of any project by such units of local government;

(ii) To assume or satisfy, or arrange to have assumed or satisfied, all contracts, leases, agreements, or obligations previously entered into or incurred by the authority with respect to the acquisition or operation of such assets or projects, consistent with the terms thereof, other than notes or bonds, but nothing in this Code section shall require the renewal, continuation beyond its terms, or extension of any such contract, lease, agreement, or obligation; and

(iii) To make provision, by creation of a reserve fund or otherwise, for residual obligations which may from time to time arise during the period of winding up of the affairs of the authority pursuant to subsection (d) of this Code section; or

(2) In the case of an authority having no outstanding notes or bonds, there has been compliance with the terms of subparagraph (C) of paragraph (1) of this subsection.

(d)(1) Upon compliance by all units of local government which previously authorized the activation of the authority with subsections (b) and (c) of this Code section, the board of directors of the authority shall cause to be transferred to such units of local government, at such a time and on such reasonable terms and conditions as may be agreed to between the authority and such units of local government and subject to the arrangements made under and the provisions of subsection (c) of this Code section, the assets, projects, contracts, leases, agreements, and obligations of the authority. The board of directors of any such authority shall take all steps necessary or convenient to carry out the provisions of this Code section consistent with the benefit of the public.

(2) The board of directors of the authority shall continue in existence for a period of time sufficient for the orderly winding up of the affairs of the authority and, in the case of an authority having outstanding notes or bonds, for a reasonable period of time after such notes or bonds have been paid or retired and may exercise any power usually possessed by private corporations of this state in the process of winding up their affairs not in conflict with the Constitution or laws of this state. In the course of such winding up, the board of directors shall have access to any funds made available pursuant to division (c)(1)(C)(iii) of this Code section but shall exercise control over such funds as fiduciaries, shall disburse such funds only for purposes appropriate to the winding up of the affairs of the authority, and shall account for any remainder of such funds to the units of local government which authorized the activation of the authority.

(3) Upon the completion of the process of winding up of the affairs of the authority, the board of directors shall relinquish control of any remaining funds made available

pursuant to division (c)(1)(C)(iii) of this Code section to the units of local government which authorized the activation of the authority and by resolution dissolve itself, whereupon such authority shall become dormant but may be reactivated by compliance with Code Section 12-8-53.”

SECTION 13.

Said chapter is further amended by inserting at the end of Code Section 12-8-180, relating to definitions relative to the Pollution Prevention Assistance Division of the Department of Natural Resources, two new paragraphs to read as follows:

“(6) ‘Pollution prevention’ means the use of materials, natural resources, energy, processes, and practices which reduce or eliminate the creation of pollutants or wastes at the source. Such term shall include, without limitation, inventory management and purchasing procedures, process modifications, housekeeping and efficient operating practices, material substitutions, redesign of product pollution prevention education and outreach, and in-process recycling.

(7) ‘Waste minimization’ means pollution prevention and off-process recycling including, without limitation, use, reuse, and reclamation.”

SECTION 14.

Said chapter is further amended by inserting at the end of Code Section 12-8-182, relating to certain responsibilities and duties of the Pollution Prevention Assistance Division of the Department of Natural Resources and related matters, a new subsection to read as follows:

“(e) The division shall serve as the lead entity for developing and providing activities and assistance programs, except those related to municipal solid waste, designed to effect emission reduction, minimization of solid waste and hazardous waste in industrial and business operations, and the reduction of household hazardous waste.”

SECTION 15.

Said chapter is further amended by striking in its entirety of Code Section 12-8-183, relating to pollution prevention assistance plans, and inserting in lieu thereof the following:

“12-8-183.

(a) Not later than October 1, 1994 1996, the division shall complete a pollution prevention assistance plan to achieve voluntary participation by businesses and industries and the general public within the state in programs and activities designed to reduce and prevent the pollution of the environment by the products, and by-products, and waste of such businesses, and industries, and, where hazardous household waste is involved, the general public and to promote recycling of such products, by-products, and waste. The plan shall establish the objectives of the division and address such matters as the division deems appropriate.

(b) The division shall publish the plan developed pursuant to subsection (a) of this Code section for public comment and shall send a copy of the plan to the board, the Governor, the Speaker of the House of Representatives, and the President of the Senate for comment. The division shall seek and encourage public comment on the plan and shall document and consider such comments.

(c) The division shall present a final plan to the commissioner within 60 days after publication for public comment. If the commissioner approves, the division shall implement the plan. The plan may be amended from time to time as required or appropriate, after public notice and comment.

(d) In implementing the plan pursuant to subsection (a) of this Code section, the division shall have the power and duties:

(1) To enter into such contracts as may be necessary and appropriate to implement the plan;

(2) To conduct investigations, analyses, and inspections in the implementation of the plan;

(3) To encourage, participate in, and conduct studies, reviews, and investigations relating to the implementation of the plan;

(4) To accept, receive, administer, and disburse grants from public or private sources for the purpose of implementing the plan; and

(5) To exercise all incidental powers necessary to implement the plan.”

SECTION 16.

Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Community Affairs, is amended by striking in its entirety Code Section 50-8-7.3, relating to solid waste management education and related matters, which reads as follows:

“50-8-7.3.

The department shall perform the duties, responsibilities, and functions and may exercise the power and authority described in this Code section. The department shall establish a solid waste management education program in the state. Such program shall include, but not be limited to, the following:

(1)(A) The establishment of a Georgia Clean and Beautiful Advisory Committee that shall assist the department in developing, coordinating, and implementing efforts to educate the citizens of the state on methods of solid waste management.

(B) The advisory committee shall consist of no more than 30 members, who shall be appointed by the Governor and be representative of state and local government; business and industry; community, environmental, and civic organizations; the news media; educators; and other areas as the Governor may deem appropriate.

(C) Members of the advisory committee are authorized to receive reimbursement for actual expenses incurred in the performance of their duties from such funds as may be appropriated for such purposes and within such limits as may be established by the department; and

(2)(A) The establishment of an Interagency Council on Solid Waste Management that shall be chaired by the commissioner and shall consist of representatives from departments and agencies within state government that have responsibilities or activities relating to solid waste.

(B) The council shall serve as a forum for gathering and sharing information on solid waste management as well as for developing and initiating activities within state government relating to solid waste management and shall provide advice and assistance to the Georgia Clean and Beautiful Advisory Committee and its educational programs.”,

and inserting in lieu thereof the following:

“50-8-7.3.

(a) The department shall serve as the lead state agency with regard to recycling, waste reduction, and education efforts relating to municipal solid waste; provided, however, that such authority shall not extend to hazardous waste. The authority provided in this Code section shall include, but shall not be limited to:

(1) Overseeing matters relating to education activities relative to municipal solid waste reduction;

(2) Promoting activities and programs which will help the state achieve its solid waste reduction goal including, without limitation, citizen education, recycling and composting education programs, recycling market development, intergovernmental and regional cooperation, local government technical assistance, solid waste management training, solid waste planning, and litter control; and

(3) Implementing the Georgia Clean and Beautiful program.

(b) The commissioner shall establish an advisory council to assist the department in developing, coordinating, and implementing efforts to promote effective municipal solid waste education, recycling, and waste reduction and other activities provided for in subsection (a) of this Code section. The department shall provide staff assistance for the council. The council shall consist of 21 members appointed by the commissioner, each serving a two-year term. The commissioner shall select councilmembers in such a manner as to represent a broad range of interests including, but not limited to, state agencies; local governments; waste collection, handling, and disposal industries; reuse and recycling industries; composting industries; waste exchange programs; the Georgia Clean and Beautiful program; environmental groups; businesses; and private citizens. The

council shall meet on the call of the commissioner and the members shall receive the same per diem expense allowance as that received by members of the General Assembly for each day a councilmember is in attendance at a meeting of the council or a subcommittee of the council, plus reimbursement for actual transportation expenses incurred while traveling by public carrier or the mileage allowance authorized for state officials and employees for use of a personal automobile in connection with such attendance. Such per diem and reimbursement for transportation expenses shall be paid in lieu of any other per diem, allowances, remuneration, or compensation. The council as a whole or a committee of the council shall serve as the state advisory committee for the Georgia Clean and Beautiful program.

(c) Activities of the department relative to municipal solid waste education, recycling of recovered materials, and waste reduction may be funded from the funds appropriated to the solid waste trust fund as provided in Code Section 12-8-37.1. Such funds may be utilized by the department to cover staffing and operating expenses for municipal solid waste education, recycling, and waste reduction efforts including per diem and reimbursement of travel expenses for council members."

SECTION 17

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

SECTION 18.

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

Representative Dobbs of the 92nd moved that the House adopt the report of the Committee of Conference on HB 148.

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

Y Allen	N Crews	N Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	N Johnson, G	Pinholster	Y Stallings
N Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Breedlove	N Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	N Roberts	Y Towery
Brown, J	Y Godbee	N Lifsey	Y Rogers	N Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	N Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
N Burkhalter	Y Hanner	Y Martin	Y Shanahan	N Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
N Campbell	Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Coleman, T	Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 139, nays 29.

The motion prevailed.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Friday, March 15, 1996**www.libtool.com.cn

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:

Anderson	Coleman, B	Johnson, G	Parsons	Stancil, S
Ashe	Connell	Johnson, J	Pelote	Stanley, L
Bailey	Crews	Johnston	Pinholster	Stanley, P
Bannister	Culbreth	Kaye	Ponder	Stephenson
Bargerion	Cummings	Kinnamon	Poston	Taylor
Barnard	Davis, M	Klein	Purcell, A	Teper
Barnes	DeLoach, B	Lakly	Purcell, B	Thomas
Birdsong	DeLoach, G	Lane	Randall	Tillman
Bordeaux	Dix	Lawrence	Randolph	Titus
Bostick	Dixon, S	Lee	Reaves	Trense
Breedlove	Dobbs	Lewis	Rogers	Turnquest
Brooks, T	Ehrhart	Lord	Royal	Walker, R.L
Brown, J	Epps	Maddox	Sanders	Wall
Buck	Felton	Mann	Sauder	Watson
Buckner	Floyd	Martin	Shanahan	Watts
Bunn	Greene	McBee	Shaw	Westmoreland
Byrd	Heard	McKinney	Smith, C	Whitaker
Campbell	Heckstall	Mills	Smith, P	Wiles
Canty	Hembree	Mobley, B	Smith, V	Williams, B
Carter	Holland	Mobley, J	Smith, W	Williams, J
Chambless	Howard	Mosley	Snelling	Woods
Channell	Hudson	O'Neal	Stallings	Yates
Childers	Hugley	Parham	Stallings	Murphy, Spkr
Coker	James	Parrish	Stancil, F	

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

Representatives Falls of the 125th, Barfoot of the 155th, Smith of the 19th, Sherrill of the 62nd, Skipper of the 137th, Hanner of the 159th, Ladd of the 59th, Grindley of the 35th, Henson of the 65th, Porter of the 143rd, Golden of the 177th, Bates of the 179th, Shipp of the 38th, Polak of the 67th, Teague of the 58th, Snow of the 2nd, Hegstrom of the 66th, Day of the 153rd, Smyre of the 136th, Roberts of the 162nd, Smith of the 169th, Ray of the 128th, Lucas of the 124th, Allen of the 117th, Harbin of the 113th, Street of the 167th, Brooks of the 103rd, Benefield of the 96th, Reichert of the 126th, Crawford of the 129th, Godbee of the 145th, Jamieson of the 22nd, Simpson of the 101st, Goodwin of the 79th, Perry of the 11th, Harris of the 17th, McClinton of the 68th, Dixon of the 168th, Davis of the 48th, Twiggs of the 8th, Powell of the 23rd, Burkhalter of the 41st and Jenkins of the 110th.

They wish to be recorded as present.

Prayer was offered by the Reverend Lee Mabrey, Pastor, Fortified Hills Baptist Church, Smyrna, Georgia.

The members pledged allegiance to the flag.

Representative Bargerion of the 120th, Chairman of the Committee on Journals, 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 Bill of the House was introduced, read the first time and referred to the committee:

HB 1907. By Representative Simpson of the 101st:

A bill to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, the "Georgia Medical Assistance Act of 1977," so as to provide for the range of benefits and amount of payments under such article.

Referred to the Committee on Health & Ecology.

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

HB 1906	SB 786
HR 1292	SB 787
SB 372	SB 788
SB 785	

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills and Resolution of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB	782	Do Pass
SB	784	Do Pass
SR	578	Do Pass, by Substitute

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HOUSE RULES CALENDAR
FRIDAY, MARCH 15, 1996

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 39th Legislative Day as enumerated below:

- HR 961 Schools; urge program on stranger abduction prevention
 HR 1014 House Citizens Come First Study Subcommittee; create
- SB 7 Alimony, Child Support contempt sentencing of cert. employed
 (Guhl of the 45th)
- SB 11 Educ. Programs curriculum based assessment results
 (Newbill of the 56th)
- SB 97 Gen. Assembly issuance of housing affordability impact note
 (Gochenour of the 27th)
- SB 280 Mot. Veh. Registration staggered over 12 month period
 (Thompson of the 33rd)
- SB 544 Driv. Lic. Deposit in Lieu of Bail chng. to driv. lic. display
 (Langford of the 29th)
- SB 606 Child Safety Restraint Law violations
 (Oliver of the 42nd)
- SB 635 St. Emps merit sys. agency role in positions filled after 7/1/96
 (Taylor of the 12th)
- SB 709 Education Reform Act of 1996 enact
 (Taylor of the 12th)
- SB 710 Crossroads Alternative Sch. Program attend leadership programs
 (Marable of the 52nd)
- SB 735 Regional Jail Authorities city may form, participate in
 (Dean of the 31st)
- SB 749 Dev. Auth. Law redefine project regarding sewage disposal facility
 (Edge of the 28th)
- SB 750 Stone Mtn. Judicial Cir. Superior Cts. add. judge
 (Oliver of the 42nd)
- SR 535 Select Oversight Committee on Medicaid create
 (Walker of the 22nd)
- SR 540 Jt. Coastal Zone Management Study Committee create
 (Johnson of the 1st)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
 /s/ Lee of the 94th
 Chairman

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

- SB 782. By Senator Farrow of the 54th:

A bill to amend an Act creating a board of utilities commissioners for Catoosa County, Georgia, as amended, so as to change the provisions relating to the compensation of the members of the board of utilities commissioners; to provide an effective date.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

SB 784. By Senator Guhl of the 45th:

A bill to amend an Act providing for a change in the compensation of the Sheriff, the Tax Commissioner, the Judge of the Probate Court, the Clerk of the Superior Court, and the Chairperson of the Board of Commissioners of Walton County to reflect increases in the cost of living, as amended, so as to change the base salary for such county officers.

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

On the passage of the Bill, the ayes were 93, nays 7.

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

SR 578. By Senator Cagle of the 49th:

A resolution to create the Gainesville-Hall County Task Force on Governmental Unification.

The following Committee substitute was read and adopted:

A RESOLUTION

To create the Gainesville-Hall County Task Force on Governmental Unification and provide for its composition, powers, and funding; to provide for a special election; and for other purposes.

WHEREAS, the voters of the City of Gainesville and Hall County have indicated an interest in having a study conducted of the advantages and disadvantages of consolidating the governments of that city and county; and

WHEREAS, until such a study can be completed, creation of a charter commission to implement such consolidation would be unnecessary; and

WHEREAS, the expenditure of city and county funds for a study of possible consolidation constitutes a valid public service for which public funds may be spent.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that there is created the Gainesville-Hall County Task Force on Governmental Unification. The task force shall be composed of 19 members. Five members shall be appointed by the councilmembers of the City of Gainesville by each of such councilmembers appointing one member. One member who is a resident of the unincorporated part of the county shall be appointed by each member of the House of Representatives who represents a portion of Hall County. Four members who are residents of the unincorporated part of the county shall be appointed by the Senator from Hall County. One member shall be appointed by the governing authority of each of the following four cities: Flowery Branch, Clermont, Lula, and Gillsville. The governing authority of the City of Oakwood shall appoint two members. In the event that any municipality has failed to appoint the member or members authorized by April 15, 1996, the judges of the Superior Court of Hall County shall appoint such member or members. No member of the task force may be a current or former elected officer of Hall County or any municipality located therein. The chairperson of the board of commissioners of Hall County shall call the first meeting of the task force within 30 days after this resolution becomes effective at which meeting the task force shall elect from its members a chairperson and vice chairperson and otherwise organize itself. All decisions of the task force shall be made by a majority of members present. Thirteen members will be required to constitute a quorum. The task force shall operate according to Robert's Rules of Order.

BE IT FURTHER RESOLVED that members of the task force shall receive no compensation or expenses for their services upon the task force. The task force may employ no more than one staff member and may contract with persons or organizations with knowledge and expertise in governmental consolidation. The task force may accept donations, grants, or funds from any legal source. The task force may use the Georgia Mountains Regional Development Commission as the official repository of such funds. All local governments within Hall County are authorized to provide assistance to the task force.

BE IT FURTHER RESOLVED that the task force shall study all matters relating to consolidating the governments of the City of Gainesville and Hall County. It shall also explore alternatives other than consolidation to provide a more effective and efficient government for the county and the cities within the county in the event consolidation is not feasible or desirable. The task force shall issue a report of its findings no later than January 31, 1997, to the governing authorities of Hall County and the cities within Hall County, upon which date the task force shall be abolished. Those governing authorities shall make available at no cost to the public copies of such report and shall have published in the legal organ of Hall County for at least once a week for four consecutive weeks a notice specifying where such copies may be obtained. The cost of such copies and notice shall be paid from funds donated, granted, or received by the task force.

BE IT FURTHER RESOLVED that the task force may pass a resolution, based on the results of its report, asking for a special election on a question which shall be specified in the resolution. If such a resolution is passed, it shall be transmitted to the election superintendent of Hall County prior to the abolition of the task force. If the election superintendent receives such a resolution, that superintendent shall issue the call for the special election according to law and conduct the special election on such question at the time of any Hall County special election otherwise conducted prior to the next state-wide general primary, unless no such special election is conducted prior to that primary, in which event the special election shall be conducted at the next state-wide general primary. The superintendent shall cause the date and purpose of such special election to be published once a week for two consecutive weeks immediately preceding the date thereof in the official organ of Hall County. The expense of such election shall be borne by Hall County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

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 ayes were 93, nays 7.

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

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolutions of the House:

HR 804. By Representative Barnard of the 154th:

A resolution designating the J. Max Cheney Memorial Bridge.

HR 805. By Representatives Twiggs of the 8th, Purcell of the 9th, Stancil of the 16th and others:

A resolution designating the Southern Highroads Scenic Highway.

- HR 817. By Representative Whitaker of the 7th:
A resolution recognizing Morrison Moore and designating the Morrison Moore Connector.
- HR 819. By Representative Streat of the 167th:
A resolution designating the Buford C. Gilliard Bridge.
- HR 825. By Representative Whitaker of the 7th:
A resolution recognizing Dr. John H. Owen and designating the Dr. John H. Owen Intersection.
- HR 883. By Representatives Rogers of the 20th, Smith of the 19th and Mills of the 21st:
A resolution designating the John E. Quillian Highway.
- HR 901. By Representatives Mann of the 5th and Kinnamon of the 4th:
A resolution designating the General William A. Holland Parkway in Whitfield County.
- HR 969. By Representative Lifsey of the 6th:
A resolution designating the bridge on State Highway 61 and U.S. Highway 411 over Sumach Creek in Murray County the Kirby Park, Sr., Memorial Bridge.
- HR 982. By Representatives Coleman of the 142nd, Shaw of the 176th, Royal of the 164th and others:
A resolution designating the Downing E. Musgrove Causeway.
- HR 1003. By Representative Channell of the 111th:
A resolution designating the T. C. Hallman Memorial Bridge.
- HR 1004. By Representative Channell of the 111th:
A resolution designating the Gregory Bridge.
- HR 1005. By Representatives McKinney of the 51st, Walker of the 141st, Brooks of the 54th and others:
A resolution designating the Hamilton E. Holmes Drive in Fulton County.
- HR 1016. By Representatives Watts of the 26th and Murphy of the 18th:
A resolution designating the Jimmy Lee Smith Parkway.
- HR 1039. By Representative Jenkins of the 110th:
A resolution amending a resolution approved March 4, 1964, designating the "O. H. Banks Bridge", so as to redesignate said bridge as the "O. H. Banks Memorial Bridge"

- HR 1040. By Representative Jenkins of the 110th:
A resolution to amend a resolution approved March 3, 1964, designating the "E. Clyde Kelly Bridge", so as to redesignate said bridge as the "E. Clyde Kelly Memorial Bridge"
- HR 1041. By Representatives Harbin of the 113th, Brush of the 112th, Williams of the 114th and Barger of the 120th:
A resolution to change the name of the Kiokee Creek Bridge in Columbia County to the Robert W Pollard, Sr., Bridge.
- HR 1073. By Representative Smith of the 169th:
A resolution designating the Daniel Warnell Lee Memorial Bridge.
- HR 1109. By Representative Streat of the 167th:
A resolution designating the Lewis C. Adams, Jr., Bridge.
- HR 447. By Representative Purcell of the 9th:
A resolution compensating Mr. Edwin C. Chastain.
- HR 769. By Representatives Godbee of the 145th, Murphy of the 18th, Smyre of the 136th and others:
A resolution creating a Blue Ribbon Study Committee on Funding of the "Quality Basic Education Act"
- HR 873. By Representative Birdsong of the 123rd:
A resolution expressing appreciation to Georgia's World War I veterans for their sacrifice and devotion to their country to protect and preserve the freedoms that we enjoy today; to authorize a study of the possibility of erecting a monument in honor of Georgia's World War I veterans that would be similar to and across from the recently erected World War II monument in front of the James H. "Sloppy" Floyd Veterans Memorial Building.
- HR 887. By Representatives Royal of the 164th and Greene of the 158th:
A resolution compensating Sharon L. Nobles.
- HR 940. By Representatives DeLoach of the 119th and Connell of the 115th:
A resolution authorizing the conveyance of certain state owned real property located in Richmond County.
- HR 1006. By Representative Coleman of the 142nd:
A resolution compensating Mr. Emmitt T. Lowery, Jr.

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

HB 407. By Representative Twiggs of the 8th:

A bill to amend Part 10 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to employees of certain state authorities being members of the Employees' Retirement System of Georgia, so as to provide that all officers and employees of the North Georgia Mountains Authority shall become members of such retirement system.

HB 625. By Representative McKinney of the 51st:

A bill to amend an Act creating a system of traffic courts for each city of this state having a population of 300,000 or more according to the United States decennial census of 1960 or any future census, so as to change the additional penalty and bail and bond amount to be imposed for certain jail purposes.

HB 660. By Representatives Greene of the 158th, Barnard of the 154th and Byrd of the 170th:

A bill to amend Chapter 2 of Title 42 of the Official Code of Georgia Annotated, relating to the Board and Department of Corrections, so as to provide for rules requiring transfer to maximum security of each inmate who commits battery or aggravated assault while in custody.

HB 840. By Representatives Snow of the 2nd and Streat of the 167th:

A bill to amend Chapter 17 of Title 43 of the Official Code of Georgia Annotated, the "Georgia Charitable Solicitations Act of 1988," so as to prohibit paid solicitors from soliciting within or from the State of Georgia unless they are registered with the Secretary of State; to provide that accountings of solicitation campaigns by paid solicitors be filed with the Secretary of State.

HB 843. By Representative McKinney of the 51st:

A bill to amend an Act creating county building authorities in certain counties with populations of 550,000 or more, so as to define the term "project"; to prohibit the issuance of bonds by such authority for purposes other than a project for a juvenile court facility.

HB 963. By Representative Holmes of the 53rd:

A bill to amend Code Section 47-3-67 of the Official Code of Georgia Annotated, relating to membership in the Teachers Retirement System of Georgia of teachers who are employed by certain county school systems and related matters, so as to provide that the benefits of such teachers shall be calculated as provided on June 30, 1988, by certain local pension funds, with certain amendments thereafter.

HB 1006. By Representatives Powell of the 23rd and Porter of the 143rd:

A bill to amend Article 5 of Chapter 13 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable in the District Attorneys' Retirement System, so as to provide for creditable service for prior service as an assistant district attorney.

- HB 1046. By Representatives Cummings of the 27th, Murphy of the 18th, Buck of the 135th and others:
A bill to amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relative to the Employees' Retirement System of Georgia, so as to authorize up to five years of creditable service for certain part-time employment by the legislative branch of state government.
- HB 1161. By Representative Carter of the 166th:
A bill to amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, so as to provide that private agents for vessel registration may charge a certain fee.
- HB 1252. By Representatives Sauder of the 29th, Parsons of the 40th, Walker of the 141st and others:
A bill to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to provide for the designation of the qualifying period by municipal superintendents; to provide for a minimum and maximum number of days for qualifying; to provide that such days shall be consecutive; to provide the earliest commencement date and latest ending date for qualifying periods for general elections; to provide the latest ending date for qualifying periods for special elections.
- HB 1299. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:
A bill to provide that parents, guardians, or other custodians of children be held accountable for their failure to appear with their children when ordered to do so by the juvenile court.
- HB 1328. By Representatives Snow of the 2nd and Bailey of the 93rd:
A bill to amend Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to the Department, commissioner, and Board of Human Resources, so as to create the Georgia Council for Welfare Administration.
- HB 1330. By Representative Childers of the 13th:
A bill to amend Chapter 11 of Title 43 of the Official Code of Georgia Annotated, relating to dentists and dental hygienists, so as to change the provisions relating to teaching licenses; to change the provisions relating to renewal of licenses and provide for restoration and reissuance thereof.
- HB 1331. By Representative Childers of the 13th:
A bill to amend Code Section 40-5-25 of the Official Code of Georgia Annotated, relating to driver's license applications and fees, so as to provide for the disclosure to certain organ procurement organizations of certain organ donor information contained on certain drivers' licenses.
- HB 1336. By Representatives Murphy of the 18th and Benefield of the 96th:
A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries in general, so as to change provisions relating to the effect of changes in congressional districts on boards and bodies whose membership is selected on the basis of residency within congressional districts.

HB 1344. By Representative Bannister of the 77th:

A bill to amend an Act incorporating the City of Lilburn in the County of Gwinnett, so as to change certain procedures with respect to the consideration and adoption of city ordinances.

HB 1364. By Representatives Polak of the 67th, McClinton of the 68th and Mobley of the 69th:

A bill to amend Code Section 48-5-23 of the Official Code of Georgia Annotated, relating to collection and payment of taxes on tangible property in installments, so as to change the time when certain taxes become due and payable.

HB 1365. By Representatives Grindley of the 35th, Rogers of the 20th, Buckner of the 95th and others:

A bill to amend Code Section 16-12-171 of the Official Code of Georgia Annotated, relating to prohibitions on the sale or distribution to, or the possession by, minors of cigarettes and tobacco related objects, so as to provide for stricter regulations on the sale of cigarettes and tobacco related objects to minors.

HB 1375. By Representatives Golden of the 177th, Byrd of the 170th, Bates of the 179th and others:

A bill to amend Chapter 8 of Title 34 of the Official Code of Georgia Annotated, known as the "Employment Security Law," so as to change the definition of certain terms; to repeal provisions relating to the State-wide Reserve Ratio; to change certain references; to change certain provisions relating to the creation of administrative assessments upon all wages.

HB 1429. By Representative Childers of the 13th:

A bill to amend Code Section 43-20-4 of the Official Code of Georgia Annotated, relating to the State Board of Hearing Aid Dealers and Dispensers, so as to change provisions relating to members of such board.

HB 1439. By Representatives Heard of the 89th, Hugley of the 133rd and Culbreth of the 132nd:

A bill to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions applicable to insurance generally, so as to change certain provisions relating to the cancellation or non-renewal of automobile or motorcycle policies and the cancellation or nonrenewal of certain property insurance policies.

HB 1492. By Representative Byrd of the 170th:

A bill to amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions governing labor and industrial relations, so as to change certain definitions.

HB 1493. By Representatives Skipper of the 137th, Watson of the 139th and Powell of the 23rd:

A bill to amend Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general provisions applicable to professions and businesses, so as to change the provisions relating to grounds for refusing to grant or revoking licenses.

- HB 1498. By Representative Stephenson of the 25th:
A bill to amend Code Section 43-34-3 of the Official Code of Georgia Annotated, relating to continuing education requirements for persons licensed or certified by the Composite State Board of Medical Examiners, so as to provide that such Code section shall not apply to respiratory care professionals.
- HB 1503. By Representative Ashe of the 46th:
A bill to reorganize the Board of Education of the City of Atlanta and continue the Atlanta Independent School System; to provide for the composition, terms, qualifications, election, suspension, and removal of members of the Board; to provide for election districts and reapportionment.
- HB 1556. By Representatives Smith of the 169th and Mosley of the 171st:
A bill to amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to the incorporation of municipal corporations, so as to provide that a local Act providing for the reincorporation of certain areas may be enacted without regard to the proximity of an existing municipal corporation.
- HB 1560. By Representatives Poston of the 3rd, Barnes of the 33rd, Holland of the 157th and others:
A bill to amend Chapter 4 of Title 16 of the Official Code of Georgia Annotated, relating to criminal attempt, conspiracy, and solicitation, so as to provide that a person may be convicted of the offense of conspiracy to commit a crime, as defined in Code Section 16-4-8, even if the crime which was the objective of the conspiracy was actually committed or completed in pursuance of the conspiracy.
- HB 1569. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:
A bill to amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to provide that no fee shall be assessed in superior court in family violence cases under Chapter 13 of Title 19; to provide that no fee shall be assessed in connection with a prosecution of any domestic violence offense for costs associated with the filing of criminal charges against a domestic violence offender.
- HB 1582. By Representatives Godbee of the 145th and Taylor of the 134th:
A bill to amend Chapter 7 of Title 43 of the Official Code of Georgia Annotated, relating to barbers, so as to exempt from regulation by the State Board of Barbers barber programs offered by public technical institutes; to allow barber students and faculty of public technical institutes to acquire licenses under the same conditions as students and faculty of other barber schools.
- HB 1625. By Representatives Dixon of the 168th, Epps of the 131st, DeLoach of the 119th and others:
A bill to amend Code Section 3-4-26 of the Official Code of Georgia Annotated, relating to display of advertisement or information regarding prices of distilled spirits in visible places, so as to prohibit the sale of distilled spirits by the package at a price below cost.

HB 1644. By Representative Martin of the 47th:

A bill to amend Code Section 24-10-130 of the Official Code of Georgia Annotated, relating to when depositions for preservation of evidence in criminal proceedings may be taken, so as to provide for the preservation of evidence of nonresident aliens.

HB 1750. By Representatives Stancil of the 16th, Harris of the 17th and Pinholster of the 15th:

A bill to provide for an advisory referendum election to be held in Cherokee County for the purpose of ascertaining whether the corporate limits of the City of Woodstock should be extended to include part of the right of way of Interstate 575.

HB 1760. By Representatives Purcell of the 147th, Reaves of the 178th and Floyd of the 138th:

A bill to amend Article 3 of Chapter 14 of Title 2 of the Official Code of Georgia Annotated, relating to honeybees, so as to change the provisions relating to compensation for property destroyed.

HB 1771. By Representatives Canty of the 52nd, Davis of the 48th, Holmes of the 53rd and others:

A bill to amend Part 2 of Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county boards of tax assessors, so as to repeal certain provisions regarding the status of ad valorem taxes pending review in those counties having a population of 550,000 or more according to the United States decennial census of 1970.

HB 1799. By Representatives Skipper of the 137th and Smith of the 102nd:

A bill to provide that certain vehicles shall be registered and licensed to operate for calendar year 1998 and thereafter in Talbot County during the four-month staggered registration period from January 1 through April 30 and other vehicles in said county shall be registered and licensed to operate during February and March, as provided by general law.

HB 1812. By Representatives Walker of the 87th and Johnson of the 84th:

A bill to amend an Act to reincorporate the City of Monroe in the County of Walton, so as to change the number of councilmembers which constitute a quorum authorized to transact city business and the number of votes necessary to adopt ordinances and resolutions.

HB 1813. By Representatives Walker of the 87th and Johnson of the 84th:

A bill to amend an Act providing a new charter for the City of Good Hope, in the County of Walton, so as to change the terms of the mayor and councilmembers.

HB 1848. By Representatives Anderson of the 116th and DeLoach of the 119th:

A bill to amend an Act establishing a new charter for the Town of Tallulah Falls, so as to change certain provisions relating to quorum, voting, and special meetings of the town council.

- HB 1855. By Representative Carter of the 166th:
A bill to amend an Act creating the Board of Education of Berrien County, so as to change the description of the districts from which members of such board are elected.
- HB 1858. By Representatives Snelling of the 99th and Hembree of the 98th:
A bill to amend an Act known as the "Douglasville-Douglas County Water and Sewer Authority Act," so as to provide that the mayor of the City of Lithia Springs, and not a designee of the mayor, shall be an ex officio member of the authority board of directors.
- HB 1861. By Representatives Ray of the 128th and James of the 140th:
A bill to amend an Act creating the Board of Commissioners of Crawford County, so as to change the reimbursement of the members of said board of commissioners for travel expenses.
- HB 1867. By Representatives Hembree of the 98th and Snelling of the 99th:
A bill to provide a new charter for the City of Lithia Springs.
- HB 1869. By Representative Greene of the 158th:
A bill to amend an Act relating to the Board of Commissioners of Calhoun County, so as to change the compensation of the chairman and members of the board of commissioners.
- HB 1872. By Representative Breedlove of the 85th:
A bill to amend an Act creating a new charter for the City of Buford, so as to change the corporate limits of the city.
- HB 1873. By Representative Twiggs of the 8th:
A bill to amend an Act entitled "An Act to provide a new charter for the City of Hiawassee," so as to change the provisions relating to the corporate limits of said city.

The Senate has agreed to the House amendments to the following bills of the Senate:

- SB 508. By Senator Tysinger of the 41st:
A bill to amend Article 5 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to cruelty to children, so as to prevent certain piercings of the bodies of minors without the consent of their parents or guardians; to provide for a penalty.
- SB 567. By Senators Starr of the 44th, Cheeks of the 23rd and Ray of the 19th:
A bill to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to revise and change certain provisions regarding multiyear lease, purchase, or lease purchase contracts; to provide for additional conditions, limitations, restrictions, and related matters.

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

- SB 210. By Senators Johnson of the 1st, Egan of the 40th and Johnson of the 2nd:
A bill to amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to provide that a marital relationship between the defendant and the alleged victim is not a defense to a charge of rape or aggravated sodomy; to provide that the law enforcement agency investigating an alleged rape or aggravated sodomy shall be financially responsible for the cost of a medical examination in the course of which evidence of the alleged crime is collected.
- SB 636. By Senator Starr of the 44th:
A bill to amend Code Section 15-11-37 of the Official Code of Georgia Annotated, relating to designated felonies in juvenile court, so as to change a certain definition; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to enact a new article relating to bombs, explosives, and chemical and biological weapons; to define certain terms; to provide a list of explosive materials.
- SB 758. By Senators Starr of the 44th, Thomas of the 10th and Glanton of the 34th:
A bill to amend an Act creating the State Court of Clayton County, as amended, so as to provide that the office of chief judge of said court shall be rotated annually among the judges of said court.

The Senate insists on its substitute to the following bill of the House:

- HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th and others:
A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

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

- HB 1322. By Representatives Reichert of the 126th, Channell of the 111th and Jenkins of the 110th:
A bill to amend Article 2 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to jurisdiction, power, and duties of probate courts, so as to provide concurrent jurisdiction for certain probate courts over cases charging possession of one ounce or less of marijuana and cases charging furnishing alcoholic beverages to persons under 21 or purchase or possession of alcoholic beverages by underage persons.
- HB 1632. By Representatives Skipper of the 137th and Watson of the 139th:
A bill to amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to fair business practices and known as the "Fair Business Practices Act of 1975," so as to change definitions and references relating to promotional giveaways; to eliminate the requirement that certain disclosures be made to winners of promotions.

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

HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

~~www~~ A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

The Senate has adopted the report of the Committee of Conference on the following bill of the House:

HB 148. By Representative Dobbs of the 92nd:

A bill to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to provide that certain landfills proposed for reuse shall be subject to provisions relating to major modifications of landfills but shall not be considered vertical expansions; to create the Intergovernmental Solid Waste Coordinating Council and to provide for its membership and duties.

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

HB 1840. By Representative Martin of the 47th:

A bill to amend an Act fixing the compensation of the board of commissioners of counties having a population of 550,000 or more according to the United States decennial census of 1970 or any future such census, so as to change the provisions relating to the United States decennial census used for the population classifications of such counties.

HB 1888. By Representatives Wiles of the 34th, Woods of the 32nd, Ehrhart of the 36th and Kaye of the 37th:

A bill to amend an Act creating the State Court of Cobb County, so as to change certain provisions relating to the chief judge and judges of the State Court of Cobb County.

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

HB 1207. By Representative Connell of the 115th:

A bill to create the Augusta-Richmond Consolidated Government Coliseum Authority Act.

HB 1740. By Representative Connell of the 115th:

A bill to amend an Act establishing the compensation of certain officials in Richmond County, so as to change the compensation of certain officials.

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

- HB 1290. By Representatives Jamieson of the 22nd, Breedlove of the 85th, Maddox of the 108th and others:

A bill to amend Article 2 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Motor Vehicle Emission Inspection and Maintenance Act," so as to change a citation to a certain federal act; to amend a certain definition; to amend certain provisions relative to the applicability of such article.

- HB 1370. By Representatives Sinkfield of the 57th, McBee of the 88th, McClinton of the 68th and Taylor of the 134th:

A bill to amend Code Section 49-4A-8 of the Official Code of Georgia Annotated, relating to commitment of unruly or delinquent children, so as to provide authorization to the Department of Children and Youth Services in institutions under its control and supervision; to require youth to participate in certain moral, academic, vocational, physical, and correctional training and activities.

- HB 1399. By Representatives Mobley of the 86th and Buck of the 135th:

A bill to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption for the sale of certain donated tangible personal property by a bona fide charitable tax-exempt organization under the Internal Revenue Code.

- HB 1430. By Representative Barnes of the 33rd:

A bill to amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to comprehensively revise the laws relating to solicitors of state courts; to repeal Code Section 15-7-24, relating to solicitors of state courts; to enact a new Article 3 of Chapter 18 of Title 15, relating to solicitors-general of state courts.

- HB 1803. By Representatives Sherrill of the 62nd, Murphy of the 18th, Smith of the 175th and others:

A bill to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to create a program for encouraging, receiving, evaluating, implementing, and rewarding suggestions for increasing the efficiency and economy of the operation of state government.

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

- HB 315. By Representative Holmes of the 53rd:

A bill to amend Article 5 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to offenses in connection with judicial or other proceedings, so as to provide for the offense of sentence circumvention.

- HB 838. By Representatives Culbreth of the 132nd, Lord of the 121st, Heard of the 89th and Williams of the 114th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide definitions; to provide for the submission of reports by insurers of risk-based capital levels; to provide for the computation of risk-based capital levels for various kinds of insurers.

HB 1160. By Representative Carter of the 166th:

A bill to amend Code Section 52-7-8 of the Official Code of Georgia Annotated, relating to the classification of vessels and required equipment, so as to provide that certain vessels shall be equipped with certain types of life preservers.

Representative Tillman of the 173rd arose to a point of personal privilege and addressed the House.

The following Resolutions of the House were read and adopted:

HR 1293. By Representatives Parrish of the 144th and Martin of the 47th:

A resolution commending Jere Martin.

HR 1294. By Representative Falls of the 125th:

A resolution commending Alva L. Mayes, Jr.

HR 1295. By Representatives Pinholster of the 15th, Stancil of the 16th and Harris of the 17th:

A resolution commending Bill Wester.

HR 1296. By Representatives Pinholster of the 15th, Stancil of the 16th and Harris of the 17th:

A resolution commending Dr. Anna Crawford.

HR 1297. By Representatives Kinnamon of the 4th, Cummings of the 27th and Mann of the 5th:

A resolution expressing condolences on the passing of Alf Anderson.

HR 1298. By Representative Smith of the 12th:

A resolution commending the Rome City School System, and its award-winning schools.

HR 1299. By Representative Pelote of the 149th:

A resolution commending Reverend David Wright.

HR 1300. By Representative Poston of the 3rd:

A resolution commending Jack Logan and the band Liquor Cabinet.

HR 1301. By Representatives Smith of the 169th and Wall of the 82nd:

A resolution commending Gertrude Smith Stephens.

HR 1302. By Representative Watson of the 139th:

A resolution expressing regret at the passing of Mr. Milo Snellgrove.

HR 1303. By Representatives Byrd of the 170th, Barfoot of the 155th, Parrish of the 144th, McBee of the 88th and Evans of the 28th:

A resolution urging the Georgia World Congress Center Authority to establish a memorial in honor of Paul Anderson, 1956 Olympic Gold Medalist for super heavyweight lifting.

HR 1304. By Representatives Bailey of the 93rd, Birdsong of the 123rd, Lee of the 94th, Walker of the 141st and Benefield of the 96th:

A resolution commending the Georgia State Defense Force.

HR 1305. By Representatives Bailey of the 93rd, Lee of the 94th and Benefield of the 96th:

A resolution commending Philip Kouns and Rainbow House.

HR 1306. By Representative Bailey of the 93rd:

A resolution commending Mary Stoecker.

HR 1307. By Representative Murphy of the 18th:

A resolution recognizing and commending Christie and Robert Cohen and Aloette of Atlanta.

HR 1308. By Representative Bailey of the 93rd:

A resolution commending Justin Worley.

HR 1309. By Representative Bailey of the 93rd:

A resolution recognizing and commending the members of the Order of DeMolay and their adult leaders.

HR 1310. By Representative Bailey of the 93rd:

A resolution recognizing and commending Salvia Yvonne Smith.

HR 1311. By Representative Bailey of the 93rd:

A resolution commending Head Coach Bill Kennedy.

HR 1312. By Representatives Smith of the 12th and Perry of the 11th:

A resolution commending Rome Middle School.

HR 1313. By Representatives Smith of the 12th and Perry of the 11th:

A resolution commending Rome High School.

HR 1315. By Representatives Pinholster of the 15th, Stancil of the 16th and Harris of the 17th:

A resolution commending Don and Lila Stevens.

- HR 1316. By Representatives Maddox of the 108th, Smith of the 109th and Sanders of the 107th:
A resolution commending the fourth graders and fifth graders of Austin Road Elementary School of Henry County.
- HR 1317. By Representatives White of the 161st and Roberts of the 162nd:
A resolution recognizing and commending Mattie Pinckney and her pecan pie as worthy of unique and special standing as Georgia welcomes the world during the 1996 Summer Olympic Games.
- HR 1318. By Representative Poston of the 3rd:
A resolution commending Representative Ray Holland, Representative Doug Teper, and former Representative Ron Fennel.
- HR 1319. By Representative Smith of the 12th:
A resolution commending Rome Middle School on receiving a Pay for Performance award from the State of Georgia for the 1994-1995 school year.
- HR 1320. By Representative Smith of the 12th:
A resolution commending the Rome City School System.
- HR 1321. By Representative Smith of the 12th:
A resolution commending Elm Street Elementary School on receiving a Pay for Performance award from the State of Georgia for the 1994-1995 school year.
- HR 1322. By Representative Smith of the 12th:
A resolution commending East Central Elementary School on receiving a Pay for Performance award from the State of Georgia for the 1994-1995 school year.
- HR 1323. By Representatives Mann of the 5th and Lifsey of the 6th:
A resolution recognizing Ivan O. Strain.
- HR 1324. By Representatives Smith of the 175th, Shanahan of the 10th, Polak of the 67th, Kinnamon of the 4th, Kaye of the 37th and others:
A resolution commending Honorable Tommy Stephenson.
- HR 1325. By Representative Rogers of the 20th:
A resolution Commending the East Hall High School boys basketball team.
- HR 1326. By Representative Birdsong of the 123rd:
A resolution commending Mr. Charles W Keily on the occasion of his retirement.
- HR 1327. By Representative Polak of the 67th:
A resolution commending the Little Five Points Business Association.

- HR 1328. By Representative Polak of the 67th:
A resolution commending Margaret Hetrick.
- HR 1329. www.libtool.com.cn By Representative Polak of the 67th:
A resolution commending the Concerned Parents and Friends for Westchester Elementary School.
- HR 1330. By Representatives Dixon of the 150th, Murphy of the 18th, Pelote of the 149th, Bordeaux of the 151st and Thomas of the 148th:
A resolution commending Joseph P. Crawford.
- HR 1331. By Representatives Smyre of the 136th, Murphy of the 18th, Walker of the 141st, Buck of the 135th and Stancil of the 91st:
A resolution commending the University System of Georgia Outstanding Scholars on Academic Recognition Day.
- HR 1332. By Representatives Jenkins of the 110th, Shanahan of the 10th, Murphy of the 18th, Lee of the 94th, Conneil of the 115th and others:
A resolution expressing best wishes for a speedy recovery to J. Beverly Langford.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

- HB 1888. By Representatives Wiles of the 34th, Woods of the 32nd, Ehrhart of the 36th and Kaye of the 37th:
A bill to amend an Act creating the State Court of Cobb County, so as to change certain provisions relating to the chief judge and judges of the State Court of Cobb County.

The following Senate amendment was read:

Amend HB 1888 by striking in its entirety Section 7 at p. 4, lines 19-24 and then renumbering Section 8 as Section 7.

Representative Wiles of the 34th moved that the House agree to the Senate amendment to HB 1888.

On the motion, the ayes were 110, nays 0.

The motion prevailed.

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

- HR 961. By Representatives Golden of the 177th, Shaw of the 176th and Reaves of the 178th:
A resolution urging public and private schools in this state to develop and implement programs to educate children about the dangers of abduction and ways to prevent it.

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:

Allen	Y Crews	Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Ponder	Y Stancil, S
Y Bergeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towerly
Y Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Hudson	Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 152, nays 0.

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

Representative Snow of the 2nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SR 535. By Senators Walker of the 22nd, Henson of the 55th, Madden of the 47th and others:

A resolution creating the Select Oversight Committee on Medicaid.

The following amendment was read and adopted:

The Committee on Appropriations moves to amend SR 535 by adding "pharmacists, nurses," after "physicians," on line 5 of page 2.

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

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

Y Allen	Y Crews	Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Joyce	Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Woods
Y Connell	Hudson	Y Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, as amended, the ayes were 154, nays 0.

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

SB 635. By Senators Taylor of the 12th, Perdue of the 18th, Hooks of the 14th and others:

A bill to amend Article 1 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to personnel administration, so as to provide a statement of legislative intent and define generally the roles of the state merit system and state department and agencies with respect to positions filled after July 1, 1996; to provide a statement of legislative intent with respect to the employment of veterans.

The following Committee substitute was read:

A BILL

To amend Article 1 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to personnel administration, so as to provide a statement of legislative intent and define generally the roles of the state merit system and state department and agencies with respect to positions filled after July 1, 1996; to provide a statement of legislative intent with respect to the employment of veterans; to provide that all employees included in the classified service of the state merit system prior to July 1, 1996, shall remain in the classified service; to provide that all positions filled on or after July 1, 1996, by new hires be included in the unclassified service; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to personnel administration, is amended by striking Code Section 45-20-1, relating to the merit system generally, in its entirety and inserting in its place a new Code Section 45-20-1 to read as follows:

"45-20-1.

(a) It is the purpose of this article to establish in the state a system of personnel administration based on merit principles and scientific methods governing the classification of positions and the employment, conduct, movement, and separation of public officers and employees. It is also the purpose of this article to build a career service in government which will attract, select, and retain the best employees based on merit, free from coercive political influences, with incentives in the form of equal opportunities for promotions in the service, which will eliminate unnecessary and inefficient employees and all, which will provide technically competent and loyal personnel to render impartial service to the public at all times and to render such service according to the dictates of ethics and morality; and which will eliminate unnecessary and inefficient employees. It is specifically the intent of the General Assembly to promote this purpose by allowing agencies greater flexibility in personnel management so as to promote the overall effectiveness and efficiency of state government. To this end, and in accordance with Code Sections 45-20-2 and 45-20-6, all positions filled after July 1, 1996, shall be included in the unclassified service of the state merit system. It is also specifically the intent of the General Assembly that employees in the classified service prior to July 1, 1996, shall continue to be covered employees in the classified service and shall remain subject to the rules and regulations of the state merit system so long as they remain in covered positions or as otherwise provided by law.

(b) In order to achieve these purposes, it is the policy of the state that the merit system established by this article be applied and administered agencies treat all employees, whether included in the classified or unclassified service, in accordance with the following principles:

(1) Equal opportunity for all regardless of race, color, sex, age, national origin, physical disability, or political or religious opinions or affiliations. No person shall be discriminated against in any case because of any physical disability in examination, appointment, reinstatement, reemployment, promotion, transfer, demotion, or removal with respect to any position the duties of which in the opinion of the commissioner of personnel administration may be efficiently performed by a person with such a physical disability, provided that the employment will not be hazardous to the appointee or endanger the health and safety of his fellow employees or others;

(2) Impartial selection of the best qualified person for government service by means of competitive tests which are fair, objective, practical, and predictive of or significantly correlated with important elements of work behavior which comprise or are relevant to the position or positions for which such persons are being evaluated;

(3) Equal opportunity for competent employees to be promoted with the service;

(4) Reasonable job security for the competent employee including the right of appeal from adverse personnel actions;

(5) Systematic classification of all positions through adequate job evaluation; and

(6) Proper balance in employer-employee relations to achieve a well-trained, productive, and happy working force.

(1) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to race, color, national origin, sex, age, disability, religious creed, or political affiliations. This 'fair treatment' principle includes compliance with all state and federal equal employment opportunity and nondiscrimination laws;

(2) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial employment;

(3) Providing equitable and adequate compensation based on merit and performance;

- (4) Training employees, as needed, to assure high quality performance;
- (5) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance where possible and appropriate, and separating employees whose performance is inadequate; and
- (6) Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office.
- (c) With respect to employees in the unclassified service, it shall generally be the responsibility of the state merit system to perform the following functions:
- (1) Establish and maintain a statewide system of pay ranges for all job classes;
 - (2) Define common job classes, establish associated minimum qualifications for those classes and assign those classes to appropriate pay ranges;
 - (3) Develop and maintain a common employment application form to be used by all applicants for state employment, which form may be supplemented as necessary by agencies in seeking information about agency unique job classes;
 - (4) Serve as the central contact point for all potential employees to receive application forms, provide information to applicants, refer applicants to agencies and make applications available to agencies for review and consideration;
 - (5) Upon request, develop, validate, or develop and validate applicant screening devices being utilized by agencies;
 - (6) Upon request, administer screening devices on behalf of agencies;
 - (7) Make employment related training available to agencies and allow agencies the opportunity to provide input into the nature and scope of said training programs;
 - (8) Develop model standards and processes which agencies may use in developing internal processes for (i) defining agency unique job classes, establishing associated minimum qualifications, and assigning these classes to appropriate state-wide pay ranges; and (ii) developing and applying applicant screening devices for all job classes;
 - (9) Audit agencies' processes and report findings as appropriate;
 - (10) Provide technical support and assistance to agencies as requested; and
 - (11) Maintain and make available to the public at large a state-wide central registry of employment vacancies and job announcements in state government as provided to the state merit system by agencies seeking assistance in filling job vacancies.
- (d) With respect to employees in the unclassified service, it shall generally be the responsibility of the employing agency to perform the following functions:
- (1) Define agency unique job classes, establish associated qualifications for those job classes, and assign those job classes to pay ranges on an appropriate state-wide compensation plan;
 - (2) Allocate all agency positions to defined job classes;
 - (3) Recruit and screen applicants for job vacancies;
 - (4) Develop and administer appropriate job applicant screening devices to ensure the integrity of the hiring process; and
 - (5) Develop policies to ensure compliance with all applicable employment related state and federal laws.
- (e) Subsections (c) and (d) of this Code section shall not apply to any agency which employs no classified employees as of July 1, 1996.
- (f) In the event agencies do not use a competitive civil service examination to fill some or all of their unclassified positions, it is expressly the intent of the General Assembly that appropriate consideration be given to veterans as defined under Article IV, Section III, Paragraph II of the Constitution of Georgia and Article 2 of Chapter 2 of this title in the filling of job vacancies in this state.
- ~~(e)~~(g) The rules of statutory construction contained in Chapter 3 of Title 1, relating to general provisions concerning the construction of statutes, as now or hereafter amended, shall apply to this article."

SECTION 2.

Said article is further amended by striking paragraph (15) of Code Section 45-20-2, relating to definitions used in connection with the law pertaining to the merit system, and inserting in its place a new paragraph (15) to read as follows:

“(15) ‘Unclassified service’ includes the following officers and employees who are excluded from the classified service by this article:

- (A) Members of the General Assembly;
- (B) Persons elected or appointed by the General Assembly, employees of the General Assembly, officials and employees of the Department of Audits and Accounts, and the legislative counsel, except as otherwise provided;
- (C) Officers, officials, and employees comprising the office of the Governor, except those officers, officials, and employees already covered by the state merit system by law or executive order; and all employees of the Office of Planning and Budget in the position classification policy coordinator, notwithstanding their previous inclusion in the classified service;
- (D) Officers, officials, and employees comprising the office of the Lieutenant Governor, except as otherwise provided;
- (E) Officers and officials elected by popular vote and persons appointed to fill vacancies in elective offices;
- (F) Members of boards and commissions appointed by the Governor or the General Assembly;
- (G) The heads of departments or agencies appointed by boards or commissions which have been appointed by the Governor or the General Assembly, except where specifically included;
- (H) Justices, judges, officials, officers, and employees of the judicial branch;
- (I) Members, the chancellor, and vice-chancellors of the Board of Regents of the University System of Georgia and all officers, officials, and employees of the University System of Georgia, except those officers, officials, and employees already eligible to be covered by the state merit system by law or executive order;
- (J) The officers, officials, and employees of the Department of Transportation, except those officers, officials, and employees already eligible to be covered by the state merit system by law or executive order;
- (K) The officers, officials, and employees of the Department of Law, except those officers, officials, and employees already covered by the state merit system by law or executive order;
- (L) A deputy or a confidential secretary when one is required by the head of a department, provided that the commissioner shall prescribe the conditions under which more than one deputy may be excluded;
- (M) Not more than five positions designated by the head of each department, bureau, commission, or agency, including those assigned for administrative purposes only, provided that the agency does not presently contain five unclassified, full-time, permanent, managerial positions; and provided, further, that the rights of classified employees shall not be abridged;
- (N) Members of the military forces of the state while engaged in military service;
- (O) Members of unemployment compensation boards of review and appeals tribunals representing employer, employee, and the general public interest;
- (P) State and local officials serving ex officio or emeritus and performing incidental duties;
- (Q) Members of other advisory councils, committees, or similar bodies within the state merit system;
- (R) Part-time or temporary employees rendering medical, nursing, or other professional, scientific, or technical services who are not engaged in the performance of administrative duties under the merit system, provided that such employees meet the minimum requirements of education and experience established by the appointing authority and such employment is approved by the commissioner;
- (S) Prisoner, inmate, student, or patient help working in or about institutions;
- (T) Per diem employees engaged in skilled or unskilled work on a seasonal or intermittent basis, provided that the commissioner has authorized such employment;
- (U) Commission and contract salesmen and hourly or per diem skilled and unskilled laborers working at the Georgia Industries for the Blind;

(V) Positions specifically excluded from classified service by law or those of a purely policy-making or confidential nature as recommended by the department head and approved by the Governor after consultation with the commissioner;

(W) ~~Time-limited position~~ established for the purpose of conducting a specific study, investigation, or project subject to the approval of the commissioner;

(X) Additional positions of unique functions as may be authorized by the commissioner;

(Y) Positions in the class Major assigned to the Uniform Division of the Department of Public Safety;

(Z)(i) The officers, officials, employees, and positions of the Department of Natural Resources, except those officers, officials, employees, and positions which are as of March 14, 1984, in fact in the classified service or which the commissioner designates as being in the classified service of the merit system unless placed in the unclassified service under another provision of this chapter. Except as provided in division (ii) of this subparagraph, unclassified employees of the Department of Natural Resources who are paid on an hourly basis shall continue not to be entitled to other benefits of employment, including, but not limited to, the accrual of annual and sick leave, membership within the Employees' Retirement System of Georgia, and inclusion under the health insurance plan for state employees as provided for in Article 1 of Chapter 18 of this title.

(ii) Any provision of division (i) of this subparagraph to the contrary notwithstanding, unclassified employees of the Department of Natural Resources who are at work on or after July 1, 1993, who are paid on an hourly basis, and who are otherwise eligible to participate under Article 1 of Chapter 18 of this title may be included under the health insurance plan for state employees as funding is provided and may accrue annual and sick leave; provided, however, that such eligibility for annual and sick leave shall not apply to any service occurring prior to July 1, 1993;

(AA) The employees in the positions in the job classification of 'Clerk, Contingency' in the Department of Labor who are paid on an hourly basis. These employees shall continue not to be entitled to other benefits of employment, including, but not limited to, the accrual of annual and sick leave, membership within the Employees' Retirement System of Georgia, and inclusion under the health insurance plan for state employees as provided for in Article 1 of Chapter 18 of this title;

(BB) The officers, officials, and employees of postsecondary technical schools which are operated by the Department of Technical and Adult Education, except those officers, officials, and employees already eligible to be covered by the state merit system by law or executive order;

(CC) The 39 positions funded by the General Assembly during the 1992 legislative session for the Insurance Department for the purposes of securing accreditation of the Insurance Department by the National Association of Insurance Commissioners; ~~and~~

(DD) The officers, officials, and employees of state schools which are operated by the State Board of Education, except those officers, officials, and employees already eligible to be covered by the state merit system by law or executive order; ~~and~~

(EE) All positions filled on or after July 1, 1996, by new hires."

SECTION 3.

Said article is further amended by striking Code Section 45-20-6, relating to the composition of classified and unclassified service, in its entirety and by inserting a new Code Section 45-20-6 to read as follows:

"45-20-6.

(a) The classified service as defined by Code Section 45-20-2 shall consist of all positions ~~now existing or hereafter established in the state departments filled by agencies prior to July 1, 1996,~~ except those included by law in the unclassified service. Such classified positions shall be covered by the state merit system. ~~Any officer or employee who has acquired a valid permanent status under the state merit system existing on March~~

13, 1975, shall continue in such status and shall not be required to take further or new examinations in order to retain such status. No position now existing or hereafter established shall be excluded from the classified service by this article, except as provided for in this article. ~~When a department head certifies to the Governor that any position in his department which is in the unclassified service is no longer a position of responsibility consisting primarily of confidential, policy-making, or high level executive functions, the Governor may by executive order and after consultation with the commissioner place the position in the classified service.~~ Any officer or employee who occupies a covered position under the state merit system prior to July 1, 1996, shall remain in the classified service so long as such officer or employee shall remain in that covered position or as otherwise provided by law.

(b) The unclassified service as defined by Code Section 45-20-2 shall consist of all positions in the departments of state government not included in the classified service under this article and these positions shall not be subject to the rules and regulations of the state merit system, with the provision that no position now existing which is covered by the state merit system shall be excluded from the classified service by this article, unless otherwise provided in this article State Personnel Board.

(c) Exclusion from the classified service shall not exclude any employee, officer, or official from eligibility for membership or membership in the Employees' Retirement System of Georgia, provided that such employee, officer, or official is otherwise eligible for membership under Chapter 2 of Title 47.

(d) ~~A classified employee with the consent of the head of the department and the concurrence of the commissioner may be placed on a leave of absence for a period not to exceed five years for the purpose of accepting an assignment in the unclassified service. An employee on such leave of absence shall be entitled to reemployment in the classified position from which the leave was granted throughout the period of such authorized leave subject to rules adopted by the board.~~

~~(e)~~(d) It is the intent of the General Assembly that employees in the classified service be required to serve a working test period before they obtain merit system protection and that the successful completion of this probationary period is part of the employment examination procedure. Each employee serving in a working test period shall be provided with management review by the appointing authority within ten calendar days of the date the employee has completed one-half of the working test period or as near to such date as is practicable. The management review shall include an evaluation of the employee's progress and recommendations, if any, for corrective action. The provision of management review pursuant to this subsection is solely for the purpose of promoting efficient management and employee development and shall not be interpreted as granting any additional rights to a working test employee. The State Personnel Board shall be responsible for adopting and amending rules and regulations establishing the guidelines to be used by the appointing authority in completing the management review pursuant to this subsection."

SECTION 4.

This Act shall become effective on July 1, 1996.

SECTION 5.

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

The following amendments were read and adopted:

Representative Scoggins of the 24th, et al. move to amend the Committee substitute to SB 635 as follows:

By striking on line 12 on page 10 the word "that" and inserting in lieu thereof the word "A"

Representatives Scoggins of the 24th and Poston of the 3rd move to amend the Committee substitute to SB 635 by striking on line 36 on page 3 and again on line 39 on page 4 the following:

“generally”.

The following amendment was read and lost:

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Representative Bannister of the 77th moves to amend the Committee substitute to SB 635 as follows:

Amend effective date on page 11 line 17 Section 4 to read

“upon signature of the Governor”

The following amendment was read:

Representatives Childers of the 13th, Randall of the 127th and Parham of the 122nd move to amend the Committee substitute to SB 635 by deleting “and” from line 10 of page 5.

By deleting “laws.” and inserting in its place “laws; and” on line 12 of page 5.

By inserting between lines 12 and 13 of page 5 the following:

“(6) For all positions filled on or after July 1, 1996, by new hires, provide reasonable job security for the competent employee by providing that adverse personnel actions may only be taken against such employees for cause and provide such employees with the right to appeal from adverse personnel actions to be administered pursuant to a uniform procedure promulgated under Chapter 13 of Title 50, the ‘Georgia Administrative Procedure Act,’ as amended. For the purposes of this paragraph the term:

(A) ‘Adverse personnel action’ means the termination or suspension without pay of such an employee. A reduction in force for budgetary reasons shall not constitute an adverse personnel action, unless such a reduction in force is shown to be mere pretext for an adverse personnel action; and

(B) ‘Cause’ means:

- (i) Negligence or inefficiency in performing assigned duties;
- (ii) Inability or unfitness to perform assigned duties;
- (iii) Insubordination;
- (iv) Misconduct;
- (v) Commission of a felony or other crime involving moral turpitude;
- (vi) Chronic tardiness or absenteeism;
- (vii) Failure to report for or remain at work without justifiable cause;
- (viii) Failure to process performance appraisals in a timely manner; or
- (ix) Political activity in violation of state law.”

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

N Allen	N Barnard	N Brooks, D	N Byrd	N Coleman, B
Y Anderson	N Barnes	Y Brooks, T	N Campbell	Y Coleman, T
N Ashe	N Bates	N Brown, J	Y Canty	N Connell
N Bailey	N Benefield	N Brush	N Carter	Y Crawford
N Baker	Y Birdsong	N Buck	N Chambless	N Crews
Y Bannister	N Bordeaux	N Buckner	N Channell	N Culbreth
N Barfoot	N Bostick	Y Bunn	Y Childers	Y Cummings
N Barger	N Breedlove	N Burkhalter	N Coker	Y Davis, G

N Davis, M	Y Holmes	N McBee	Y Reichert	Y Stanley, P
N Day	N Howard	E McCall	Y Roberts	N Stephenson
N DeLoach, B	N Hudson	N McClinton	N Rogers	N Streat
Y DeLoach, G	Y Hugley	McKinney	N Royal	Y Taylor
N Dix	N Irvin	N Mills	N Sanders	Y Teague
Y Dixon, H	N James	Y Mobley, B	N Sauder	Y Teper
N Dixon, S	Y Jamieson	N Mobley, J	N Scoggins	Y Thomas
N Dobbs	N Jenkins	N Mosley	N Shanahan	N Tillman
N Ehrhart	N Johnson, G	N Mueller	N Shaw	N Titus
N Epps	N Johnson, J	Y O'Neal	N Sherrill	N Towery
N Evans	Y Johnston	Orrock	N Shipp	N Trense
N Falls	Y Jones	Y Parham	N Simpson	Y Turnquest
N Felton	N Joyce	N Parrish	Y Sinkfield	Y Twiggs
N Floyd	N Kaye	N Parsons	N Skipper	N Walker, L
N Godbee	N Kinnamon	Y Pelote	N Smith, C	N Walker, R.L
N Golden	N Klein	Y Perry	N Smith, C.W	Y Wall
N Goodwin	N Ladd	N Pinholster	Y Smith, L	N Watson
E Greene	N Lakly	N Polak	N Smith, P	Y Watts
N Grindley	N Lane	N Ponder	N Smith, T	N Westmoreland
N Hanner	N Lawrence	Y Porter	N Smith, V	N Whitaker
N Harbin	N Lee	Y Poston	N Smith, W	Y White
N Harris	N Lewis	N Powell	Y Smyre	N Wiles
N Heard	Y Lifsey	N Purcell, A	N Snelling	N Williams, B
Y Heckstall	N Lord	N Purcell, B	N Snow	Williams, J
N Hegstrom	Y Lucas	Y Randall	N Stallings	N Williams, R
N Hembree	N Maddox	N Randolph	Y Stancil, F	N Woods
N Henson	N Mann	N Ray	N Stancil, S	N Yates
N Holland	N Martin	N Reaves	Y Stanley, L	Murphy, Spkr

On the adoption of the amendment, the ayes were 46, nays 128.

The amendment was lost.

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:

Y Allen	Y Coleman, B	N Hegstrom	Y McBee	Y Sanders
Y Anderson	Y Coleman, T	Y Hembree	E McCall	Y Sauder
Y Ashe	Y Connell	Y Henson	Y McClinton	Y Scoggins
Y Bailey	N Crawford	Y Holland	N McKinney	Y Shanahan
Y Baker	Y Crews	N Holmes	Y Mills	Y Shaw
Y Bannister	Y Culbreth	N Howard	N Mobley, B	Y Sherrill
Y Barfoot	Y Cummings	Y Hudson	Y Mobley, J	Y Shipp
Y Bargerion	N Davis, G	N Hugley	Y Mosley	Y Simpson
N Barnard	Y Davis, M	Y Irvin	Y Mueller	N Sinkfield
Y Barnes	Y Day	Y James	Y O'Neal	Y Skipper
Y Bates	Y DeLoach, B	Y Jamieson	Y Orrock	Y Smith, C
Y Benefield	Y DeLoach, G	N Jenkins	N Parham	Y Smith, C.W
Y Birdsong	Y Dix	Y Johnson, G	Y Parrish	N Smith, L
Y Bordeaux	N Dixon, H	Y Johnson, J	Y Parsons	N Smith, P
Y Bostick	Y Dixon, S	N Johnston	Y Pelote	Y Smith, T
Y Breedlove	Y Dobbs	Y Jones	N Perry	Y Smith, V
Y Brooks, D	Y Ehrhart	Y Joyce	Y Pinholster	Y Smith, W
N Brooks, T	Y Epps	Y Kaye	Y Polak	N Smyre
Y Brown, J	Y Evans	Y Kinnamon	Y Ponder	Y Snelling
Y Brush	Y Falls	Y Klein	Y Porter	Y Snow
Y Buck	Y Felton	Y Ladd	Y Poston	Y Stallings
Y Buckner	Y Floyd	Y Lakly	Y Powell	Y Stancil, F
N Bunn	Y Godbee	Y Lane	Y Purcell, A	Y Stancil, S
Y Burkhalter	Y Golden	Y Lawrence	Y Purcell, B	N Stanley, L
Y Byrd	Y Goodwin	Y Lee	Y Randall	N Stanley, P
Y Campbell	E Greene	Y Lewis	Y Randolph	Y Stephenson
N Canty	N Grindley	N Lifsey	Y Ray	Y Streat
Y Carter	Y Hanner	N Lord	Y Reaves	N Taylor
Y Chambliss	Y Harbin	N Lucas	Y Reichert	N Teague
Y Channell	Y Harris	N Maddox	N Roberts	N Teper
Y Childers	Y Heard	Y Mann	Y Rogers	N Thomas
Y Coker	N Heckstall	Y Martin	Y Royal	Y Tillman

Y Titus	N Twiggs	Y Watson	N White	Y Williams, R
Y Towery	Y Walker, L	Y Watts	Y Wiles	Y Woods
Y Trese	Y Walker, R.L	Y Westmoreland	Y Williams, B	Y Yates
N Turnquest	Y Wall	Y Whitaker	Williams, J	Murphy, Spkr

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On the passage of the Bill, by substitute, as amended, the ayes were 141, nays 35.

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

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority, the following resolution of the Senate:

SR 702. By Senators Ray of the 19th and Perdue of the 18th:

A resolution relative to adjournment.

The Speaker announced the House in recess until 1:00 o'clock this afternoon.

AFTERNOON SESSION

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The Speaker Pro Tem called the House to order.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 1736. By Representatives Birdsong of the 123rd, Smith of the 175th, Barger of the 120th and Parham of the 122nd:

A bill to amend Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to the requirement that the Department of Public Safety keep records of applications for licenses and information on drivers' licenses and the furnishing of such information, so as to authorize the Department of Public Safety to provide access to and disseminate information from its records to the military branches of the United States Department of Defense.

The following Senate amendment was read:

Amend HB 1736 by striking line 14 of page 1 and inserting in lieu thereof the following:

“such information; to provide for rules and regulations; to amend an Act approved March 29, 1994 (Ga. L. 1994, p. 478), providing for the exemption of certain drivers from the requirement for a learner's permit while taking instruction from a licensed driving instructor, so as to remove the automatic date of repeal or “sunset” date of said Act; to provide for effective dates; to”

By inserting between lines 30 and 31 of page 2 the following:

“SECTION 1A.

An Act approved March 29, 1994 (Ga. L. 1994, p. 478), providing for the exemption of certain drivers from the requirement for a learner's permit while taking instruction from a licensed driving instructor, is amended by repealing Section 4, which reads as follows:

‘SECTION 4.

This Act shall be repealed in its entirety July 1, 1996.’

SECTION 1B.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, except that Section 1 of this Act shall become effective on July 1, 1996.”

Representative Birdsong of the 123rd moved that the House disagree to the Senate amendment to HB 1736.

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate's appointment of a Committee of Conference thereon:

SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and others:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

Representative Reaves of the 178th moved that the House adhere to its position in substituting SB 583 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Reaves of the 178th, Floyd of the 138th and Purcell of the 147th.

The following Bills and Resolution of the House were taken up for the purpose of considering the Senate amendments or substitute thereto:

HB 1630. By Representatives Parsons of the 40th, Scoggins of the 24th and Coker of the 31st:

A bill to amend Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, known as the "Georgia Computer Systems Protection Act," so as to provide that it shall be unlawful for any person or organization knowingly to transmit certain misleading data through a computer or telephone network for the purpose of setting up, maintaining, operating, or exchanging data with an electronic mailbox, home page, or any other electronic information storage bank.

The following Senate amendments were read:

SENATE AMENDMENT NO. 1

Amend HB 1630 by striking from lines 28 through 30 on page 1 the following:

" , trade name, registered trademark, logo, legal or official seal, or copyrighted symbol"

By striking from line 34 on page 1 through line 2 on page 2 the following:

"trade name, registered trademark, logo, legal or official seal, or copyrighted symbol",

and inserting in lieu thereof the following:

"name"

SENATE AMENDMENT NO. 2

Amend HB 1630 by deleting on line 30 "to falsely identify" and replace it with

"under false pretenses to specifically identify"

Representative Parsons of the 40th moved that the House disagree to the Senate amendments to HB 1630.

Representative Kaye of the 37th moved that the House agree to the Senate amendments to HB 1630.

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

N Allen	Y Crews	Irvin	N Parrish	Smith, W
Anderson	Culbreth	James	N Parsons	Smyre
N Ashe	N Cummings	N Jamieson	Y Pelote	Snelling
N Bailey	Davis, G	N Jenkins	Perry	Snow
Baker	Davis, M	Johnson, G	N Pinholster	N Stallings
Bannister	N Day	N Johnson, J	Polak	N Stancil, F
N Barfoot	DeLoach, B	N Johnston	Ponder	N Stancil, S
Bargeron	N DeLoach, G	Jones	N Porter	Stanley, L
N Barnard	Dix	Joyce	N Poston	Stanley, P
N Barnes	N Dixon, H	Kaye	Powell	Stephenson
Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Klein	N Purcell, B	Taylor
Birdsong	Y Ehrhart	Y Ladd	Randall	N Teague
Bordeaux	Epps	Lakly	Randolph	N Teper
N Bostick	Y Evans	N Lane	Ray	Thomas
N Breedlove	Falls	N Lawrence	Reaves	Tillman
Brooks, D	Felton	N Lee	N Reichert	Titus
Brooks, T	N Floyd	N Lewis	Roberts	Towery
Brown, J	Godbee	Lifsey	N Rogers	Trense
Brush	Golden	Lord	N Royal	Turnquest
Buck	Goodwin	Lucas	Y Sanders	Twiggs
N Buckner	E Greene	Maddox	N Sauder	Walker, L
Bunn	Grindley	Mann	N Scoggins	Y Walker, R.L
Burkhalter	N Hanner	N Martin	N Shanahan	Wall
N Byrd	N Harbin	N McBee	Shaw	N Watson
Campbell	N Harris	E McCall	N Sherrill	N Watts
Canty	N Heard	McClinton	N Shipp	Westmoreland
N Carter	Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	White
N Channell	Hembree	Mobley, B	N Skipper	Wiles
N Childers	Henson	N Mobley, J	N Smith, C	Williams, B
N Coker	N Holland	N Mosley	Smith, C.W	N Williams, J
Coleman, B	N Holmes	Mueller	N Smith, L	N Williams, R
Coleman, T	N Howard	N O'Neal	N Smith, P	Woods
Connell	N Hudson	Orrock	Smith, T	Yates
Crawford	N Hugley	N Parham	Y Smith, V	N Murphy, Spkr

On the motion, the ayes were 9, nays 81.

The motion was lost.

HB 1404. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

The following Senate substitute was read:

A BILL

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to repeal a provision regarding compliance with minimum surplus requirements for mutual insurers; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to create the "Medical Care Savings Account and Trust Act"; to provide for a short title; to provide for declaration of legislative intent; to provide for definitions; to provide for individual medical care savings accounts; to provide for medical care savings accounts; to provide for the maximum amount that may be deposited in a medical care

savings account; to provide for withdrawals and penalties and procedures connected therewith; to provide for management of the medical care savings accounts; to provide for the establishment of trusts; to provide for responsibilities of individual or employee holders of medical care savings accounts; to provide for duties of the Commissioner of Insurance; to change certain provisions relating to residency requirements for license applicants; to remove the minimum and maximum durations of probationary agent licenses; to change certain provisions relating to countersigning of insurance contracts by resident agents; to change certain provisions relating to commissions for countersigning of insurance contracts by resident agents; to provide for requests for review of cancellations or nonrenewals by the Commissioner and to remove the requirement for a hearing; to provide for a point-of-service option for certain persons offered health care coverage through a health maintenance organization; to provide for additional payments for such option; to provide for different cost sharing provisions for such option in certain circumstances; to provide for exceptions; to implement the requirements of the Social Security Act Amendments of 1994; to change certain provisions relating to insurance fraud and investigation of fraudulent insurance acts; to change the definition of insurance fraud; to provide civil immunity to certain persons sharing information regarding fraudulent insurance acts; to change the penalty provisions for insurance fraud; to provide for exemption of defined commercial risks from certain filing requirements; to amend Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to fraud and related offenses, so as to define the offense of insurance fraud; to provide for penalties; to provide for related matters; to provide for effective dates; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by striking in its entirety subparagraph (a)(3)(B) of Code Section 33-7-14, relating to reinsurance of risks, and inserting in lieu thereof a new subparagraph (B) to read as follows:

“(B) Submits to the authority of this state to examine its books and records. ~~Paragraph (1) Subparagraph (A) of this subsection paragraph~~ shall not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system;”.

SECTION 1.1.

Said title is further amended by striking in its entirety Code Section 33-3-7.1, relating to compliance with minimum surplus requirements for mutual insurers, and inserting in lieu thereof the following:

“33-3-7.1.

~~Notwithstanding any provisions of this title which might be construed to the contrary, any mutual insurer which, as of April 19, 1994, has been issued at least 25 consecutive certificates of authority to transact insurance in this state, has at least \$1.5 million in surplus, and has surplus equal to at least 10 percent of its total assets shall be deemed to be in compliance with the minimum surplus requirement for mutual insurers under this title so long as it possesses and thereafter maintains at least \$1.5 million in surplus and has surplus which is equal to at least 10 percent of its total assets Reserved.”~~

SECTION 2.

Said title is further amended by striking in their entirety subsections (d) and (e) of Code Section 33-11-20, relating to investment in corporate obligations, and inserting in lieu thereof a new subsection (d) to read as follows:

“(d) An insurer may invest in secured and unsecured obligations of such institutions or in portions thereof, other than the obligations described in subsections (a), (b), and (c) of this Code section, which do not bear interest at a fixed rate and which may or may not have a maturity date or be evidenced by a formal certificate. Such investments must:

- (1) Consist of less than 100 percent of the total obligation issued; ~~and~~

(2) Be available for liquidation by the insurer within five days from the date of a request by the insurer for the liquidation of the investment; and

(3) Notwithstanding Code Section 33-11-37, as a total at any one time not exceed 5 percent of the insurer's admitted assets without the written approval of the Commissioner.

~~(e) Notwithstanding Code Section 33-11-37, an insurer's total investments in the obligations at any one time shall not exceed 5 percent of the insurer's admitted assets without the written approval of the Commissioner."~~

SECTION 3.

Said title is further amended by striking in its entirety subsection (a) of Code Section 33-16-14, relating to limitations on amounts of risks retainable by farmers' mutual insurance companies, and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) The maximum amount of insurance that a farmers' mutual fire insurance company may retain on any subject or subjects of insurance reasonably exposed to loss from the same fire shall not exceed the amount prescribed in the following schedule:

<u>Amount of Insurance in Force</u>	<u>Maximum Risk</u>
\$ 100,000 but less than	\$ 250,000.....\$ 2,000
250,000 but less than	400,000..... 2,500
400,000 but less than	600,000..... 3,000
600,000 but less than	900,000..... 4,000 <u>4,500</u>
900,000 but less than	1,200,000..... 5,000 <u>6,000</u>
1,200,000 but less than	1,500,000..... 5,500 <u>7,500</u>
1,500,000 but less than	2,000,000..... 6,000 <u>10,000</u>
2,000,000 but less than	2,500,000..... 7,000 <u>12,500</u>
2,500,000 but less than	3,000,000..... 8,000 <u>15,000</u>
3,000,000 but less than	3,500,000..... 9,000 <u>17,500</u>
3,500,000 but less than	7,000,000..... 10,000 <u>35,000</u>
7,000,000 and over	30,000 <u>50,000"</u>

SECTION 3A.

Said title is further amended by adding immediately after Chapter 20 of said title a new Chapter 20A to read as follows:

"CHAPTER 20A

33-20A-1.

This chapter shall be known and may be cited as the 'Medical Care Savings Account and Trust Act.'

33-20A-2.

The General Assembly finds and declares:

- (1) Many citizens of this state are without health insurance;
- (2) The costs of health care are escalating, forcing employers to trim the level and availability of benefits to their employees;
- (3) The projected increase in the older population in this state will create even greater demands on the state to provide long-term care for those in need;
- (4) In response to the runaway cost increases in health care spending, medical care savings accounts shall be created to increase health insurance availability for citizens of this state, to provide incentives to eliminate unnecessary medical treatment and paperwork, and to encourage competition;
- (5) To alleviate the impoverishment of citizens of this state requiring long-term care, medical care savings accounts shall be created to promote saving for long-term care and to provide incentives for individuals to protect themselves from financial hardship due to a long-term health care need; and
- (6) By setting aside money in a medical care savings account:
 - (A) Citizens of this state can insure themselves for both routine and major medical services and long-term care through employer funded or individual funded medical

care savings account programs and reduced cost, qualified higher deductible insurance policies;

(B) Employees can change jobs, using the medical care savings account to provide for their health care needs while they are between jobs;

(C) Sole proprietors during times of recession will have medical dollars saved to cushion them;

(D) Individuals and families will continue to have the freedom to choose their own physicians and other health care service providers;

(E) High school graduates not attending college and full-time or part-time college or technical school students no longer considered dependents will be better able to afford health care;

(F) Early retirees will have medical dollars saved to continue health care coverage;

(G) Health care costs and spending increases will be reduced by comparative shopping by consumers for quality health care services; and

(H) The problem of long-term care financing will be substantially reduced by empowering the citizens of this state to save for their future needs.

33-20A-3.

As used in this chapter, the term:

(1) 'Account administrator' means any of the following:

(A) A national or state chartered bank, a federal or state chartered savings and loan association, a federal or state chartered savings bank, or a federal or state chartered credit union;

(B) A trust company authorized to act as a fiduciary in this state;

(C) An insurance company authorized to do business in this state;

(D) A broker-dealer, commodity issuer, investment adviser, or agent registered pursuant to Title 10;

(E) A certified public accountant licensed to practice in this state;

(F) An attorney licensed to practice in this state;

(G) An employer, if the employer has a self-insured health plan under the Employee Retirement Income Security Act of 1974; and

(H) An employer that participates in the medical care savings account program.

(2) 'Apportionment' means the premium differential between the premiums for a qualified higher deductible plan and the plan previously offered by the employer, based on bona fide quotes from insurers offering similar benefits for similar employees in the same geographic area. In the event that no plan was previously offered, the portion contributed to a medical care savings account may be less than the higher deductible of the qualified higher deductible plan, and the premium differential formula shall be based on bona fide quotes for a lower deductible health plan and a qualified higher deductible plan offering similar benefits for similar employees in the same geographic area.

(3) 'Deductible' means the total deductible for an employee and all the dependents of that employee for a calendar year.

(4) 'Dependent' means the spouse of the employee or a child of the employee if the child is any of the following:

(A) Under the age of 19 years or under 23 years of age and enrolled as a full-time student at an accredited college or university or technical school;

(B) Legally entitled to the provision of proper or necessary subsistence, education, medical care, or other care necessary for his or her health, guidance, or well-being and not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States; or

(C) Mentally or physically incapacitated to the extent that he or she is not self-sufficient.

(5) 'Domicile' means a place where an individual has his or her true, fixed, and permanent home and principal establishment, to which, whenever absent, he or she intends to return. Domicile continues until another permanent home or principal establishment is established.

(6) 'Eligible medical expense' means an expense paid by the taxpayer for medical care defined in Section 213(d) of the Internal Revenue Code of 1986.

(7) 'Employee' means the individual for whose benefit or for the benefit of whose dependents a medical care savings account is established.

(8) 'ERISA' means the Employee Retirement Income Security Act of 1974.

(9) 'Higher deductible' means a deductible of not less than \$1,000.00 and not more than \$5,000.00 for the year 1996. This minimum and maximum shall be adjusted annually thereafter by the Commissioner of Insurance, as necessary, by a percentage equal to the previous year's increase in the national Consumer Price Index.

(10) 'Individual' means a self-employed individual; an unemployed individual who is not eligible for Medicaid, medicare, or any other state or federal program for the provision of health services; an employed individual whose employer does not offer a medical care savings account program, or the qualified dependents of the individual.

(11) 'Individual medical care savings account' or 'account' means a trust administered by a trustee created or organized to pay the eligible medical, dental, and long-term care expenses of the individual account holder to promote good health.

(12) 'Medical care savings account' or 'account' means an account established in this state pursuant to a medical care savings account program to pay the eligible medical expenses of an employee and his or her dependents.

(13) 'Medical care savings account program' or 'program' means a program that includes all of the following:

(A) The purchase by an employer or by employees or a shared purchase of a qualified higher deductible health plan for the benefit of an employee and his or her dependents;

(B) The contribution on behalf of an employee into an interest-bearing medical care savings account by his or her employer of all or part of the premium differential realized by the employer based on the purchase of a qualified higher deductible health plan for the benefit of the employee. An employer that did not previously provide a health coverage policy, certificate, or contract for his or her employees or an employer that chooses may contribute all or part of the deductible of the plan purchased pursuant to this chapter. The employee may contribute into the account in addition to a contribution by the employer all or part of the difference between the employer's contribution and the maximum contribution as determined pursuant to this chapter. A contribution under this subparagraph shall not exceed \$5,000.00 for the year 1996 and shall be adjusted annually as set forth in this chapter.

(C) An account administrator to administer the medical care savings account from which payment of claims is made. Not more than 30 days after an account administrator begins to administer an account, the administrator shall notify in writing each employee on whose behalf the administrator administers an account of the date of the last business day of the administrator's business year.

(14) 'Qualified higher deductible health plan' means a health coverage policy, certificate, or contract that provides for payments for covered benefits that exceed the higher deductible and that is purchased by an employer or an employee or an individual for the benefit of an employee or individual and the person's dependents, for whom the employer or the employee or the individual makes deposits into a medical care savings account. The qualified higher deductible health plan may participate in any managed care health program authorized by this title. A managed health care program shall not discriminate and must provide access to any individual, employee, employer, or organization that wants to participate.

(15) 'Trustee' means a federal or state chartered bank, savings bank, savings and loan association, credit union, insurance company, trust company, or any other entity authorized to act as a fiduciary.

33-20A-4.

(a) For tax years beginning in the year 1996, an employer, except as otherwise provided by statute, contract, or a collective bargaining agreement, may offer a medical care savings account program to the employer's employees.

(b) An employer that offers a medical care savings account program shall inform all employees in writing of the federal and state tax status of contributions made pursuant to this chapter, before making the first contribution and then at least annually before making ~~the first contribution~~ in any calendar year.

(c) Except as provided in Code Section 33-20A-5, principal contributed by or for the employee, interest earned on a medical care savings account, and money reimbursed to an employee for eligible medical expenses may be exempt from Georgia income tax as otherwise provided by law.

(d) The account administrator shall utilize the funds held in a medical care savings account solely for the purpose of paying the eligible medical expenses of the employee or his or her dependents or to purchase or assist in the purchase of a health coverage policy, certificate, or contract, if the employer does not fully fund the qualified higher deductible health insurance plan. Funds held in a medical care savings account shall not be used to cover medical expenses of the employee or his or her dependents that are otherwise covered, including, but not limited to, medical expenses covered pursuant to an automobile insurance policy, workers' compensation insurance policy, or self-insured plan or another health coverage policy, certificate, or contract.

(e) The employee may submit documentation of medical expenses paid by the employee during the tax year to the account administrator. The account administrator shall reimburse the employee from the employee's account for eligible medical expenses.

(f) If an employer makes contributions to a medical care savings account program on a periodic installment basis, the employer may advance to an employee, interest free, an amount necessary to cover medical expenses incurred that exceed the amount in the employee's medical care savings account when the expense is incurred, if the employee agrees to repay the advance from future installments or within 180 days from when he or she ceases to be an employee of the employer.

(g) Notwithstanding subsections (a) through (f) of this Code section and subject to subsection (i) of this Code section, an employee may withdraw money from his or her medical care savings account for any purpose other than a purpose described in subsection (d) of this Code section only on the last business day of the account administrator's business year. Money withdrawn pursuant to this subsection is income for the purposes of state and federal income taxation.

(h) Subject to subsection (i) of this Code section, if the employee withdraws money for any purpose other than a purpose described in subsection (d) of this Code section at any other time, all of the following apply:

(1) The amount of the withdrawal is income for the purposes of state income taxation in the tax year of the withdrawal;

(2) The administrator shall withhold, and on behalf of the employee shall pay, a penalty to the state revenue commissioner equal to 10 percent of the amount of the withdrawal; and

(3) Interest earned on the account during the tax year in which a withdrawal under this subsection is made is income for purpose of Code Section 48-7-27.

(i) Notwithstanding the provisions of subsection (h) of this Code section, the amount of a disbursement of any assets of a medical care savings account pursuant to a filing for protection under Title 11 of the United States Code, 11 U.S.C. Section 101, et seq., by an employee or person for whose benefit the account was established is not considered a withdrawal for purposes of this Code section and may be excluded from taxation if otherwise authorized by law.

(j) Upon the death of the employee, the account administrator shall distribute the principal and accumulated interest of the medical care savings account to the estate of the employee.

(k) If an employee is no longer employed by an employer that participates in a medical care savings account program and the employee, not more than 60 days after his or her final day of employment requests in writing to the former employer's account administrator that the account remain with that administrator and that account administrator agrees to retain the account, the money in the medical care savings account may be utilized for the benefit of the employee or his or her dependents subject to this chapter

and remain exempt from taxation pursuant to this chapter. Not more than 30 days after the expiration of the 60 days, if the account administrator reasonably does not accept the former employees' account, the employer shall mail a check to the former employee at the ~~employee's last known~~ address equal to the amount in the account on that day and that amount is subject to taxation pursuant to paragraphs (1) and (3) of subsection (h) of this Code section but is not subject to the penalty under paragraph (2) of subsection (h) of this Code section unless the former employee becomes employed with a different employer that participates in a medical care savings account program and the employee transfers his or her medical care savings account to that new employer's account administrator or the employee transfers his or her medical care savings account to an individual medical care savings account in which event the transferred amount is not subject to taxation or the provisions of subsection (h) of this Code section.

(l) After an employee reaches 60 years of age, withdrawals shall be permitted for eligible medical, dental, or long-term care expenses only.

33-20A-5.

(a) A person may deposit cash contributions to an individual medical care savings account provided that total yearly contributions shall be made on or before the fifteenth day of April of each year for the prior year and shall not exceed the higher deductible of a qualified higher deductible plan plus \$1,000.00 which may be used towards the purchase of a qualified higher deductible insurance plan.

(b) The maximum allowable amount of yearly contribution for subsequent years may be increased annually by an amount not to exceed the higher deductible of the qualified higher deductible plan of the account holder and his or her dependents.

(c) Interest earned on an individual medical care savings account may be excluded as personal income for income tax purposes as otherwise provided by law except as provided in subsection (e) of this Code section.

(d) The individual medical care savings account shall be established as a trust and placed with an account administrator. The account administrator shall utilize the trust assets solely for the purpose of paying the medical, dental, and long-term care expenses of the account holder and for withdrawals under subsection (e) of this Code section.

(e) Individual medical care savings account funds may be withdrawn by the account holder at any time for any purpose, subject to the following restrictions and penalties:

(1) The higher deductible required for payment of covered benefits under the qualified higher deductible plan or 50 percent of the total amount in the account, whichever is greater, must be reserved at all times or accounted for in eligible deductible health care expenditures under the individual medical care savings account on an annual basis;

(2) There shall be a distribution penalty for withdrawal by the account holder of individual medical care savings account funds not used for health care expenditures. Account funds or any portion thereof used as security for a loan shall be treated as distributed. Such penalty shall be 10 percent of the amount of interest earned as of the date of withdrawal on the account, and, upon such withdrawal, the interest earned during the prior tax year shall be subject to state income taxation; and

(3) When a person is no longer considered a legal dependent under a qualified higher deductible plan the account holder may withdraw, without penalty, the premium necessary to purchase a new qualified higher deductible plan and subject to the limitation in paragraph (1) of this subsection funds to meet the higher deductible to establish an individual medical care savings account for the person no longer considered a legal dependent under the prior qualified higher deductible plan.

(f) Upon the death of the account holder, the account principal, as well as any interest accumulated thereon, shall be distributed to the decedent's estate and taxed as part of the estate as provided by law or distributed to the account holder's designated beneficiary or beneficiaries.

33-20A-6.

(a) Each person under this chapter is responsible for paying for his or her receipt of medical services at the point of service. A person may either make a cash or check payment and seek reimbursement, use a debit or credit card and seek reimbursement, or give an ~~assignment of benefits~~.

(b) Each person is responsible for paying for his or her health care. Persons who have no insurance coverage or who have not met their deductible or copayment obligations are nevertheless responsible for all debts incurred for their health care. Those persons and entities providing health services are encouraged to use the full force of the law to collect medical debts.

33-20A-7.

The Commissioner of Insurance shall report on or before the first day of January, 1997, to the Senate Committee on Health and Human Services, the Senate Committee on Insurance and Labor, the House Committee on Health and Ecology, and the House Committee on Insurance all of the following:

- (1) The availability of health care coverage under and market share of medical care savings account programs;
- (2) Results of a survey of employer and employee satisfaction with medical care savings account programs; and
- (3) The results of a loss ratio study relative to medical care savings account programs."

SECTION 4.

Said title is further amended by striking in its entirety paragraph (1) of subsection (a) of Code Section 33-23-5, relating to qualifications and requirements for license applicants, and inserting in lieu thereof a new paragraph (1) to read as follows:

"(1) The applicant must be a resident of this state who will reside and be present within this state for at least six months of every year or an individual whose principal place of business is within this state; provided, however, in cities, towns, or trade areas, either unincorporated or comprised of two or more incorporated cities or towns, located partly within and partly outside the state, requirements as to residence and principal place of business shall be deemed met if the residence or place of business is located in any part of the city, town, or trade area and if the other state in which the city, town, or trade area is located in part has established like requirements as to residence and place of business;"

SECTION 5.

Said title is further amended by striking in its entirety subsection (b) of Code Section 33-23-14, relating to minimum and maximum durations of probationary agent licenses, and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) A probationary license ~~may be issued for a period of not less than three months and not longer than 12 months~~ and shall be subject to immediate revocation for cause at any time without a hearing."

SECTION 6.

Said title is further amended by striking in its entirety subsection (b) of Code Section 33-23-31, relating to countersigning of insurance contracts by resident agents, and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) All insurance contracts on risks or property or persons located or having a situs in this state shall bear the countersignature of an agent who ~~resides in this state~~ and is licensed pursuant to ~~this article~~ Code Section 33-23-5, except:

- (1) Any contract of insurance covering the rolling stock of any railroad, covering any vessel, aircraft, or motor vehicle used in interstate or foreign commerce, or covering any liability or other risks incident to the ownership, maintenance, or operation thereof;
- (2) Any contract of property insurance upon property of railroad companies and other common carriers;
- (3) Any contract of insurance covering any property in transit while in the custody of any common carrier or any liability or risk incident to the carrier;

- (4) Any contract of reinsurance between insurers;
- (5) Any contract of life or accident and sickness insurance; or
- (6) Bid bonds issued by any surety insurer in connection with any public or private building or construction project."

SECTION 7.

Said title is further amended by striking in its entirety Code Section 33-23-32, relating to commissions for countersigning of insurance contracts by resident agents, and inserting in lieu thereof a new Code Section 33-23-32 to read as follows:

"33-23-32.

Except as provided in subsection (b) of Code Section 33-23-31, all insurance contracts on risks or property located or having a situs in this state must be countersigned by a resident an agent duly licensed in accordance with this chapter Code Section 33-23-5; and, if a licensed nonresident agent participates in the effectuation of such contract, the resident agent licensed in accordance with Code Section 33-23-5 shall be entitled to the same commission as allowed by the state of residence of the licensed nonresident but, in any event, to not more than 50 percent of the commission. Nothing contained in this Code section shall be construed to require a company to make additional compensation in the way of commissions or otherwise to a person who is paid on a salary basis."

SECTION 8.

Said title is further amended by striking in its entirety subsection (o) of Code Section 33-24-45, relating to cancellation or nonrenewal of automobile or motorcycle policies and procedures for hearing before the Commissioner, and inserting in lieu thereof a new subsection (o) to read as follows:

"(o) An insured may file a written request for a hearing before request a review by the Commissioner if the insured believes that his or her policy has been canceled or nonrenewed in violation of this Code section. A hearing Such request must be filed with the Commissioner within 15 days of receipt of a notice of cancellation or nonrenewal, and shall be accompanied by a filing fee to be prescribed by rule of the Commissioner. The filing fee may be waived by the Commissioner in the event the payment of such fee would cause economic hardship to the insured. A hearing shall be scheduled within 20 days of said request unless the Commissioner determines from the facts stated in the request that such request is without merit. A written determination must be issued by the Commissioner within ten days of the date of the hearing. A review of the cancellation or nonrenewal shall be conducted within 30 days of said request. The Commissioner shall notify the insured and the insurer of his or her decision within the 30 day period. During the pendency of such proceedings review, the policy shall continue in full force and effect and the Commissioner may order the insured to tender any premiums due for such continued coverage to the Commissioner to be held in escrow shall specify by rule or regulation the method of payment of premium due and the disposition of premium refunds, if any. The Commissioner shall either order require that the policy be reinstated or renewed or may uphold the nonrenewal or cancellation and shall order the disposition of any premium payments held in escrow in accordance with the decision in the case. The Commissioner may also order such penalties as he determines are appropriate in the event of an abusive nonrenewal or cancellation. Except as otherwise specifically provided in this subsection, all hearings conducted pursuant to this subsection shall be conducted pursuant to provisions of Chapter 2 of this title. In any hearing or investigation conducted pursuant to this subsection, the Commissioner shall be authorized to investigate the issue of whether the insurer has engaged in a pattern or practice of improper policy nonrenewal or cancellation procedures and, in In the event of a determination that the insurer has engaged in a pattern or practice of improper policy nonrenewal or cancellation procedures, to order such remedies and penalties as he deems appropriate and as are authorized by law. the Commissioner determines that an insurer's cancellation or nonrenewal action constitutes an unfair act or practice, the Commissioner may take action as authorized by this title."

SECTION 9.

Said title is further amended by striking in its entirety Code Section 33-43-1, relating to definitions applicable to medicare supplement insurance, and inserting in lieu thereof a new Code Section 33-43-1 to read as follows:

“33-43-1.

As used in this chapter, the term:

(1) ‘Applicant’ means:

(A) In the case of an individual medicare supplement policy or subscriber contract, the person who seeks to contract for insurance benefits; and

(B) In the case of a group medicare supplement policy, the proposed certificate holder.

(2) ‘Certificate’ means any certificate delivered or issued for delivery in this state under a group medicare supplement policy.

(3) ‘Certificate form’ means the form on which the certificate is delivered or issued for delivery by the ~~insurer~~ issuer.

(4) ‘Issuer’ includes insurance companies, fraternal benefit societies, health care service plans, health maintenance organizations, and any other entity delivering or issuing for delivery in this state medicare supplement policies or certificates.

(5) ‘Medicare’ means the ‘Health Insurance for the Aged Act,’ Title XVIII of the Social Security Act Amendments of 1965, as then constituted or later amended.

(6) ‘Medicare supplement policy’ means a group or individual policy of accident and sickness insurance or a subscriber contract of hospital and medical service associations or health maintenance organizations, other than a policy issued pursuant to a contract under Section 1876 or ~~Section 1833~~ of the federal Social Security Act (42 U.S.C. Section 1395, et seq.) or an issued policy under a demonstration project ~~authorized pursuant to amendments to the federal Social Security Act specified in 42 U.S.C. Section 1395ss(g)(1)~~, which is advertised, marketed, or designed primarily as a supplement to ~~reimbursement~~ reimbursements under medicare for the hospital, medical, or surgical expenses of persons eligible for medicare.

(7) ‘Policy form’ means the form on which the policy is delivered or issued for delivery by the ~~insurer~~ issuer.”

SECTION 10.

Said title is further amended by striking in its entirety Code Section 33-43-2, relating to the applicability of said chapter, and inserting in lieu thereof a new Code Section 33-43-2 to read as follows:

“33-43-2.

(a) Except as otherwise specifically provided ~~in Code Section 33-43-4~~, this chapter shall apply to:

(1) All medicare supplement policies delivered or issued for delivery in this state on or after ~~July 30, 1992~~ April 28, 1996; and

(2) All certificates issued under group medicare supplement policies, which certificates have been delivered or issued for delivery in this state.

(b) This chapter shall not apply to a policy of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations or a combination thereof, for employees or former employees or a combination thereof, or for members or former members or a combination thereof of the labor organizations.

(c) Except as provided under subsection (d) of Code Section 33-43-5, the ~~The~~ provisions of this chapter shall not be construed to prohibit or apply to insurance policies or health care benefit plans, including group conversion policies, provided to medicare eligible persons, which policies are not marketed or held to be medicare supplement policies or benefit plans.”

SECTION 11.

Said title is further amended by striking in its entirety subsection (b) of Code Section 33-43-3, relating to duplicate state benefits, policy standards, prohibited provisions, denial

of claims, and preexisting conditions, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) Notwithstanding any other provision of ~~this title Georgia law~~, a medicare supplement ~~policy or certificate~~ shall not exclude or limit benefits for losses incurred more than six months from the effective date of coverage because it involved a preexisting condition. The policy or certificate shall not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six months before the effective date of coverage.”

SECTION 12.

Said title is further amended by striking in its entirety subsection (d) of Code Section 33-43-5, relating to insurer filing requirements, benefits, and loss ratio standards, and inserting in lieu thereof a new subsection (d) to read as follows:

“(d) The Commissioner may prescribe by regulation for captions or notice requirements, determined to be in the public interest and designed to inform prospective insureds that particular insurance coverages are not medicare supplement coverages for all accident and sickness insurance policies sold to persons eligible for medicare, other than:

- (1) Medicare supplement policies; or
- (2) Disability income policies;
- ~~(3) Basic, catastrophic, or major medical expense policies; or~~
- ~~(4) Single premium, nonrenewable policies.”~~

SECTION 13.

Said title is further amended by striking in its entirety Code Section 33-1-9, relating to insurance fraud, venue of prosecutions, and penalties, and inserting in lieu thereof a new Code Section 33-1-9 to read as follows:

“33-1-9.

(a) Any natural person who knowingly or willfully:

- (1) Makes or aids in the making of any false or fraudulent statement or representation of any material fact or thing; ~~in any written statement or certificate; in the making of an application for a policy of insurance; in the receiving of such application; or in the receiving of money for such application; for the purpose of procuring or attempting to procure the payment of any false or fraudulent claim by an insurer;~~

(A) In any written statement or certificate;

(B) In the filing of a claim;

(C) In the making of an application for a policy of insurance;

(D) In the receiving of such an application for a policy of insurance; or

(E) In the receiving of money for such application for a policy of insurance

for the purpose of procuring or attempting to procure the payment of any false or fraudulent claim or other benefit by an insurer;

- (2) Receives money for the purpose of purchasing insurance and converts such money to such person's own benefit;

(3) Issues fake or counterfeit insurance policies, certificates of insurance, insurance identification cards, or insurance binders; or

- (4) Makes any false or fraudulent representation as to the death or disability of a policy or certificate holder in any written statement or certificate for the purpose of fraudulently obtaining money or benefit from an insurer

commits the crime of insurance fraud.

(b) In any prosecution under this Code section, the crime shall be considered as having been committed in the county of the purported loss, in the county in which the insurer or the insurer's agent received the fraudulent or false claim or application, in the county in which money was received for the fraudulent application, or in any county where any act in furtherance of the criminal scheme was committed.

~~(c)(1) Except as provided in paragraph (2) of this subsection, a person convicted of a violation of subsection (a) of this Code section shall be guilty of a misdemeanor.~~

~~(2) Where the claim, benefit, or money referred to in subsection (a) of this Code section exceeds an aggregate of \$500.00, a person convicted of a violation of subsection~~

~~(a) of this Code section shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than five years, or by a fine of not more than \$5,000.00, or both.~~

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SECTION 14.

Said title is further amended by inserting after subsection (d) of Code Section 33-1-16, relating to investigation of fraudulent insurance act, a new subsection (d.1) to read as follows:

“(d.1)(1) In addition to the immunity granted in paragraph (3) of subsection (d) of this Code section, persons employed by an insurer whose responsibilities include the investigation and disposition of claims relating to suspected fraudulent insurance acts may share information relating to persons suspected of committing fraudulent insurance acts with other employees employed by the same or other insurers whose responsibilities include the investigation and disposition of claims relating to fraudulent insurance acts. Unless the employees of the insurer act in bad faith or in reckless disregard for the rights of any insured, neither the insurer nor its employees are civilly liable for libel, slander, or any other relevant tort, and a civil action shall not arise against the insurer or its employees:

(A) For any information related to suspected fraudulent insurance acts provided to an insurer; or

(B) For any information relating to suspected fraudulent insurance acts provided to the National Insurance Crime Bureau or the National Association of Insurance Commissioners.

(2) The qualified immunity against civil liability conferred by paragraph (1) of this subsection on any insurer or its employees shall be forfeited with respect to the exchange or publication of any defamatory information with third persons not expressly authorized under paragraph (1) of this subsection to share in such information.”

SECTION 15.

Said title is further amended by inserting after subsection (a) of Code Section 33-9-3, relating to application of certain provisions regarding regulation of rates, underwriting rules, and related organizations, a new subsection (a.1) to read as follows:

“(a.1) The Commissioner may by rule or regulation establish criteria by which defined commercial risks may be exempted from the filing requirements of this chapter.”

SECTION 16.

Article 4 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to fraud and related offenses, is amended by adding thereto a new Code Section 16-9-61 to read as follows:

“16-9-61.

(a) A person commits the offense of insurance fraud when he or she violates the provisions of Code Section 33-1-9.

(b)(1) Except as provided in paragraph (2) of this subsection, any person who commits the offense of insurance fraud shall be guilty of a misdemeanor.

(2) Where the value or potential value of any claim, money, or other benefit involved in a violation of Code Section 33-1-9 exceeds an aggregate of \$500.00, any person who commits the offense of insurance fraud shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years or by a fine of not more than \$5,000.00, or both.”

SECTION 17.

(a) This section and Section 19 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) Sections 14, 15, and 17 of this Act shall become effective July 1, 1996, and shall apply with respect to conduct or offenses committed on or after that effective date and shall not apply to or affect conduct or offenses committed prior to that effective date.

(c) Sections 10 through 13 of this Act shall become effective April 28, 1996.

(d) Sections 1 through 9 of this Act and Section 16 of this Act shall become effective July 1, 1996.

SECTION 18.

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

Representative Harbin of the 113th moved that the House disagree to the Senate substitute to HB 1404.

The motion prevailed.

HR 876. By Representative Jenkins of the 110th:

A resolution compensating Ms. Sylvia A. Cone.

The following Senate amendment was read:

Amend HR 876 by striking on Page 1 Line 15 and Line 21 "\$7,500.00" and inserting in lieu thereof "\$277.86"

Representative Jenkins of the 110th moved that the House disagree to the Senate amendment to HR 876.

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and ground-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

The following Senate amendment was read:

Amend the House substitute to SB 500 by adding on Line 13 of pg. 5 after the word facilities,

"permits applied for prior to Jan. 1, 1996."

Representative Watts of the 26th moved that the House disagree to the Senate amendment to the House substitute to SB 500.

Representative Evans of the 28th moved that the House agree to the Senate amendment to the House substitute to SB 500.

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

N Allen	Y Bannister	Bates	Y Breedlove	N Buck
N Anderson	N Barfoot	N Benefield	N Brooks, D	N Buckner
N Ashe	Bargeron	N Birdsong	Brooks, T	N Bunn
N Bailey	Y Barnard	N Bordeaux	N Brown, J	Burkhalter
N Baker	N Barnes	Bostick	N Brush	N Byrd

N Campbell	Goodwin	N Lawrence	N Purcell, A	N Stancil, F
N Canty	E Greene	N Lee	N Purcell, B	N Stancil, S
Carter	Grindley	N Lewis	Randall	Y Stanley, L
N Chambless	N Hanner	N Lifsey	N Randolph	Y Stanley, P
N Channell	N Harbin	Lord	Ray	Stephenson
N Childers	N Harris	N Lucas	N Reaves	N Streat
N Coker	N Heard	Y Maddox	N Reichert	N Taylor
Coleman, B	N Heckstall	Y Mann	N Roberts	Teague
Coleman, T	N Hegstrom	N Martin	Rogers	N Teper
Connell	Y Hembree	N McBee	N Royal	N Thomas
N Crawford	N Henson	E McCall	Y Sanders	N Tillman
Y Crews	N Holland	Y McClinton	N Sauder	Y Titus
Culbreth	N Holmes	N McKinney	Y Scoggins	N Towery
N Cummings	Y Howard	Y Mills	N Shanahan	N Trense
N Davis, G	N Hudson	N Mobley, B	N Shaw	N Turnquest
Y Davis, M	N Hugley	N Mobley, J	N Sherrill	Twiggs
Y Day	Y Irvin	N Mosley	N Shipp	Walker, L
Y DeLoach, B	N James	Mueller	N Simpson	Y Walker, R.L
Y DeLoach, G	N Jamieson	N O'Neal	Y Sinkfield	Wall
Dix	N Jenkins	N Orrock	N Skipper	Watson
N Dixon, H	Y Johnson, G	Parham	N Smith, C	N Watts
N Dixon, S	Y Johnson, J	N Parrish	Smith, C.W	Y Westmoreland
N Dobbs	N Johnston	N Parsons	N Smith, L	N Whitaker
Y Ehrhart	N Jones	N Pelote	N Smith, P	White
Epps	Y Joyce	N Perry	Smith, T	N Wiles
Y Evans	N Kaye	N Pinholster	Y Smith, V	Williams, B
Falls	N Kinnamon	N Polak	Smith, W	Williams, J
Felton	N Klein	N Ponder	Smyre	N Williams, R
N Floyd	N Ladd	N Porter	Y Snelling	Y Woods
N Godbee	Y Lakly	N Poston	Snow	Y Yates
Golden	N Lane	N Powell	N Stallings	N Murphy, Spkr

On the motion, the ayes were 33, nays 108.

The motion was lost.

The following Bills and Resolution of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

The following Senate amendment was read:

Amend HB 1420 by striking line 30 of page 1 and inserting in lieu thereof the following:

“(g) By the 20th day of each month, the state registrar”.

Representative Grindley of the 35th moved that the House disagree to the Senate amendment to HB 1420.

The motion prevailed.

The Speaker assumed the Chair.

HB 1487. By Representatives Buck of the 135th, Culbreth of the 132nd, Taylor of the 134th, Hugley of the 133rd, Smith of the 102nd and others:

A bill to amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to county and municipal excise tax levies on charges to the public for rooms, lodgings, and accommodations, so as to provide authorization with certain conditions for certain counties and municipalities to levy such tax.

The following Senate substitute was read:

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A BILL

To amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to county and municipal excise tax levies on charges to the public for rooms, lodgings, and accommodations, so as to provide authorization with certain conditions for certain counties and municipalities to levy such tax; to change certain restrictions applicable to the aggregate amount of certain excise taxes and sales and use taxes and other taxes which may be imposed by a county or municipality; to provide for requirements and limitations with respect thereto; to provide for related matters; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to county and municipal excise tax levies on charges to the public for rooms, lodgings, and accommodations, is amended by striking paragraphs (1) and (2) of subsection (a) of Code Section 48-13-51, relating to the levy and collection of certain excise taxes, and inserting in their places new paragraphs (1) and (2) to read as follows:

“(a)(1) The governing authority of each municipality in this state may levy and collect an excise tax upon the furnishing for value to the public of any room or rooms, lodgings, or accommodations furnished by any person or legal entity licensed by, or required to pay business or occupation taxes to, the municipality for operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished for value. Within the territorial limits of the special district located within the county, each county in this state may levy and collect an excise tax upon the furnishing for value to the public of any room or rooms, lodgings, or accommodations furnished by any person or legal entity licensed by, or required to pay business or occupation taxes to, the county for operating within the special district a hotel, motel, inn, lodge, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished for value. No tax shall be levied as provided in this Code section upon the fees or charges for any rooms, lodgings, or accommodations furnished for a period of more than ten consecutive days or for use as meeting rooms. No tax shall be levied as provided in this Code section upon the fees or charges for any rooms, lodgings, or accommodations furnished for a period of one or more days for use by Georgia state or local government officials or employees when traveling on official business. Except as provided in paragraphs (3), (3.1), (3.2), (3.3), (3.4), (3.5), (4), (4.1), (5), and (5.1) of this subsection, no tax levied pursuant to this Code section shall be levied or collected at a rate exceeding 3 percent of the charge to the public for the furnishings.

(2) A county or municipality levying a tax as provided in paragraph (1) of this subsection shall in each fiscal year beginning on or after July 1, 1987, expend for the purpose of promoting tourism, conventions, and trade shows a percentage of the total taxes collected under this Code section which is not less than the percentage of such tax collections expended for such purposes during the immediately preceding fiscal year. In addition, if during such immediately preceding fiscal year any portion of such tax receipts was expended for such purposes through a grant to or a contract or contracts with the state, a department of state government, a state authority, or a private sector nonprofit organization, then in each fiscal year beginning on or after July 1, 1987, at least the same percentage shall be expended through a contract or contracts with one or more such entities for the purpose of promoting tourism, conventions, and trade shows. The expenditure requirements of this paragraph shall cease to apply to a county or municipality which levies a tax at a rate in excess of 3 percent, as authorized under paragraphs (3), (3.1), (3.2), (3.3), (3.4), (3.5), (4), (4.1), (5), and (5.1) of

this subsection; and in such case the expenditure requirements of such paragraph of this subsection pursuant to which such tax is levied shall apply instead.”

SECTION 2.

Said article is further amended by adding a new paragraph immediately following paragraph (3.4) of subsection (a) of Code Section 48-13-51, relating to the levy and collection of certain excise taxes, to be designated paragraph (3.5), to read as follows:

“(3.5) Notwithstanding the provisions of paragraph (1) of this subsection, a local consolidated government (within the territorial limits of the special district located within the county the boundary of which is coterminous with that of such local consolidated government) may levy a tax under this Code section at a rate of 6 percent. A local consolidated government levying a tax pursuant to this paragraph shall expend (in each fiscal year during which the tax is collected under this paragraph (3.5)) an amount equal to the amount by which the total taxes collected under this Code section exceed the taxes which would be collected at a rate of 3 percent for the purpose of promoting tourism, conventions, and trade shows through a contract with a private sector nonprofit organization. In addition to the amounts thus required to be expended, a local consolidated government levying a tax pursuant to this paragraph shall further expend (in each fiscal year during which the tax is collected under this paragraph (3.5)) an amount equal to 16 $\frac{2}{3}$ percent of the total taxes collected at the rate of 6 percent for the purpose of supporting a civic center owned and operated by the local consolidated government.”

SECTION 3.

Said article is further amended by striking paragraph (5.1) of subsection (a) of Code Section 48-13-51, relating to county and municipal levies on public accommodations charges for promotion of tourism, conventions, and trade shows, and inserting in its place a new paragraph (5.1) to read as follows:

(5.1) Notwithstanding any other provision of this subsection, a county (within the territorial limits of the special district located within the county) and the municipalities within a county in which a coliseum and exhibit hall authority has been created by local Act of the General Assembly for a county and one or more municipalities therein, and which local coliseum and exhibit hall authority is in existence on or before January 1, 1991, and which local coliseum and exhibit hall authority has not constructed or operated any facility before January 1, 1991, may levy a tax under this Code section at a rate of 8 percent. A county or municipality levying a tax pursuant to this paragraph shall expend (in each fiscal year during which the tax is collected under this paragraph (5.1)) an amount equal to at least 62 $\frac{1}{2}$ percent of the total taxes collected at the rate of 8 percent for the purpose of: (A) promoting tourism, conventions, and trade shows; (B) funding, supporting, acquiring, constructing, renovating, improving, and equipping buildings, structures, and facilities, including, but not limited to, a coliseum, exhibit hall, conference center, performing arts center, or any combination thereof, for convention, trade show, athletic, musical, theatrical, cultural, civic, and performing arts purposes and other events and activities for similar and related purposes, acquiring the necessary property therefor, both real and personal, and funding all expenses incident thereto, and supporting, maintaining, and promoting such facilities owned, operated, or leased by or to the local coliseum and exhibit hall authority or a downtown development authority; or (C) for some combination of such purposes; provided, however, that at least 50 percent of the total taxes collected at the rate of 8 percent shall be expended for the purposes specified in subparagraph (B) of this paragraph (5.1). Amounts so expended shall be expended only through a contract or contracts with the state, a department of state government, a state authority, a convention and visitors bureau authority created by local Act of the General Assembly for a municipality, a local coliseum and exhibit hall authority, a downtown development authority, or a private sector nonprofit organization or through a contract or contracts with some combination of such entities, notwithstanding any provision of paragraph (8) of this subsection to the contrary. The aggregate amount of all excise taxes imposed under this paragraph (5.1) and all sales and use

taxes, and other taxes imposed by a county or municipality, or both, shall not exceed 13 percent; provided, however, that any sales tax for educational purposes which is imposed pursuant to Article VIII, Section VI, Paragraph IV of the Constitution shall not be included in calculating such limitation. Any tax levied pursuant to this paragraph (5.1) shall terminate not later than December 31, 2028, provided that during any period during which there remains outstanding any obligation issued to fund a facility as contemplated by this paragraph (5.1), secured in whole or in part by a pledge of a tax authorized under this Code section, the powers of the counties and municipalities to impose and distribute the tax imposed by this paragraph (5.1) shall not be diminished or impaired by the state and no county or municipality levying the tax imposed by this paragraph (5.1) shall cease to levy the tax in any manner that will impair the interests and rights of the holder of any such obligation. This proviso shall be for the benefit of the holder of any such obligation and, upon the issuance of any such obligation by a local coliseum and exhibit hall authority or a downtown development authority, shall constitute a contract with the holder of such obligation. Notwithstanding any other provision of this Code section to the contrary, as used in this paragraph (5.1), the term: 'fund' or 'funding' shall include the cost and expense of all things deemed necessary by a local coliseum and exhibit hall authority or a downtown development authority for the construction and operation of a facility or facilities including but not limited to the study, operation, marketing, acquisition, construction, financing, including the payment of principal and interest on any obligation of the local coliseum and exhibit hall authority or the downtown development authority and any obligation of the local coliseum and exhibit hall authority or the downtown development authority to refund any prior obligation of the local coliseum and exhibit hall authority or the downtown development authority, development, extension, enlargement, or improvement of land, waters, property, streets, highways, buildings, structures, equipment, or facilities and the repayment of any obligation incurred by an authority in connection therewith; 'obligation' shall include bonds, notes, or any instrument creating an obligation to pay or reserve moneys and having an initial term of not more than 37 years; 'facility' or 'facilities' shall mean any of the buildings, structures, and facilities described in subparagraph (B) of this paragraph (5.1) and any associated parking areas or improvements originally owned or operated incident to the ownership or operation of such facility used for any purpose or purposes specified in subparagraph (B) of this paragraph (5.1) by a local coliseum and exhibit hall authority or a downtown development authority; and 'downtown development authority' shall mean a downtown development authority created by local Act of the General Assembly for a municipality pursuant to a local constitutional amendment."

SECTION 4.

Said article is further amended by striking paragraph (6) of subsection (a) of Code Section 48-13-51, relating to the levy and collection of certain excise taxes, and inserting in its place a new paragraph (6) to read as follows:

"(6) At no time shall a county or municipality levy a tax under more than one paragraph of this subsection. Following the termination of a tax under paragraph (3.1), (3.2), (3.3), (3.4), (3.5), (4.1), (5), or (5.1) of this subsection, any county or municipality which has levied a tax pursuant to paragraph (3.1), (3.2), (3.3), (3.4), (3.5), (4.1), (5), or (5.1) of this subsection shall be authorized to levy a tax in the manner and at the rate authorized by either paragraph (1), paragraph (3), or paragraph (4) of this subsection but shall not thereafter be authorized to again levy a tax under paragraph (3.1), (3.2), (3.3), (3.4), (3.5), (4.1), (5), or (5.1) of this subsection."

SECTION 5.

Said article is further amended by striking paragraphs (9) and (10) of subsection (a) of Code Section 48-13-51, relating to the levy and collection of certain excise taxes, and inserting in their places new paragraphs (9) and (10) to read as follows:

"(9)(A) A county or municipality imposing a tax under paragraph (1), (2), (3), (3.1), (3.2), (3.3), (3.4), (3.5), (4), (4.1), (5), or (5.1) of this subsection shall prior to the imposition of the tax (if the tax is imposed on or after July 1, 1990) and prior to

each fiscal year thereafter in which the tax is imposed adopt a budget plan specifying how the expenditure requirements of this Code section will be met. Prior to the adoption of such budget plan, the county or municipality shall obtain from the authorized entity with which it proposes to contract to meet the expenditure requirements of this Code section a budget for expenditures to be made by such organization; and such budget shall be made a part of the county or municipal budget plan.

(B) The determination as to whether a county or municipality has complied with the expenditure requirements of paragraph (2), (3), (3.1), (3.2), (3.3), (3.4), (3.5), (4), (4.1), (5), or (5.1) of this subsection shall be made for each fiscal year beginning on or after July 1, 1987, as of the end of each fiscal year, shall be prominently reflected in the audit required under Code Section 36-81-7, and shall be determined by: ~~(A)~~ (i) calculating the amount of funds expended or contractually committed for expenditure as provided in paragraph (2), (3), (3.1), (3.2), (3.3), (3.4), (3.5), (4), (4.1), (5), or (5.1) of this subsection, whichever is applicable, during the fiscal year; and ~~(B)~~ (ii) expressing such amount as a percentage of tax receipts under this Code section during such fiscal year. A county or municipality contractually expending funds to meet the expenditure requirements of paragraph (2), (3), (3.1), (3.2), (3.3), (3.4), (3.5), (4), (4.1), (5), or (5.1) of this subsection shall require the contracting party to provide audit verification that the contracting party makes use of such funds in conformity with the requirements of this subsection.

(10) Nothing in this article shall be construed to limit the power of a county or municipality to expend more than the required amounts, or all, of the total taxes collected under this Code section for the purposes described in paragraph (2), (3), (3.2), (3.3), (3.4), (3.5), (3.1), (4), (4.1), (5), or (5.1) of this subsection."

SECTION 6.

(a) Except as otherwise provided in subsection (b) of this section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) Section 3 of this Act shall become effective on January 1, 1997; provided, however, that Section 3 of this Act shall only become effective on January 1, 1997, upon the ratification of House Resolution 728 at the November, 1996, state-wide general election, which resolution provides for the levy of a 1 percent sales tax for educational purposes. If such resolution is not so ratified, this Act shall not become effective and shall stand repealed in its entirety on January 1, 1997.

SECTION 7

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

Representative Buck of the 135th moved that the House agree to the Senate substitute to HB 1487.

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

Y Allen	Y Brooks, T	Y Connell	Falls	Y Holmes
Y Anderson	Y Brown, J	Y Crawford	Felton	Y Howard
Y Ashe	Y Brush	Y Crews	Y Floyd	Y Hudson
Y Bailey	Y Buck	Y Culbreth	Godbee	Y Hugley
Y Baker	Y Buckner	Y Cummings	Golden	Irvin
Y Bannister	Y Bunn	Y Davis, G	Y Goodwin	Y James
Y Barfoot	Y Burkhalter	Y Davis, M	E Greene	Y Jamieson
Bargeron	Y Byrd	Y Day	Grindley	Y Jenkins
Y Barnard	Y Campbell	Y DeLoach, B	Hanner	Y Johnson, G
Y Barnes	Y Canty	Y DeLoach, G	Y Harbin	Y Johnson, J
Bates	Y Carter	Y Dix	Y Harris	Y Johnston
Y Benefield	Chambless	Y Dixon, H	Heard	Y Jones
Y Birdsong	Y Channell	Y Dixon, S	Y Heckstall	Y Joyce
Bordeaux	Childers	Y Dobbs	Y Hegstrom	Kaye
Y Bostick	Y Coker	Y Ehrhart	Y Hembree	Y Kinnamon
Y Breedlove	Y Coleman, B	Y Epps	Y Henson	Y Klein
Y Brooks, D	Y Coleman, T	Evans	Y Holland	Y Ladd

Y Lakly	Y Mueller	Reaves	Y Smith, T	Y Towery
Y Lane	Y O'Neal	Y Reichert	Y Smith, V	Y Trense
Y Lawrence	Y Orrock	Y Roberts	Smith, W	Turnquest
Lee	Y Parham	Y Rogers	Smyre	Twiggs
Y Lewis	Y Parrish	Y Royal	Y Snelling	Walker, L
Y Lifsey	Y Parsons	Y Sanders	Snow	Y Walker, R.L
Y Lord	Y Pelote	Y Sauder	Y Stallings	Y Wall
Y Lucas	Y Perry	Y Scoggins	Y Stancil, F	Watson
Y Maddox	Y Pinholster	Y Shanahan	Y Stancil, S	Watts
Y Mann	Y Polak	Y Shaw	Stanley, L	Y Westmoreland
Y Martin	Y Ponder	Y Sherrill	Y Stanley, P	Y Whitaker
Y McBee	Porter	Y Shipp	Y Stephenson	Y White
E McCall	Y Poston	Y Simpson	Y Streat	Y Wiles
Y McClinton	Y Powell	Y Sinkfield	Y Taylor	Williams, B
McKinney	Y Purcell, A	Y Skipper	Y Teague	Y Williams, J
Y Mills	Y Purcell, B	Y Smith, C	Y Teper	Y Williams, R
Y Mobley, B	Randall	Y Smith, C.W	Thomas	Y Woods
Y Mobley, J	Y Randolph	Y Smith, L	Y Tillman	Y Yates
Y Mosley	Ray	Y Smith, P	Y Titus	Murphy, Spkr

On the motion, the ayes were 145, nays 0.

The motion prevailed.

HR 734. By Representatives Buck of the 135th, Day of the 153rd, Jamieson of the 22nd, Skipper of the 137th, Royal of the 164th and others:

A resolution proposing an amendment to the Constitution so as to provide that intangible personal property may be a separate class of property for purposes of taxation; to authorize the repeal of any intangible personal property tax by general law without approval in a referendum.

The following Senate amendment was read:

Amend HR 734 by striking the period and quotation marks at the end of line 17 of page 1 and inserting in their place the following:

“effective for all taxable years beginning on or after January 1, 1996.”

By striking the question mark and quotation marks at the end of line 27 of page 1 and inserting in their place the following:

“effective for all taxable years beginning on or after January 1, 1996?”

Representative Buck of the 135th moved that the House agree to the Senate amendment to HR 734.

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

Y Allen	Y Brush	Y Cummings	E Greene	Y Johnson, G
Y Anderson	Y Buck	Y Davis, G	Y Grindley	Y Johnson, J
Y Ashe	Y Buckner	Y Davis, M	Y Hanner	Y Johnston
Y Bailey	Y Bunn	Y Day	Y Harbin	Y Jones
Y Baker	Y Burkhalter	Y DeLoach, B	Y Harris	Y Joyce
Y Bannister	Y Byrd	Y DeLoach, G	Y Heard	Y Kaye
Y Barfoot	Y Campbell	Y Dix	Y Heckstall	Y Kinnamon
Y Bargerion	Y Canty	Y Dixon, H	Y Hegstrom	Y Klein
Y Barnard	Y Carter	Y Dixon, S	Y Hembree	Y Ladd
Y Barnes	Chambless	Dobbs	Y Henson	Y Lakly
Bates	Y Channell	Y Ehrhart	Y Holland	Y Lane
Y Benefield	Childers	Y Epps	Y Holmes	Y Lawrence
Y Birdsong	Y Coker	Evans	Y Howard	Lee
Y Bordeaux	Y Coleman, B	Falls	Y Hudson	Y Lewis
Y Bostick	Y Coleman, T	Felton	Y Hugley	Y Lifsey
Y Breedlove	Y Connell	Y Floyd	Y Irvin	Y Lord
Y Brooks, D	Y Crawford	Y Godbee	Y James	Y Lucas
Brooks, T	Y Crews	Y Golden	Y Jamieson	Y Maddox
Y Brown, J	Y Culbreth	Goodwin	Y Jenkins	Y Mann

Martin	Y Pinholster	Y Sauder	Y Snelling	Y Turnquest
Y McBee	Y Polak	Y Scoggins	Y Snow	Y Twiggs
E McCall	Y Ponder	Y Shanahan	Y Stallings	Y Walker, L
Y McClinton	Y Porter	Y Shaw	Y Stancil, F	Y Walker, R.L
McKinney	Y Poston	Y Sherrill	Y Stancil, S	Y Wall
Y Mills	Y Powell	Y Shipp	Y Stanley, L	Y Watson
Y Mobley, B	Y Purcell, A	Y Simpson	Y Stanley, P	Y Watts
Y Mobley, J	Y Purcell, B	Y Sinkfield	Y Stephenson	Y Westmoreland
Y Mosley	Y Randall	Y Skipper	Y Streat	Y Whitaker
Y Mueller	Y Randolph	Y Smith, C	Y Taylor	Y White
Y O'Neal	Y Ray	Y Smith, C.W	Y Teague	Y Wiles
Y Orrock	Y Reaves	Y Smith, L	Y Teper	Y Williams, B
Y Parham	Y Reichert	Y Smith, P	Y Thomas	Y Williams, J
Y Parrish	Y Roberts	Y Smith, T	Y Tillman	Y Williams, R
Y Parsons	Y Rogers	Y Smith, V	Y Titus	Y Woods
Y Pelote	Y Royal	Y Smith, W	Y Towery	Y Yates
Y Perry	Y Sanders	Y Smyre	Y Trense	Y Murphy, Spkr

On the motion, the ayes were 157, nays 0.

The motion prevailed.

HB 1101. By Representatives Buck of the 135th, Day of the 153rd, Jamieson of the 22nd, Skipper of the 137th, Royal of the 164th and others:

A bill to amend Title 48 of the Official Code of Georgia Annotated, known as the "Georgia Public Revenue Code," so as to repeal the intangible personal property tax; to change the definition of the term "intangible personal property" as it applies to said title; to change certain references to the intangible personal property tax laws; to provide that certain provisions of former laws relating to intangible personal property taxes shall be applicable to other provisions of law.

The following Senate substitute was read:

A BILL

To amend Title 48 of the Official Code of Georgia Annotated, known as the "Georgia Public Revenue Code," so as to repeal the intangible personal property tax; to change the definition of the term "intangible personal property" as it applies to said title; to change certain references to the intangible personal property tax laws; to provide that certain provisions of former laws relating to intangible personal property taxes shall be applicable to other provisions of law; to provide for related matters; to repeal certain intangible tax payable with respect to short-term notes; to provide for an effective date; to provide for applicability; to provide for automatic repeal under certain circumstances; 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, known as the "Georgia Public Revenue Code," is amended by striking in its entirety paragraph (13) of Code Section 48-1-2, relating to definitions used in the "Georgia Public Revenue Code," and inserting in lieu thereof the following:

"(13) 'Intangible personal property' means the capital stock of all corporations; money, notes, bonds, accounts, or other credits, secured or unsecured; patent rights, copyrights, franchises, and ~~all any~~ other classes and kinds of property defined by law as intangible personal property; ~~whether or not enumerated in this definition and whether or not similar to the class enumerated in Article 2 of Chapter 6 of this title.~~"

SECTION 2.

Said title is further amended by striking in its entirety Code Section 48-6-8, relating to the distribution of tax revenues among state, municipalities, and counties where real property lies, and inserting in lieu thereof a new Code Section 48-6-8 to read as follows:

"48-6-8.

(a) All revenues derived from the tax imposed by this article shall be distributed among the state and municipalities in which the real property is situated and the county in which ~~the real property is situated~~ in the same proportion that revenues derived from the taxes imposed by Article 2 of this chapter, relating to taxation of intangible personal property, are divided accordance with this Code section. If the real property is situated in more than one county, the appropriate portion of the tax shall be equitably divided among the counties by the commissioner.

(b) The tax commissioner or tax collector, on the basis of the tax commissioner's or tax collector's records and of certificates which shall be supplied by each school district, municipality, and other tax district in the county, shall distribute at least monthly the revenue collected under this article. Each year the millage rates used in the distributions of revenue under this Code section shall be based upon the immediately preceding year's millage rate of each participating tax authority as provided in this article.

(c) Revenue derived from taxes under this article shall be divided among the state and all other tax jurisdictions and districts including, but not limited to, county and municipal districts, which levy or cause to be levied for their benefit a property tax on real and tangible personal property having the same taxable situs as the real property which is the subject of the intangible tax. The distribution shall be made according to the proportion that the millage rate levied for the state and each other tax jurisdiction or district respectively bears to the total millage rate levied for all purposes applicable to real and tangible personal property having the same taxable situs as the subject of the intangible tax. The revenue distributed to municipalities having independent school systems supported by taxes levied by the municipality shall be divided between the municipality and the independent school system according to the proportion that the millage rate levied by the municipality for nonschool purposes and the millage rate levied for school purposes bear to the total millage rate levied by the municipality for all purposes. The tax levied by this article shall be deemed to be levied by the participating tax authorities in the proportion that the millage rate of each participating tax authority bears to the aggregate millage rate of all the participating tax authorities.

(d) In the event any distribution or part of a distribution as provided in this article is adjudged to be invalid for any reason, such distribution or part of a distribution shall be paid into the general fund of the state in the same manner and for the same purposes as provided in this article for the state's share of the revenues derived from the tax imposed by this article."

SECTION 3.

Said title is further amended by striking in its entirety Article 2 of Chapter 6, relating to the intangible personal property tax, which reads as follows:

"ARTICLE 2

48-6-20.

As used in this chapter, the term:

(1) 'Bank' means any financial institution chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a corporate structure authorizing the issuance of capital stock.

(2) 'Collateral security loan' means a loan held by any broker which represents credit extended in connection with the purchase or sale of stocks, bonds, or other securities of a like character held as collateral security for the loan.

(3) 'Depository financial institution' means a 'bank' and a 'savings and loan association.'

(3.1) 'Domesticated foreign corporation' means:

(A) A foreign corporation which, prior to April 1, 1969, has domesticated in this state under the procedure available prior to that date and which was a domesticated foreign corporation on that date; or

(B) A foreign corporation which has procured a certificate of authority to transact business in this state from the Secretary of State and which maintains its corporate headquarters in this state.

- (4) 'Money' means specie, currency, and credits resulting from the deposit of money, currency, checks, bills, and other evidences of the credits.
- (5) 'Restricted foreign intangibles' means all classifications of intangible personal property acquired and held in a foreign country incident to the conduct of the business of insurance within the foreign country if the intangible personal property is held in the foreign country pursuant to laws or regulations of the foreign country or administrative guidance by the government of the foreign country which prohibit or restrict the transfer of said property outside of the jurisdiction of the foreign country.
- (6) 'Savings and loan association' means any financial institution, other than a credit union, chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a mutual corporate form.

48-6-21.

Intangible personal property, for the purposes of ad valorem taxation, is classified as follows:

- (1) Money;
- (2) Collateral security loans;
- (3) Stocks;
- (4) Accounts receivable and notes not representing credits secured by real estate;
- (5) Bonds and debentures of all corporations;
- (6) Long-term notes secured by real estate;
- (7) Short-term notes secured by real estate;
- (8) Restricted foreign intangibles;
- (9) Patents, copyrights, franchises, and all other classes and kinds of intangible personal property not otherwise enumerated; or
- (10) Computer software as defined in Code Section 48-1-8.

48-6-22.

The tax imposed by this article shall not apply to:

- (1) Obligations or evidences of debt of the United States or of this state or its political subdivisions or public institutions. Such obligations and evidences of debt shall include obligations of the United States government agencies and corporations established by acts of the Congress of the United States as well as industrial development revenue bonds issued pursuant to the laws of this state;
- (2) Intangible personal property owned by a trust forming part of a pension, profit-sharing, or stock bonus plan exempt from federal income taxes under Section 401 of the Internal Revenue Code;
- (3) Intangible personal property owned by or irrevocably held in trust for the exclusive benefit of a religious, educational, or charitable institution, no part of the net profit from the operation of which inures to the benefit of any private person;
- (4) Intangible personal property owned by a person domiciled in this state which has acquired a taxable situs and is subjected to tax in another state incident to the conduct of business located in the other state, except that this paragraph shall not apply to restricted foreign intangibles;
- (5) Common voting stock of a subsidiary corporation not doing business in this state if at least 90 percent of the common voting stock is owned by a domestic corporation with its principal place of business in this state and was acquired or is held for the purpose of enabling the parent company to carry on some part of its established line of business through the subsidiary;
- (6) Stock of a corporation organized under the laws of this state if the corporation pays all taxes in this state as provided by law. For purposes of this paragraph, the term 'corporation' also means any depository financial institution;
- (7) Stock of a domesticated foreign corporation if the corporation pays to this state or its political subdivisions all taxes as provided by law;

- (8) Assets representing mandatory reserve requirements imposed, by statute or otherwise, on depository financial institutions subject to the tax on intangible property;
- (9) Stock of the Federal Reserve Bank, the Government National Mortgage Association, ~~the Federal National Mortgage Association~~, and other corporations and associations established by acts of the Congress of the United States;
- (10) Mandatory deposits with the Federal Reserve Bank or others required by statute or regulations;
- (11) Federal or correspondent funds sold and securities and other intangible assets purchased under agreements to resell to the extent they are offset by federal or correspondent funds purchased and securities and other intangible assets sold under agreements to repurchase;
- (12) Customer's liabilities to depository financial institutions on acceptances outstanding to the extent they are offset by liabilities of depository financial institutions on acceptances executed and outstanding;
- (13) Receivables arising from the lease of tangible personal property, provided that tangible property tax is due upon such property;
- (14) Intercompany loans or advances from a parent corporation to a subsidiary, or vice versa, or from one subsidiary to another subsidiary, provided that the parent corporation owns, either directly or through other subsidiaries, more than 90 percent of the common voting stock of any subsidiary which is a party to any such transaction;
- (15) Intangible personal property owned by an international banking agency or domestic international banking facility licensed to do business in this state; and
- (16) Stock held in a foreign corporation which was a party to a reorganization prior to January 1, 1992, under the provisions of Part 19 of Article 2 of Chapter 1 of Title 7 if the stock of another corporation which was a party to such reorganization and which was acquired in such reorganization was exempt from such tax prior to such reorganization.

48-6-23.

- (a) A property tax is levied annually as of January 1 of each year at the following rates:
- (1) Ten cents upon each \$1,000.00 of the fair market value of all personal property classified for taxation as intangible personal property in Code Section 48-6-21, including all restricted foreign intangibles. The tax is not levied by this paragraph on intangible personal property classified as collateral security loans, long-term notes secured by real estate, or stocks, bonds, and debentures; except for restricted foreign intangibles which are taxed in this paragraph and not otherwise;
 - (2) Twenty-five cents upon each \$1,000.00 of the fair market value of all collateral security loans;
 - (3) One dollar upon each \$1,000.00 of the fair market value of all stocks in all corporations except those specifically exempted by law; and
 - (4) One dollar upon each \$1,000.00 of the fair market value of all bonds and debentures of all corporations. The tax rate upon notes of corporations, other than long-term notes secured by real estate, shall be the rate specified in paragraph (1) of subsection (a) of this Code section, regardless of the maturity date of any such note or notes.
- (b) Long-term notes secured by real estate, as defined in Article 3 of this chapter, shall be recorded and taxed as provided in Article 3 of this chapter.

48-6-24.

- (a) The taxes imposed by Code Section 48-6-23 shall be in lieu of all other state, county, municipal, and district property taxes on intangible personal property classified for taxation as specified in this article. All intangible personal property not otherwise exempted shall be taxed without deduction of any indebtedness or liability of the taxpayer.
- (b) A sale or transfer of accounts receivable or of notes not representing credits secured by real estate to a nonresident of this state shall be void as far as tax liability is concerned. Sales or transfers to nonresidents of accounts receivable or notes retaining any interest whatever by the seller shall be void with respect to tax liability. The physical

removal of such accounts receivable and notes from the state by any person doing business in the state shall not avoid liability for the tax imposed by this article.

48-6-25. www.libtool.com.cn

Every resident and nonresident person is subject to the tax imposed by this article on as much of his property taxable under this article as has been acquired in the conduct of, or has been used incident to, business carried on or property located in this state. Each such person shall report the property and pay taxes on the property as provided in this article. Stock of a foreign subsidiary corporation held by a foreign parent corporation whose corporate headquarters are located in this state will not be deemed to have been acquired in the conduct of, or used incident to, business carried on or property located in this state, and the stock of such foreign subsidiary corporation will not otherwise be deemed to have a taxable situs in this state.

48-6-26.

The taxable situs of all intangible trust property, if the trust was or is created by a resident of this state, is fixed and declared, if the settlor or maker is living, to be the county of this state of which the settlor or maker of the trust is a resident or, if the settlor or maker is deceased, the county of this state of which the settlor or maker of the trust was a resident at the time of his death.

48-6-26.1.

Notwithstanding any other provision of law to the contrary, the commissioner shall grant, upon written request, an extension of four months for filing returns, declarations, or other documents required under this article whenever, in the reasonable exercise of his judgment, a good cause for the extension exists. The commissioner shall keep a record of every extension granted and the reason for the extension. No such extension shall operate to delay the payment of a tax unless a bond satisfactory to the commissioner is posted. The commissioner shall by rule and regulation provide for the administration of this Code section.

48-6-27.

(a) Every person owning intangible personal property classified for taxation under this article shall file a return of such property. The return shall:

- (1) Describe in detail each item of property (including exempt as well as taxable property, except obligations of the United States);
- (2) Give a description of the property in the form required by the commissioner;
- (3) Show the face value of each item of intangible personal property;
- (4) Show such other information pertaining to the return as reasonably required by the commissioner; and
- (5) Be filed with the commissioner on or before April 15 of each year.

(b) The return shall be separately sworn to and shall be filed by every owner of the intangible personal property taxable under this article.

(c) This Code section shall not apply to intangible personal property belonging to:

- (1) The United States;
- (2) This state or any political subdivision of this state;
- (3) A religious, educational, or charitable organization;
- (4) A trust exempt from federal income taxes under Section 401 of the Internal Revenue Code; or
- (5) A nonprofit cooperative association.

(d) Money belonging to a person residing outside this state (except as provided in Code Section 48-6-25) shall be neither returnable nor taxable.

(e)(1) It is the intent of this subsection to carry into effect the constitutional authorization to exempt from the return and payment requirements of this article those returns on which the tax due exceeds the reasonable cost of administering the tax.

(2) No return need be filed pursuant to this Code section nor tax paid as required by this article if the amount of tax due on all intangible property owned in whole or in part by the person liable for the tax is less than \$20.00.

48-6-28.

Any person including, but not limited to, an agent holding money belonging to others may make returns for the other persons and may pay the tax on the money as provided in this article when so authorized by the person owning the money.

48-6-29.

(a) Any bank or trust company organized under the laws of this state or of the United States and having on deposit money subject to taxation under this article may make a return to the commissioner of the aggregate amount of money on deposit with the bank owned by a taxpayer and may pay the tax on the money on the taxpayer's behalf when so authorized by the taxpayer. A return by a bank or trust company shall state the aggregate amount of money it has on deposit which is subject to taxation under this article and which is owned by the taxpayer authorizing the bank to make the return. The return shall state also the amount of money having a taxable situs in each county, municipality, or special tax district in which any of the money has a taxable situs.

(b) If a bank or trust company elects to make a return and pay the tax, any person having money on deposit on which the bank has made a return and paid the taxes shall be deemed to have made a return of his money for taxation if he states in his return the name of the bank or trust company authorized to make a return of his money for taxation and to pay the tax on the money.

(c) The amount of tax paid by any bank for a taxpayer shall be charged to the account of the taxpayer.

48-6-30.

In addition to all other penalties and interest provided by law, every taxpayer failing to return for taxation all intangible personal property which it is his duty to return as required by this article shall pay a penalty, as part of the tax imposed by this article, in an amount equal to 25 percent of the original tax on property not returned.

48-6-31.

Every foreign corporation doing business or owning property in this state and each domestic corporation, when the stocks and bonds of the foreign or domestic corporation are subject to tax under this article, shall make on or before March 1 of each year a true, correct, and verified report to the commissioner. The report shall give in the form required by the commissioner the names and addresses of persons in this state who held its shares of stock or its registered bonds on the immediately preceding January 1 and, in addition, a list of stock (or, in the case of a domestic corporation, preferred stock) or registered bonds transferred from such persons between November 1 and January 1 immediately preceding the date of the return.

48-6-32.

Willful failure to return any property to the commissioner for taxation as required by this article shall be a bar to any action upon the property in any court and may be pleaded as a complete defense to the action, but the holder of the property may at any time pay all taxes, accrued interest, and penalties. Payment in full shall relieve the holder from the penalty provided in this Code section.

48-6-33.

Intangible personal property transferred prior to January 1 to avoid the tax imposed by this article or to secure a reduction in the rate of the tax imposed by this article is subject to the tax imposed by this article.

48-6-34.

As soon as practicable after receipt of the returns of intangible personal property as required by this article, the commissioner shall examine each return and fix the value of that property contained in the return which can be centrally assessed.

48-6-35.

(a) The commissioner shall certify the assessments fixed pursuant to Code Section 48-6-34 to the various tax commissioners or tax receivers according to the situs of the

property, such certification to be made with respect to all property listed on returns where the property is assessed for at least \$5.00 or where the commissioner determines that the final assessment on all property owned in whole or in part by the taxpayer would be for at least \$5.00. Each tax commissioner or tax receiver shall record the value certified by the commissioner, shall assess all property certified but not assessed, and shall cause the aggregate assessments so fixed to be entered on a separate intangible personal property tax digest of the county.

(b) At or before the time certification is made to local officials, the commissioner shall notify the taxpayer of the assessment. The taxpayer shall have 15 days within which he may offer objections.

(c) The commissioner, in the event of an error, may make a corrected certification. In no event shall such a correction be made after the tax has become delinquent under this article.

48-6-36.

Notwithstanding the fact that the assessment of all intangible personal property is fixed by the commissioner, the tax receiver or tax commissioner shall be entitled for his services to his usual commissions as though he himself made the assessment.

48-6-37.

The taxes on property imposed by this article at the rates fixed in this article shall be collected by the tax commissioners or tax collectors, subject to the provisions of law as to remuneration of the tax commissioner or tax collector and subject to all the remedies provided by law for enforcement or collection of real and tangible personal property taxes.

48-6-38.

In all applications to restrain or enjoin the collection of any tax imposed by this article, the judge, should he grant a restraining order or temporary injunction, shall require the petitioner to give a good and sufficient bond payable to the tax commissioner or tax collector in double the amount of the tax the collection of which is sought to be enjoined. The bond shall be approved by the clerk of superior court and shall be conditioned to pay the tax in the event the petitioner does not finally prevail in his effort to resist the payment of the tax. If the petitioner does not finally prevail, the tax commissioner or tax collector shall bring an action on the bond and shall distribute the amount recovered pursuant to Code Sections 48-6-39, 48-6-40, and 48-6-41.

48-6-39.

The tax commissioner or tax collector, on the basis of his records and of certificates which shall be supplied by each school district, municipality, and other tax district in the county, shall distribute at least monthly the revenue collected from each owner of intangible personal property between the state and the various local tax districts in the manner provided in this article. Each year the millage rates used in the distributions of revenue under this Code section shall be based upon the immediately preceding year's millage rate of each participating tax authority as provided in this article.

48-6-40.

Revenue derived from taxes on intangible personal property shall be divided among the state and all other tax jurisdictions and districts including, but not limited to, county and municipal districts, which levy or cause to be levied for their benefit a property tax on real and tangible personal property having the same taxable situs as the intangible personal property from which the revenue is derived. The distribution shall be made according to the proportion that the millage rate levied for the state and each other tax jurisdiction or district respectively bears to the total millage rate levied for all purposes applicable to real and tangible personal property having the same taxable situs as the intangible personal property on which the intangible tax was collected. The revenue distributed to municipalities having independent school systems supported by taxes levied by the municipality shall be divided between the municipality and the independent

school system according to the proportion that the millage rate levied by the municipality for nonschool purposes and the millage rate levied for school purposes bear to the total millage rate levied by the municipality for all purposes. The tax levied by this article shall be deemed to be levied by the participating tax authorities in the proportion that the millage rate of each participating tax authority bears to the aggregate millage rate of all the participating tax authorities.

48-6-41.

In the event any distribution or part of a distribution as provided in this article is adjudged to be invalid for any reason, such distribution or part of a distribution shall be paid into the general fund of the state in the same manner and for the same purposes as provided in this article for the state's share of the revenues derived from the tax imposed by this article.

48-6-42.

The schedules required by this article to be filed with the commissioner shall be subject to hearings and appeals in all respects as provided by law for income taxes.

48-6-43.

The intangible personal property tax digest, returns, and related records shall be confidential and shall not be subject to inspection by any person other than authorized personnel of appropriate tax administrators. Nothing in this Code section, however, shall prevent any disclosure necessary or proper to the collection of any tax in any administrative or court proceeding.

48-6-44.

(a) It shall be unlawful for any person willfully to violate any provision of this article or willfully to fail to do any act required of him by this article.

(b) Any person who violates subsection (a) of this Code section shall be guilty of a misdemeanor.”

and inserting in lieu thereof the following:

“ARTICLE 2
RESERVED”

SECTION 4.

Said title is further amended by striking in its entirety Code Section 48-6-63, relating to ad valorem taxation of short-term notes secured by real estate, and inserting in lieu thereof a new Code Section 48-6-63 to read as follows:

“48-6-63.

~~Reserved. (a) Short-term notes secured by real estate shall be subject to ad valorem taxation at the rate prescribed for other intangible property in subsection (a) of Code Section 48-6-23.~~

~~(b) Nothing contained in this Code section shall be construed to require the payment of ad valorem taxes on short-term notes by any institutions exempted by Article 2 of this chapter.”~~

SECTION 5.

Said title is further amended by striking subsection (a) of Code Section 48-6-64, relating to tax on certain notes, and inserting in its place a new subsection (a) to read as follows:

“(a) The tax required by this article to be paid on instruments securing long-term notes secured by real estate ~~and the ad valorem tax required by this article to be paid on short-term notes secured by real estate~~ shall be exclusive of all other taxes on the notes. Such intangible property shall not be taxed in any manner other than as provided in this article by the state, any county, or any municipality, nor shall the owner or holder of the property be required to pay any other tax on the property.”

SECTION 6.

Said title is further amended by striking in its entirety subsection (a) of Code Section 48-6-72, relating to collection and distribution of revenues from the intangible recording tax, and inserting in lieu thereof a new subsection (a) to read as follows:

“(a) The intangible recording tax imposed by Code Section 48-6-61 upon instruments securing long-term notes secured by real property shall be collected by the collecting officer of each county and said officer shall make the distributions in the same manner as provided in Article 2 of this chapter Code Section 48-6-8.”

SECTION 7

Said title is further amended by striking in its entirety Code Section 48-6-74, relating to the distribution of revenues from the intangible recording tax, and inserting in lieu thereof a new Code Section 48-6-74 to read as follows:

“48-6-74.

All revenues derived from the intangible recording tax imposed by this article including, but not limited to, revenues from any imposition of the tax upon intangible trust property shall be distributed among the state, county, and municipality in which the real property is located in the same ~~proportion that revenues derived from the intangible personal property tax imposed by Article 2 of this chapter are distributed~~ manner as provided in Code Section 48-6-8. If the real property is located in more than one county, the appropriate portion of the intangible recording tax shall be distributed equitably by the commissioner among the affected counties.”

SECTION 8.

Said title is further amended by striking in its entirety division (b)(7)(A)(ii) of Code Section 48-7-21, relating to the taxation of corporations for income tax purposes, and inserting in lieu thereof a new division (b)(7)(A)(ii) to read as follows:

“(ii) No depository financial institution; ~~as defined in Code Section 48-6-20,~~ shall be deprived of the benefit of any exemption, deduction, or credit authorized by this title as a consequence of its election to file otherwise lawful consolidated returns with its parent organization or any corporate subsidiaries with respect to any state or local tax levied against such depository financial institution as a result of this title. As used in this division, the term:

(I) ‘Bank’ means any financial institution chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a corporate structure authorizing the issuance of capital stock.

(II) ‘Depository financial institution’ means a ‘bank’ or a ‘savings and loan association.’

(III) ‘Savings and loan association’ means any financial institution, other than a credit union, chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a mutual corporate form;”

SECTION 9.

This Act shall become effective on January 1, 1997, and shall be applicable to all taxable years beginning on or after January 1, 1996; provided, however, that this Act shall only become effective on January 1, 1997, upon the ratification of House Resolution 734 at the November, 1996, state-wide general election, which resolution authorizes the General Assembly by general law to repeal any intangible personal property tax without approval in a referendum. If such resolution is not so ratified, this Act shall not become effective and shall stand repealed in its entirety on January 1, 1997.

SECTION 10.

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

The following amendment was read and adopted:

Representative Buck of the 135th moves to amend the Senate substitute to HB 1101 by inserting between “applicability;” and “to” on line 12 of page 1 the following:

“to provide that this Act shall not repeal but shall supersede and control over certain other Acts;”

By adding at the end of line 9 of page 17 the following:

“The provisions of this Act shall not repeal but shall supersede and control over any conflicting provisions of any other Act enacted at the 1996 regular session of the General Assembly, including, but not limited to, HB 6.”

Representative Buck of the 135th moved that the House agree to the Senate substitute, as amended by the House, to HB 1101.

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

Y Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Street
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrbart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R. L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C. W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the motion, the ayes were 158, nays 0.

The motion prevailed.

HB 6. By Representatives Buck of the 135th, Royal of the 164th, Jamieson of the 22nd, Skipper of the 137th, Culbreth of the 132nd and others:

A bill to amend Chapter 6 of Title 48 of the Official Code of Georgia Annotated, relating to taxation of intangibles, so as to repeal the intangible personal property tax; to remove the limitation on the maximum amount of such tax payable with respect to any single note.

The following Senate substitute was read:

A BILL

To amend Title 48 of the Official Code of Georgia Annotated, known as the “Georgia Public Revenue Code,” so as to repeal the intangible personal property tax; to change the definition of the term “intangible personal property” as it applies to said title; to change

certain references to the intangible personal property tax laws; to provide that certain provisions of former laws relating to intangible personal property taxes shall be applicable to other provisions of law; to provide for related matters; to repeal certain intangible tax payable with ~~respect to short-term~~ notes; to provide for an effective date; to provide for 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, known as the "Georgia Public Revenue Code," is amended by striking in its entirety paragraph (13) of Code Section 48-1-2, relating to definitions used in the "Georgia Public Revenue Code," and inserting in lieu thereof the following:

"(13) 'Intangible personal property' means the capital stock of all corporations; money, notes, bonds, accounts, or other credits, secured or unsecured; patent rights, copyrights, franchises, and ~~all any~~ other classes and kinds of property defined by law as intangible personal property; ~~whether or not enumerated in this definition and whether or not similar to the class enumerated in Article 2 of Chapter 6 of this title.~~"

SECTION 2.

Said title is further amended by striking in its entirety Code Section 48-6-8, relating to the distribution of tax revenues among state, municipalities, and counties where real property lies, and inserting in lieu thereof a new Code Section 48-6-8 to read as follows:

"48-6-8.

(a) All revenues derived from the tax imposed by this article shall be distributed among the state and municipalities in which the real property is situated and the county in which the real property is situated ~~in the same proportion that revenues derived from the taxes imposed by Article 2 of this chapter, relating to taxation of intangible personal property, are divided~~ accordance with this Code section. If the real property is situated in more than one county, the appropriate portion of the tax shall be equitably divided among the counties by the commissioner.

(b) The tax commissioner or tax collector, on the basis of the tax commissioner's or tax collector's records and of certificates which shall be supplied by each school district, municipality, and other tax district in the county, shall distribute at least monthly the revenue collected under this article. Each year the millage rates used in the distributions of revenue under this Code section shall be based upon the immediately preceding year's millage rate of each participating tax authority as provided in this article.

(c) Revenue derived from taxes under this article shall be divided among the state and all other tax jurisdictions and districts including, but not limited to, county and municipal districts, which levy or cause to be levied for their benefit a property tax on real and tangible personal property having the same taxable situs as the real property which is the subject of the intangible tax. The distribution shall be made according to the proportion that the millage rate levied for the state and each other tax jurisdiction or district respectively bears to the total millage rate levied for all purposes applicable to real and tangible personal property having the same taxable situs as the subject of the intangible tax. The revenue distributed to municipalities having independent school systems supported by taxes levied by the municipality shall be divided between the municipality and the independent school system according to the proportion that the millage rate levied by the municipality for nonschool purposes and the millage rate levied for school purposes bear to the total millage rate levied by the municipality for all purposes. The tax levied by this article shall be deemed to be levied by the participating tax authorities in the proportion that the millage rate of each participating tax authority bears to the aggregate millage rate of all the participating tax authorities.

(d) In the event any distribution or part of a distribution as provided in this article is adjudged to be invalid for any reason, such distribution or part of a distribution shall be paid into the general fund of the state in the same manner and for the same purposes as provided in this article for the state's share of the revenues derived from the tax imposed by this article."

SECTION 3.

Said title is further amended by striking in its entirety Article 2 of Chapter 6, relating to the intangible personal property tax, which reads as follows:

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“ARTICLE 2

48-6-20.

As used in this chapter, the term:

- (1) ‘Bank’ means any financial institution chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a corporate structure authorizing the issuance of capital stock.
- (2) ‘Collateral security loan’ means a loan held by any broker which represents credit extended in connection with the purchase or sale of stocks, bonds, or other securities of a like character held as collateral security for the loan.
- (3) ‘Depository financial institution’ means a ‘bank’ and a ‘savings and loan association.’
- (3.1) ‘Domesticated foreign corporation’ means:
 - (A) A foreign corporation which, prior to April 1, 1969, has domesticated in this state under the procedure available prior to that date and which was a domesticated foreign corporation on that date; or
 - (B) A foreign corporation which has procured a certificate of authority to transact business in this state from the Secretary of State and which maintains its corporate headquarters in this state.
- (4) ‘Money’ means specie, currency, and credits resulting from the deposit of money, currency, checks, bills, and other evidences of the credits.
- (5) ‘Restricted foreign intangibles’ means all classifications of intangible personal property acquired and held in a foreign country incident to the conduct of the business of insurance within the foreign country if the intangible personal property is held in the foreign country pursuant to laws or regulations of the foreign country or administrative guidance by the government of the foreign country which prohibit or restrict the transfer of said property outside of the jurisdiction of the foreign country.
- (6) ‘Savings and loan association’ means any financial institution, other than a credit union, chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a mutual corporate form.

48-6-21.

Intangible personal property, for the purposes of ad valorem taxation, is classified as follows:

- (1) Money;
- (2) Collateral security loans;
- (3) Stocks;
- (4) Accounts receivable and notes not representing credits secured by real estate;
- (5) Bonds and debentures of all corporations;
- (6) Long-term notes secured by real estate;
- (7) Short-term notes secured by real estate;
- (8) Restricted foreign intangibles;
- (9) Patents, copyrights, franchises, and all other classes and kinds of intangible personal property not otherwise enumerated; or
- (10) Computer software as defined in Code Section 48-1-8.

48-6-22.

The tax imposed by this article shall not apply to:

- (1) Obligations or evidences of debt of the United States or of this state or its political subdivisions or public institutions. Such obligations and evidences of debt shall include obligations of the United States government agencies and corporations established by acts of the Congress of the United States as well as industrial development revenue bonds issued pursuant to the laws of this state;

- (2) Intangible personal property owned by a trust forming part of a pension, profit-sharing, or stock bonus plan exempt from federal income taxes under Section 401 of the Internal Revenue Code;
- (3) ~~Intangible personal property~~ owned by or irrevocably held in trust for the exclusive benefit of a religious, educational, or charitable institution, no part of the net profit from the operation of which inures to the benefit of any private person;
- (4) Intangible personal property owned by a person domiciled in this state which has acquired a taxable situs and is subjected to tax in another state incident to the conduct of business located in the other state, except that this paragraph shall not apply to restricted foreign intangibles;
- (5) Common voting stock of a subsidiary corporation not doing business in this state if at least 90 percent of the common voting stock is owned by a domestic corporation with its principal place of business in this state and was acquired or is held for the purpose of enabling the parent company to carry on some part of its established line of business through the subsidiary;
- (6) Stock of a corporation organized under the laws of this state if the corporation pays all taxes in this state as provided by law. For purposes of this paragraph, the term 'corporation' also means any depository financial institution;
- (7) Stock of a domesticated foreign corporation if the corporation pays to this state or its political subdivisions all taxes as provided by law;
- (8) Assets representing mandatory reserve requirements imposed, by statute or otherwise, on depository financial institutions subject to the tax on intangible property;
- (9) Stock of the Federal Reserve Bank, the Government National Mortgage Association, the Federal National Mortgage Association, and other corporations and associations established by acts of the Congress of the United States;
- (10) Mandatory deposits with the Federal Reserve Bank or others required by statute or regulations;
- (11) Federal or correspondent funds sold and securities and other intangible assets purchased under agreements to resell to the extent they are offset by federal or correspondent funds purchased and securities and other intangible assets sold under agreements to repurchase;
- (12) Customer's liabilities to depository financial institutions on acceptances outstanding to the extent they are offset by liabilities of depository financial institutions on acceptances executed and outstanding;
- (13) Receivables arising from the lease of tangible personal property, provided that tangible property tax is due upon such property;
- (14) Intercompany loans or advances from a parent corporation to a subsidiary, or vice versa, or from one subsidiary to another subsidiary, provided that the parent corporation owns, either directly or through other subsidiaries, more than 90 percent of the common voting stock of any subsidiary which is a party to any such transaction;
- (15) Intangible personal property owned by an international banking agency or domestic international banking facility licensed to do business in this state; and
- (16) Stock held in a foreign corporation which was a party to a reorganization prior to January 1, 1992, under the provisions of Part 19 of Article 2 of Chapter 1 of Title 7 if the stock of another corporation which was a party to such reorganization and which was acquired in such reorganization was exempt from such tax prior to such reorganization.

48-6-23.

- (a) A property tax is levied annually as of January 1 of each year at the following rates:
 - (1) Ten cents upon each \$1,000.00 of the fair market value of all personal property classified for taxation as intangible personal property in Code Section 48-6-21, including all restricted foreign intangibles. The tax is not levied by this paragraph on intangible personal property classified as collateral security loans, long-term notes secured by real estate, or stocks, bonds, and debentures; except for restricted foreign intangibles which are taxed in this paragraph and not otherwise;
 - (2) Twenty-five cents upon each \$1,000.00 of the fair market value of all collateral security loans;

(3) One dollar upon each \$1,000.00 of the fair market value of all stocks in all corporations except those specifically exempted by law; and

(4) One dollar upon each \$1,000.00 of the fair market value of all bonds and debentures of all corporations. The tax rate upon notes of corporations, other than long-term notes secured by real estate, shall be the rate specified in paragraph (1) of subsection (a) of this Code section, regardless of the maturity date of any such note or notes.

(b) Long-term notes secured by real estate, as defined in Article 3 of this chapter, shall be recorded and taxed as provided in Article 3 of this chapter.

48-6-24.

(a) The taxes imposed by Code Section 48-6-23 shall be in lieu of all other state, county, municipal, and district property taxes on intangible personal property classified for taxation as specified in this article. All intangible personal property not otherwise exempted shall be taxed without deduction of any indebtedness or liability of the taxpayer.

(b) A sale or transfer of accounts receivable or of notes not representing credits secured by real estate to a nonresident of this state shall be void as far as tax liability is concerned. Sales or transfers to nonresidents of accounts receivable or notes retaining any interest whatever by the seller shall be void with respect to tax liability. The physical removal of such accounts receivable and notes from the state by any person doing business in the state shall not avoid liability for the tax imposed by this article.

48-6-25.

Every resident and nonresident person is subject to the tax imposed by this article on as much of his property taxable under this article as has been acquired in the conduct of, or has been used incident to, business carried on or property located in this state. Each such person shall report the property and pay taxes on the property as provided in this article. Stock of a foreign subsidiary corporation held by a foreign parent corporation whose corporate headquarters are located in this state will not be deemed to have been acquired in the conduct of, or used incident to, business carried on or property located in this state, and the stock of such foreign subsidiary corporation will not otherwise be deemed to have a taxable situs in this state.

48-6-26.

The taxable situs of all intangible trust property, if the trust was or is created by a resident of this state, is fixed and declared, if the settlor or maker is living, to be the county of this state of which the settlor or maker of the trust is a resident or, if the settlor or maker is deceased, the county of this state of which the settlor or maker of the trust was a resident at the time of his death.

48-6-26.1.

Notwithstanding any other provision of law to the contrary, the commissioner shall grant, upon written request, an extension of four months for filing returns, declarations, or other documents required under this article whenever, in the reasonable exercise of his judgment, a good cause for the extension exists. The commissioner shall keep a record of every extension granted and the reason for the extension. No such extension shall operate to delay the payment of a tax unless a bond satisfactory to the commissioner is posted. The commissioner shall by rule and regulation provide for the administration of this Code section.

48-6-27.

(a) Every person owning intangible personal property classified for taxation under this article shall file a return of such property. The return shall:

- (1) Describe in detail each item of property (including exempt as well as taxable property, except obligations of the United States);
- (2) Give a description of the property in the form required by the commissioner;
- (3) Show the face value of each item of intangible personal property;
- (4) Show such other information pertaining to the return as reasonably required by the commissioner; and

- (5) Be filed with the commissioner on or before April 15 of each year.
- (b) The return shall be separately sworn to and shall be filed by every owner of the intangible personal property taxable under this article.
- (c) This Code section shall not apply to intangible personal property belonging to:
- (1) The United States;
 - (2) This state or any political subdivision of this state;
 - (3) A religious, educational, or charitable organization;
 - (4) A trust exempt from federal income taxes under Section 401 of the Internal Revenue Code; or
 - (5) A nonprofit cooperative association.
- (d) Money belonging to a person residing outside this state (except as provided in Code Section 48-6-25) shall be neither returnable nor taxable.
- (e)(1) It is the intent of this subsection to carry into effect the constitutional authorization to exempt from the return and payment requirements of this article those returns on which the tax due exceeds the reasonable cost of administering the tax.
- (2) No return need be filed pursuant to this Code section nor tax paid as required by this article if the amount of tax due on all intangible property owned in whole or in part by the person liable for the tax is less than \$20.00.

48-6-28.

Any person including, but not limited to, an agent holding money belonging to others may make returns for the other persons and may pay the tax on the money as provided in this article when so authorized by the person owning the money.

48-6-29.

- (a) Any bank or trust company organized under the laws of this state or of the United States and having on deposit money subject to taxation under this article may make a return to the commissioner of the aggregate amount of money on deposit with the bank owned by a taxpayer and may pay the tax on the money on the taxpayer's behalf when so authorized by the taxpayer. A return by a bank or trust company shall state the aggregate amount of money it has on deposit which is subject to taxation under this article and which is owned by the taxpayer authorizing the bank to make the return. The return shall state also the amount of money having a taxable situs in each county, municipality, or special tax district in which any of the money has a taxable situs.
- (b) If a bank or trust company elects to make a return and pay the tax, any person having money on deposit on which the bank has made a return and paid the taxes shall be deemed to have made a return of his money for taxation if he states in his return the name of the bank or trust company authorized to make a return of his money for taxation and to pay the tax on the money.
- (c) The amount of tax paid by any bank for a taxpayer shall be charged to the account of the taxpayer.

48-6-30.

In addition to all other penalties and interest provided by law, every taxpayer failing to return for taxation all intangible personal property which it is his duty to return as required by this article shall pay a penalty, as part of the tax imposed by this article, in an amount equal to 25 percent of the original tax on property not returned.

48-6-31.

Every foreign corporation doing business or owning property in this state and each domestic corporation, when the stocks and bonds of the foreign or domestic corporation are subject to tax under this article, shall make on or before March 1 of each year a true, correct, and verified report to the commissioner. The report shall give in the form required by the commissioner the names and addresses of persons in this state who held its shares of stock or its registered bonds on the immediately preceding January 1 and, in addition, a list of stock (or, in the case of a domestic corporation, preferred stock) or registered bonds transferred from such persons between November 1 and January 1 immediately preceding the date of the return.

48-6-32.

Willful failure to return any property to the commissioner for taxation as required by this article shall be a bar to any action upon the property in any court and may be pleaded ~~as a complete defense~~ to the action, but the holder of the property may at any time pay all taxes, accrued interest, and penalties. Payment in full shall relieve the holder from the penalty provided in this Code section.

48-6-33.

Intangible personal property transferred prior to January 1 to avoid the tax imposed by this article or to secure a reduction in the rate of the tax imposed by this article is subject to the tax imposed by this article.

48-6-34.

As soon as practicable after receipt of the returns of intangible personal property as required by this article, the commissioner shall examine each return and fix the value of that property contained in the return which can be centrally assessed.

48-6-35.

(a) The commissioner shall certify the assessments fixed pursuant to Code Section 48-6-34 to the various tax commissioners or tax receivers according to the situs of the property, such certification to be made with respect to all property listed on returns where the property is assessed for at least \$5.00 or where the commissioner determines that the final assessment on all property owned in whole or in part by the taxpayer would be for at least \$5.00. Each tax commissioner or tax receiver shall record the value certified by the commissioner, shall assess all property certified but not assessed, and shall cause the aggregate assessments so fixed to be entered on a separate intangible personal property tax digest of the county.

(b) At or before the time certification is made to local officials, the commissioner shall notify the taxpayer of the assessment. The taxpayer shall have 15 days within which he may offer objections.

(c) The commissioner, in the event of an error, may make a corrected certification. In no event shall such a correction be made after the tax has become delinquent under this article.

48-6-36.

Notwithstanding the fact that the assessment of all intangible personal property is fixed by the commissioner, the tax receiver or tax commissioner shall be entitled for his services to his usual commissions as though he himself made the assessment.

48-6-37.

The taxes on property imposed by this article at the rates fixed in this article shall be collected by the tax commissioners or tax collectors, subject to the provisions of law as to remuneration of the tax commissioner or tax collector and subject to all the remedies provided by law for enforcement or collection of real and tangible personal property taxes.

48-6-38.

In all applications to restrain or enjoin the collection of any tax imposed by this article, the judge, should he grant a restraining order or temporary injunction, shall require the petitioner to give a good and sufficient bond payable to the tax commissioner or tax collector in double the amount of the tax the collection of which is sought to be enjoined. The bond shall be approved by the clerk of superior court and shall be conditioned to pay the tax in the event the petitioner does not finally prevail in his effort to resist the payment of the tax. If the petitioner does not finally prevail, the tax commissioner or tax collector shall bring an action on the bond and shall distribute the amount recovered pursuant to Code Sections 48-6-39, 48-6-40, and 48-6-41.

48-6-39.

The tax commissioner or tax collector, on the basis of his records and of certificates which shall be supplied by each school district, municipality, and other tax district in

the county, shall distribute at least monthly the revenue collected from each owner of intangible personal property between the state and the various local tax districts in the manner provided in this article. Each year the millage rates used in the distributions of revenue under this Code section shall be based upon the immediately preceding year's millage rate of each participating tax authority as provided in this article.

48-6-40.

Revenue derived from taxes on intangible personal property shall be divided among the state and all other tax jurisdictions and districts including, but not limited to, county and municipal districts, which levy or cause to be levied for their benefit a property tax on real and tangible personal property having the same taxable situs as the intangible personal property from which the revenue is derived. The distribution shall be made according to the proportion that the millage rate levied for the state and each other tax jurisdiction or district respectively bears to the total millage rate levied for all purposes applicable to real and tangible personal property having the same taxable situs as the intangible personal property on which the intangible tax was collected. The revenue distributed to municipalities having independent school systems supported by taxes levied by the municipality shall be divided between the municipality and the independent school system according to the proportion that the millage rate levied by the municipality for nonschool purposes and the millage rate levied for school purposes bear to the total millage rate levied by the municipality for all purposes. The tax levied by this article shall be deemed to be levied by the participating tax authorities in the proportion that the millage rate of each participating tax authority bears to the aggregate millage rate of all the participating tax authorities.

48-6-41.

In the event any distribution or part of a distribution as provided in this article is adjudged to be invalid for any reason, such distribution or part of a distribution shall be paid into the general fund of the state in the same manner and for the same purposes as provided in this article for the state's share of the revenues derived from the tax imposed by this article.

48-6-42.

The schedules required by this article to be filed with the commissioner shall be subject to hearings and appeals in all respects as provided by law for income taxes.

48-6-43.

The intangible personal property tax digest, returns, and related records shall be confidential and shall not be subject to inspection by any person other than authorized personnel of appropriate tax administrators. Nothing in this Code section, however, shall prevent any disclosure necessary or proper to the collection of any tax in any administrative or court proceeding.

48-6-44.

(a) It shall be unlawful for any person willfully to violate any provision of this article or willfully to fail to do any act required of him by this article.

(b) Any person who violates subsection (a) of this Code section shall be guilty of a misdemeanor.”,

and inserting in lieu thereof the following:

“ARTICLE 2
RESERVED”

SECTION 4.

Said title is further amended by striking in its entirety Code Section 48-6-63, relating to ad valorem taxation of short-term notes secured by real estate, and inserting in lieu thereof a new Code Section 48-6-63 to read as follows:

“48-6-63.

~~Reserved. (a) Short-term notes secured by real estate shall be subject to ad valorem taxation at the rate prescribed for other intangible property in subsection (a) of Code Section 48-6-23.~~

~~(b) Nothing contained in this Code section shall be construed to require the payment of ad valorem taxes on short-term notes by any institutions exempted by Article 2 of this chapter.~~

SECTION 5.

Said title is further amended by striking subsection (a) of Code Section 48-6-64, relating to tax on certain notes, and inserting in its place a new subsection (a) to read as follows:

“(a) The tax required by this article to be paid on instruments securing long-term notes secured by real estate ~~and the ad valorem tax required by this article to be paid on short-term notes secured by real estate~~ shall be exclusive of all other taxes on the notes. Such intangible property shall not be taxed in any manner other than as provided in this article by the state, any county, or any municipality, nor shall the owner or holder of the property be required to pay any other tax on the property.”

SECTION 6.

Said title is further amended by striking in its entirety subsection (a) of Code Section 48-6-72, relating to collection and distribution of revenues from the intangible recording tax, and inserting in lieu thereof a new subsection (a) to read as follows:

“(a) The intangible recording tax imposed by Code Section 48-6-61 upon instruments securing long-term notes secured by real property shall be collected by the collecting officer of each county and said officer shall make the distributions in the same manner as provided in Article 2 of this chapter Code Section 48-6-8.”

SECTION 7

Said title is further amended by striking in its entirety Code Section 48-6-74, relating to the distribution of revenues from the intangible recording tax, and inserting in lieu thereof a new Code Section 48-6-74 to read as follows:

“48-6-74.

All revenues derived from the intangible recording tax imposed by this article including, but not limited to, revenues from any imposition of the tax upon intangible trust property shall be distributed among the state, county, and municipality in which the real property is located in the same ~~proportion that revenues derived from the intangible personal property tax imposed by Article 2 of this chapter are distributed~~ manner as provided in Code Section 48-6-8. If the real property is located in more than one county, the appropriate portion of the intangible recording tax shall be distributed equitably by the commissioner among the affected counties.”

SECTION 8.

Said title is further amended by striking in its entirety division (b)(7)(A)(ii) of Code Section 48-7-21, relating to the taxation of corporations for income tax purposes, and inserting in lieu thereof a new division (b)(7)(A)(ii) to read as follows:

“(ii) No depository financial institution; ~~as defined in Code Section 48-6-20,~~ shall be deprived of the benefit of any exemption, deduction, or credit authorized by this title as a consequence of its election to file otherwise lawful consolidated returns with its parent organization or any corporate subsidiaries with respect to any state or local tax levied against such depository financial institution as a result of this title. As used in this division, the term:

(I) ‘Bank’ means any financial institution chartered under the laws of this state or under the laws of the United States and domiciled in this state which is authorized to receive deposits in this state and which has a corporate structure authorizing the issuance of capital stock.

(II) ‘Depository financial institution’ means a ‘bank’ or a ‘savings and loan association.’

(III) ‘Savings and loan association’ means any financial institution, other than a credit union, chartered under the laws of this state or under the laws of the

United States and domiciled in this state which is authorized to receive deposits in this state and which has a mutual corporate form;”

www.libtool.com.cn **SECTION 9.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 1996.

SECTION 10.

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

The following amendment was read and adopted:

Representative Buck of the 135th moves to amend the Senate substitute to HB 6 by inserting between “applicability;” and “to” on line 12 of page 1 the following:

“to provide that this Act shall not repeal a certain other Act;”.

By adding at the end of line 2 of page 17 the following:

“The provisions of this Act shall not repeal any provision of HB 1101 if HB 1101 is passed at the 1996 regular session of the General Assembly, becomes law, and becomes effective.”

Representative Buck of the 135th moved that the House agree to the Senate substitute, as amended by the House, to HB 6.

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

Y Allen	Y Crews	Y Irvin	Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambliss	Y Hegatrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 153, nays 0.

The motion prevailed.

HB 1226. By Representative Skipper of the 137th:

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A bill to amend Code Section 48-4-76 of the Official Code of Georgia Annotated, relating to judicial in rem tax foreclosures, so as to authorize the utilization of such foreclosure provisions with respect to delinquent municipal ad valorem taxes through the adoption of a municipal ordinance or resolution.

The following Senate substitute was read:

A BILL

To amend Code Section 48-4-76 of the Official Code of Georgia Annotated, relating to judicial in rem tax foreclosures, so as to provide for the utilization of such foreclosure provisions with respect to delinquent municipal ad valorem taxes; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-4-76 of the Official Code of Georgia Annotated, relating to judicial in rem tax foreclosures, is amended by striking subsection (a) and inserting in its place a new subsection (a) to read as follows:

“(a) In addition to any other rights and remedies provided under state law for the enforcement of tax liens by the State of Georgia and its counties and municipalities, such governmental entities may proceed with judicial in rem tax foreclosures for delinquent taxes in accordance with the provisions of this article by enactment of an ordinance or resolution of the governing authority of the county in which the property is located which ordinance or resolution shall be sufficient authority for use of the provisions of this article by such county and all municipalities within such county as to their respective taxes. In the event that the governing authority of a county does not so act, a municipality located in such county may, by enactment of its own ordinance or resolution, authorize the use of judicial in rem tax foreclosures for delinquent municipal taxes in accordance with the provision of this article. Any such ordinance or resolution may set forth criteria for selection of properties to be subject to the provisions of this article.”

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 Skipper of the 137th moved that the House agree to the Senate substitute to HB 1226.

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

Y Allen	Y Benefield	Y Bunn	Y Coleman, T	Y Dix
Y Anderson	Y Birdsong	Y Burkhalter	Y Connell	Y Dixon, H
Y Ashe	Y Bordeaux	Y Byrd	Y Crawford	Y Dixon, S
Y Bailey	Y Bostick	Y Campbell	Y Crews	Y Dobbs
Y Baker	Y Breedlove	Y Canty	Y Culbreth	Y Ehrhart
Y Bannister	Y Brooks, D	Y Carter	Y Cummings	Y Epps
Y Barfoot	Y Brooks, T	Y Chambless	Y Davis, M	Y Evans
Y Barger	Y Brown, J	Y Channell	Y Davis, G	Y Falls
Y Barnard	Y Brush	Y Childers	Y Day	Y Felton
Y Barnes	Y Buck	Y Coker	Y DeLoach, B	Y Floyd
Y Bates	Y Buckner	Y Coleman, B	Y DeLoach, G	Y Godbee

Y Golden	Y Joyce	Y O'Neal	Y Scoggins	Y Taylor
Goodwin	Y Kaye	Y Orrock	Y Shanahan	Y Teague
E Greene	Y Kinnamon	Y Parham	Y Shaw	Y Teper
Grindley	Y Klein	Y Parrish	Y Sherrill	Thomas
Y Hanner	Y Ladd	Y Parsons	Y Shipp	Y Tillman
Y Harbin	Y Lakly	Y Pelote	Y Simpson	Y Titus
Y Harris	Y Lane	Y Perry	Y Sinkfield	Y Towery
Y Heard	Y Lawrence	Y Pinholster	Y Skipper	Y Trense
Y Heckstall	Y Lee	Y Polak	Y Smith, C	Y Turnquest
Y Hegstrom	Y Lewis	Y Ponder	Y Smith, C.W	Y Twiggs
Y Hembree	Y Lifsey	Porter	Y Smith, L	Y Walker, L
Y Henson	Lord	Y Poston	Smith, P	Y Walker, R.L
Y Holland	Lucas	Y Powell	Y Smith, T	Y Wall
Y Holmes	Y Maddox	Y Purcell, A	Y Smith, V	Y Watson
Y Howard	Y Mann	Y Purcell, B	Smith, W	Watts
Y Hudson	Y Martin	Y Randall	Y Smyre	Y Westmoreland
Y Hugley	Y McBee	Y Randolph	Y Snelling	Y Whitaker
Y Irvin	E McCall	Ray	Y Snow	Y White
Y James	Y McClinton	Y Reaves	Y Stallings	Y Wiles
Y Jamieson	McKinney	Y Reichert	Y Stancil, F	Y Williams, B
Y Jenkins	Y Mills	Y Roberts	Y Stancil, S	Y Williams, J
Johnson, G	Y Mobley, B	Y Rogers	Y Stanley, L	Y Williams, R
Y Johnson, J	Y Mobley, J	Y Royal	Y Stanley, P	Y Woods
Y Johnston	Y Mosley	Y Sanders	Stephenson	Y Yates
Y Jones	Y Mueller	Y Sauder	Y Streat	Murphy, Spkr

On the motion, the ayes were 158, nays 0.

The motion prevailed.

HB 1580. By Representative Crews of the 78th:

A bill to amend Article 1 of Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relating to marriage, so as to change the provisions relating to prerequisites to a valid marriage.

The following Senate substitute was read:

A BILL

To amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to declare that the public policy of this state is to recognize the union only of man and woman; to prohibit marriages between persons of the same sex; to provide that marriages between persons of the same sex shall not be recognized; to provide that any marriage entered into by persons of the same sex pursuant to a marriage license issued outside of this state shall be void in this state; to provide that contractual rights granted by virtue of such a license issued outside of this state shall be unenforceable in the courts of this state; to provide that the courts of this state shall have no jurisdiction whatsoever under any circumstances to grant a divorce or separate maintenance with respect to a marriage between persons of the same sex or otherwise to consider or rule on any of the parties' respective rights arising as a result of or in connection with a marriage between persons of the same sex; to prohibit the issuance of marriage licenses to persons of the same sex; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, is amended by adding between Code Sections 19-3-3 and 19-3-4 a new Code Section 19-3-3.1 to read as follows:

"19-3-3.1.

(a) It is declared to be the public policy of this state to recognize the union only of man and woman. Marriages between persons of the same sex are prohibited in this state.

(b) No marriage between persons of the same sex shall be recognized as entitled to the benefits of marriage. Any marriage entered into by persons of the same sex pursuant to a marriage license issued by another state or foreign jurisdiction or otherwise shall be void in this state. Any contractual rights granted by virtue of such license shall be unenforceable in the courts of this state and the courts of this state shall have no jurisdiction whatsoever under any circumstances to grant a divorce or separate maintenance with respect to such marriage or otherwise to consider or rule on any of the parties' respective rights arising as a result of or in connection with such marriage."

SECTION 2.

Said chapter is further amended by striking in its entirety subsection (b) of Code Section 19-3-30, relating to the issuance, return, and recording of marriage licenses, and inserting in lieu thereof a new subsection (b) to read as follows:

"(b)(1) No marriage license shall be issued to persons of the same sex.

(2) If one of the persons to be married is a resident of this state, the license may be issued in any county of this state. If neither the male nor the female to be married is a resident of this state, the license shall be issued in the county in which the ceremony is to be performed."

SECTION 3.

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

SECTION 4.

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

Representative Crews of the 78th moved that the House agree to the Senate substitute to HB 1580.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Randolph	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	N McClintony	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Y Chambless	N Hegstrom	Y Mills	Sinkfield	Y White
Y Channell	Y Hembree	N Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 150, nays 6.

The motion prevailed.

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HB 1154. By Representatives Kinnamon of the 4th, Perry of the 11th, Childers of the 13th and Mosley of the 171st:

A bill to amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to change the provisions relating to the provision of medical services to inmates.

The following Senate substitute was read:

A BILL

To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to change the provisions relating to the provision of medical services to inmates; to change certain definitions; to provide additional definitions; to provide that an inmate who is provided medical care and who is not eligible for health insurance benefits shall be liable for the costs of medical care provided the inmate; to provide that the assets and property of the inmate may be subject to levy and execution under court order to satisfy the costs of such medical care provided; to require an inmate to cooperate with a governing authority or be subject to certain sanctions; to authorize certain civil actions; to provide for the issuance of ex parte restraining orders to restrain defendants from disposing of property pending a hearing on the issues; to authorize the appointment of receivers for property; to require a court to consider the support obligations of the defendant inmate; to authorize the court to enter a money judgment against a defendant and to order that the defendant's property is liable for reimbursement for the cost of medical care provided to the defendant as an inmate; to provide that nothing in this Act shall be construed to relieve the governing authority, governmental unit, subdivision, or agency having the physical custody of an inmate from its responsibility to pay for any medical and hospital care rendered to such inmate regardless of whether such individual has been convicted of a crime; to change the provisions relating to deductions of costs from an inmate's account for medical treatment requested by the inmate; 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 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by striking in its entirety Code Section 42-4-50, relating to definitions applicable to medical services for inmates in local detention facilities, and inserting in lieu thereof a new Code Section 42-4-50 to read as follows:

"42-4-50.

(a) As used in this article, the term:

(1) 'Detention facility' means a municipal or county jail; ~~workcamp, or other municipal or county detention facility~~ used for the detention of persons charged with or convicted of either a felony, a misdemeanor, or a municipal offense.

(2) 'Governing authority' means the governing authority of the county or municipality in which the detention facility is located.

~~(2)~~(3) 'Inmate' means a person who is detained in a detention facility by reason of being charged with or convicted of a felony, a misdemeanor, or a municipal offense, ~~and who is insured under existing individual health insurance, group health insurance, or prepaid medical care coverage or is eligible for benefits under Article 7 of Chapter 4 of Title 49, the 'Georgia Medical Assistance Act of 1977.'~~ Such term does not include any sentenced inmate who is the responsibility of the State Department of Corrections.

(4) 'Medical care' includes medical attention, dental care, and medicine and necessary and associated costs such as transportation, guards, room, and board.

~~(5)~~ (5) 'Officer in charge' means the sheriff, if the detention facility is under his or her supervision, the warden, captain, or superintendent having the supervision of any other detention facility.'

SECTION 2.

Said title is further amended by striking in its entirety Code Section 42-4-51, relating to information as to inmate's health insurance or eligibility for benefits, and inserting in lieu thereof a new Code Section 42-4-51 to read as follows:

"42-4-51.

(a) The officer in charge or his or her designee may require an inmate to furnish the following information:

- (1) The existence of any health insurance, group health plan, or prepaid medical care coverage under which the inmate is insured;
- (2) The eligibility for benefits to which the inmate is entitled under Article 7 of Chapter 4 of Title 49, the 'Georgia Medical Assistance Act of 1977';
- (3) The name and address of the third-party payor; and
- (4) The policy or other identifying number.

(b) The officer in charge will provide a sick, injured, or disabled inmate access to medical services and may arrange for the inmate's health insurance carrier to pay the health care provider for the medical service rendered.

(c) The liability for payment for medical care described under subsection (b) of this Code section may not be construed as requiring payment by any person or entity, except by an inmate personally or his or her carrier through coverage or benefits described under paragraph (1) of subsection (a) of this Code section.

(d) If an inmate is not eligible for such health insurance benefits, then the inmate shall be liable for the costs of such medical care provided to the inmate and the assets and property of such inmate may be subject to levy and execution under court order to satisfy such costs. An inmate in a detention facility shall cooperate with the governing authority in seeking reimbursement under this article for medical care expenses incurred by the governing authority for that inmate. An inmate who willfully refuses to cooperate as provided in this Code section shall not receive or be eligible to receive any good-time allowance or other reduction of time to be served.

(e)(1) An attorney for a governing authority may file a civil action to seek reimbursement from an inmate for the costs of medical care provided to such inmate while incarcerated.

(2) A civil action brought under this article shall be instituted in the name of the governing authority and shall state the date and place of sentence, the medical care provided to such inmate, and the amount or amounts due to the governing authority pursuant to this Code section.

(3) If necessary to protect the governing authority's right to obtain reimbursement under this article against the disposition of known property, the governing authority may seek issuance of an ex parte restraining order to restrain the defendant from disposing of the property pending a hearing on an order to show cause why the particular property should not be applied to reimbursement of the governing authority for the costs of medical care provided to the defendant as an inmate.

(4) To protect and maintain the property pending resolution of the matter, the court, upon request, may appoint a receiver.

(f) Before entering any order on behalf of the governing authority against the defendant, the court shall take into consideration any legal obligation of the defendant to support a spouse, minor children, or other dependents and any moral obligation to support dependents to whom the defendant is providing or has in fact provided support.

(g) The court may enter a money judgment against the defendant and may order that the defendant's property is liable for reimbursement for the costs of medical care provided to the defendant as an inmate.

(h) The sentencing judge and the sheriff of any county in which a prisoner's property is located shall furnish to the attorney for the governing authority all information and assistance possible to enable the attorney to secure reimbursement for the governing authority under this article. ~~cn~~

(i) The reimbursements secured under this article shall be credited to the general fund of the governing authority to be available for general fund purposes. The treasurer of such governing authority may determine the amount due the governing authority under this article and render sworn statements thereof. These sworn statements shall be considered prima-facie evidence of the amount due.

(j) Nothing in this Code section shall be construed to relieve the governing authority, governmental unit, subdivision, or agency having the physical custody of an inmate from its responsibility to pay for any medical and hospital care rendered to such inmate regardless of whether such individual has been convicted of a crime."

SECTION 3.

Said title is further amended by striking in its entirety paragraph (2) of subsection (a) of Code Section 42-4-71, relating to deductions of costs from inmate's account for destruction of property or for certain medical treatment, and inserting in lieu thereof a new paragraph (2) to read as follows:

"(2) Defray the costs paid by a municipality or county for medical treatment for an inmate, which medical treatment has been requested by the inmate, provided that such deduction from money credited to the account of an inmate shall not exceed \$5.00 for each such occurrence of treatment received by the inmate at the inmate's request; provided, further, that if the balance in an inmate's account is \$10.00 or less, such fee shall not be charged-; provided, however, that in the event that the costs of medical treatment of an inmate have been collected from said inmate pursuant to Code Section 42-4-51, there shall be no deductions from money credited to the account of an inmate under the provisions of this paragraph for the cost of such medical treatment."

SECTION 4.

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

Representative Kinnamon of the 4th moved that the House agree to the Senate substitute to HB 1154.

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

Y Allen	Y Carter	Y Godbee	Y Kaye	Y Parrish
Y Anderson	Y Chambless	Y Golden	Y Kinnamon	Y Parsons
Y Ashe	Y Channell	Goodwin	Y Klein	Y Pelote
Y Bailey	Y Childers	E Greene	Y Ladd	Y Perry
Y Baker	Y Coker	Grindley	N Lakly	Y Pinholster
Y Bannister	Y Coleman, B	Y Hanner	Y Lane	Y Polak
Y Barfoot	Y Coleman, T	Y Harbin	Y Lawrence	Y Ponder
Y Bargerone	Y Connell	Y Harris	Y Lee	Porter
Y Barnard	Y Crawford	Y Heard	Y Lewis	Y Poston
Y Barnes	Y Crews	Y Heckstall	Y Lifsey	Powell
Y Bates	Culbreth	Y Hegstrom	Y Lord	Y Purcell, A
Y Benefield	Y Cummings	Y Hembree	Lucas	Y Purcell, B
Y Birdsong	Y Davis, G	Y Henson	Y Maddox	Y Randall
Y Bordeaux	Y Davis, M	Y Holland	Y Mann	Y Randolph
Y Bostick	Y Day	Y Holmes	Y Martin	Y Ray
Y Breedlove	Y DeLoach, B	Y Howard	Y McBee	Y Reaves
N Brooks, D	Y DeLoach, G	Y Hudson	E McCall	Y Reichert
Y Brooks, T	Dix	Y Hugley	Y McClinton	Y Roberts
Y Brown, J	Y Dixon, H	Y Irvin	McKinney	Y Rogers
Y Brush	Y Dixon, S	Y James	Y Mills	Y Royal
Y Buck	Y Dobbs	Y Jamieson	Y Mobley, B	Y Sanders
Y Buckner	Y Ehrhart	Y Jenkins	Y Mobley, J	Y Sauder
Y Bunn	Y Epps	Y Johnson, G	Y Mosley	Y Scoggins
Y Burkhalter	Y Evans	Y Johnson, J	Y Mueller	Y Shanahan
Y Byrd	Y Falls	Y Johnston	Y O'Neal	Y Shaw
Y Campbell	Y Felton	Y Jones	Y Orrock	Y Sherrill
Y Canty	Y Floyd	Y Joyce	Y Parham	Y Shipp

Y Simpson	Smith, W	Stephenson	Y Trense	Y Whitaker
Y Sinkfield	Y Smyre	Y Streat	Y Turnquest	Y White
Y Skipper	Y Snelling	Y Taylor	Y Twiggs	Y Wiles
Y Smith, C	Y Snow	Y Teague	Y Walker, L	Y Williams, B
Y Smith, C.W	Y Stallings	Y Teper	Y Walker, R.L	Y Williams, J
Y Smith, L	Y Stancil, F	Y Thomas	Y Wall	Y Williams, R
Y Smith, P	Y Stancil, S	Y Tillman	Y Watson	Y Woods
Y Smith, T	Y Stanley, L	Y Titus	Watts	Y Yates
Y Smith, V	Y Stanley, P	Y Towery	Y Westmoreland	Murphy, Spkr

On the motion, the ayes were 161, nays 2.

The motion prevailed.

HB 1221. By Representatives Benefield of the 96th, Lee of the 94th and Bailey of the 93rd:

A bill to amend Code Section 8-2-26 of the Official Code of Georgia Annotated, relating to the enforcement of state minimum standard codes applicable to construction, so as to provide for alternative inspection of water and sewer lines where the installation is outside the building underground; to provide requirements relative to filing of a certificate of self-inspection.

The following Senate amendments were read:

SENATE AMENDMENT NO.1

Amend HB 1221 by striking from lines 9 and 10 of page 2 the following:

“not less than \$10,000 and not more than”.

SENATE AMENDMENT NO. 2

Amend HB 1221 by adding at the end of line 8 of page 1 the following:

“amend Code Section 25-2-13 of the Official Code of Georgia Annotated, relating to fire safety standards applicable to certain buildings and structures, so as to provide for compliance standards in the event of conflict between certain codes and standards; to”

By adding between lines 35 and 36 on page 2 the following:

“SECTION 2.

Code Section 25-2-13 of the Official Code of Georgia Annotated, relating to fire safety standards applicable to certain buildings and structures, is amended by adding a new subsection at the end thereof, to be designated subsection (g), to read as follows:

“(g) Notwithstanding any other provision of law or any local ordinance to the contrary, in the event of a conflict between any code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) and of the Standard Building Code Congress (Southern Standard Building Code), the code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) shall prevail. The order of precedence established by this subsection shall apply to all buildings and structures whether or not such buildings and structures are covered under this Code section.”

By designating Sections 2, 3, and 4 as Sections 3, 4, and 5, respectively.

By striking from line 37 on page 2 the following:

“said”,

and inserting in lieu thereof the following:

“Section 1 of this”

Representative Benefield of the 96th moved that the House agree to the Senate amendments to HB 1221.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	N Day	Johnson, J	Y Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Stephenson
Y Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 150, nays 5.

The motion prevailed.

HB 1231. By Representatives Stancil of the 16th, Pinholster of the 15th, Mobley of the 86th and Smith of the 12th:

A bill to amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning procedures, so as to change the types of zoning decisions to which such procedures are applicable; to provide for applicability of such procedures of annexed property.

The following Senate substitute was read:

A BILL

To amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning procedures, so as to restate the types of zoning decisions to which such procedures apply; to change the procedures applicable to property to be annexed; to provide for additional procedures; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning procedures, is amended by striking paragraph (4) of Code Section 36-66-3, relating to definitions regarding zoning procedures, and inserting in its place a new paragraph (4) to read as follows:

- “(4) ‘Zoning decision’ means final action by a local government which results with:
- (A) The adoption of a zoning ordinance;
 - (B) The adoption of an amendment to a zoning ordinance which changes the text of the zoning ordinance; ~~or~~
 - (C) The adoption of an amendment to a zoning ordinance which rezones property from one zoning classification to another; or
 - (D) The adoption of an amendment to a zoning ordinance by a municipal local government which zones property to be annexed into the municipality.”

SECTION 2.

Said chapter is further amended by adding a new subsection at the end of Code Section 36-66-4, relating to procedures regarding zoning decisions, to be designated subsection (d), to read as follows:

- “(d) If the zoning is for property to be annexed into a municipality, then:
- (1) Such municipal local government may begin the procedures required by this chapter for such zoning at any time on or after the date the notice of the proposed annexation is provided to the governing authority of the county as required under Code Section 36-36-6;
 - (2) The hearing required by subsection (a) of this Code section shall be conducted prior to the annexation of the subject property into the municipality;
 - (3) In addition to the other notice requirements of this Code section, the municipality shall cause to be published within a newspaper of general circulation within the territorial boundaries of the county wherein the property to be annexed is located a notice of the hearing as required under the provisions of subsection (a) or (b), as applicable, of this Code section and shall place a sign on the property when required by subsection (b) of this Code section; and
 - (4) The zoning classification approved by the municipality following the hearing required by this Code section shall become effective on the later of:
 - (A) The date the zoning is approved by the municipality; or
 - (B) The date that the annexation becomes effective pursuant to Code Section 36-36-2.”

SECTION 3.

This Act shall become effective on July 1, 1996.

SECTION 4.

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

Representative Stancil of the 16th moved that the House agree to the Senate substitute to HB 1231.

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

Y Allen	Y Benefield	Y Bunn	Y Coleman, T	Y Dix
Y Anderson	Y Birdsong	Y Burkhalter	Y Connell	Y Dixon, H
Y Ashe	Y Bordeaux	Y Byrd	Y Crawford	Y Dixon, S
Y Bailey	Y Bostick	Y Campbell	Y Crews	Y Dobbs
Y Baker	Y Breedlove	Y Canty	Y Culbreth	Y Ehrhart
Y Bannister	Y Brooks, D	Y Carter	Y Cummings	Y Epps
Y Barfoot	Y Brooks, T	Y Chambless	Y Davis, G	Y Evans
Y Bargeron	Y Brown, J	Y Channell	Y Davis, M	Y Falls
Y Barnard	Y Brush	Y Childers	Y Day	Y Felton
Y Barnes	Y Buck	Y Coker	Y DeLoach, B	Y Floyd
Y Bates	Y Buckner	Y Coleman, B	Y DeLoach, G	Y Godbee

Y Golden	Y Joyce	Y O'Neal	Y Scoggins	Y Taylor
Y Goodwin	Y Kaye	Y Orrock	Y Shanahan	Y Teague
E Greene	Y Kinnamon	Y Parham	Y Shaw	Y Teper
Grindley	Y Klein	Y Parrish	Y Sherrill	Y Thomas
Y Hanner	Y Ladd	Y Parsons	Y Shipp	Y Tillman
Y Harbin	Y Lakly	Y Pelote	Y Simpson	Y Titus
Y Harris	Y Lane	Y Perry	Y Sinkfield	Y Towery
Y Heard	Y Lawrence	Y Pinholster	Y Skipper	Y Trense
Y Heckstall	Y Lee	Y Polak	Y Smith, C	Y Turnquest
Y Hegstrom	Y Lewis	Y Ponder	Y Smith, C.W	Y Twiggs
Y Hembree	Y Lifsey	Y Porter	Y Smith, L	Y Walker, L
Y Henson	Y Lord	Y Poston	Y Smith, P	Y Walker, R.L
Y Holland	Y Lucas	Y Powell	Y Smith, T	Y Wall
Y Holmes	Y Maddox	Y Purcell, A	Y Smith, V	Y Watson
Y Howard	Y Mann	Y Purcell, B	Y Smith, W	Y Watts
Y Hudson	Y Martin	Y Randall	Y Smyre	Y Westmoreland
Hugley	Y McBee	Y Randolph	Y Snelling	Y Whitaker
Y Irvin	E McCall	Y Ray	Y Snow	Y White
Y James	Y McClinton	Y Reaves	Y Stallings	Y Wiles
Y Jamieson	Y McKinney	Y Reichert	Y Stancil, F	Y Williams, B
Y Jenkins	Y Mills	Y Roberts	Y Stancil, S	Y Williams, J
Y Johnson, G	Y Mobley, B	Y Rogers	Y Stanley, P	Y Williams, R
Y Johnson, J	Y Mobley, J	Y Royal	Y Stanley, P	Y Woods
Y Johnston	Y Mosley	Y Sanders	Y Stephenson	Y Yates
Y Jones	Y Mueller	Y Sauder	Y Streat	Y Murpby, Spkr

On the motion, the ayes were 149, nays 0.

The motion prevailed.

HB 1437. By Representatives Reaves of the 178th, Floyd of the 138th and Purcell of the 147th:

A bill to amend the Official Code of Georgia Annotated, so as to provide that certain exotic animals are livestock for the purposes of certain laws of this state; to amend Title 1 of the Official Code of Georgia Annotated, relating to general provisions of law, so as to change a definition and provide for additional definitions; to amend Title 4 of the Official Code of Georgia Annotated, relating to animals, so as to change provisions relating to marks, brands, and tattoos.

The following Senate amendment was read:

Amend HB 1437 by striking lines 2 through 24 of page 1 and inserting in lieu thereof the following:

“provide that certain animals are nontraditional livestock for the purposes of certain laws of this state; to amend Title 26, relating to food,”

By striking “exotic animals” and inserting in lieu thereof “nontraditional livestock” on lines 31 and 34 of page 1.

By striking lines 12 through 20 of page 2 and inserting in lieu thereof the following:

“as to amend the list of animals requiring a wild animal license or permit; to allow processing for meat of certain wild animals; to repeal conflicting laws; and for other purposes.”

By striking line 22 of page 2 through line 28 of page 6.

By redesignating Sections 11 through 28 as Sections 1 through 18, respectively.

By striking “exotic animal” and “exotic animals” and inserting in lieu thereof “nontraditional livestock” on line 41 of page 6; lines 1, 7, 15, 29, and 34 of page 7; lines 3, 4, 7, 36, and 39 of page 8; lines 14, 35, 36, 37, 38, 39, 40, and 41 of page 9; lines 2, 20, 27, 31, 34, and 42 of page 10; lines 7, 26, 27, and 42 of page 11; lines 22 and 40 of

page 12; lines 4 and 15 of page 13; line 11 of page 14; lines 2, 3, and 13 of page 15; lines 11, 12, and 33 of page 16; line 11 of page 17; lines 3, 17, and 33 of page 18.

By adding "(13.1)," following "(12)," on line 36 of page 6.

By inserting between lines 30 and 31 of page 7 the following:

"(13.1) "Nontraditional livestock" means the species of Artiodactyla (even-toed ungulates) listed as antelope, bison, buffalo, catalo, elk, deer other than white-tailed deer, and water buffalo that are held and possessed legally under the wild animal provisions of Chapter 5 of Title 27."

By striking Sections 29 through 31 and inserting in lieu thereof the following:

"SECTION 19.

Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by striking subparagraph (b)(1)(Q) of Code Section 27-5-5, relating to wild animals for which a license or permit is required, and inserting in lieu thereof a new subparagraph (Q) to read as follows:

'(Q) Order Artiodactyla (even-toed ungulates) — All species except Bison bison (buffalo) and Llama guanicoe, L. glama, and L. pacos (llamas); ~~elks and red deer;~~'

SECTION 20.

Said title is further amended by adding a new paragraph (16) to Code Section 27-5-6, relating to the humane handling and care of wild animals, to read as follows:

'(16) Nothing in this Code section shall prevent wild animal license or permit holders from processing for meat or meat products animals that are surplus to the primary purpose of their wild animal business. Such processing must be done in compliance with the provisions of Article 3 of Chapter 2 of Title 26, the "Georgia Meat Inspection Act."'

By redesignating Section 32 as Section 21.

Representative Purcell of the 147th moved that the House agree to the Senate amendment to HB 1437.

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

Y Allen	Y Canty	Y Felton	Y Johnston	Y Mueller
Y Anderson	Y Carter	Y Floyd	Y Jones	Y O'Neal
Y Ashe	Y Chambliss	Y Godbee	Y Joyce	Y Orrock
Y Bailey	Y Channell	Y Golden	Y Kaye	Y Parham
Y Baker	Y Childers	Goodwin	Y Kinnamon	Y Parrish
Y Bannister	Y Coker	E Greene	Y Klein	Y Parsons
Y Barfoot	Y Coleman, B	Grindley	Y Ladd	Pelote
Y Bargeron	Y Coleman, T	Y Hanner	Y Lakly	Y Perry
Y Barnard	Y Connell	Y Harbin	Y Lane	Y Pinholster
Y Barnes	Y Crawford	Y Harris	Y Lawrence	Y Polak
Y Bates	Y Crews	Y Heard	Y Lee	Y Ponder
Y Benefield	Y Culbreth	Y Heckstall	Y Lewis	Porter
Y Birdsong	Y Cummings	Y Hegstrom	Y Lifsey	Y Poston
Y Bordeaux	Y Davis, G	Y Hembree	Y Lord	Powell
Y Bostick	Y Davis, M	Henson	Lucas	Y Purcell, A
Y Breedlove	Y Day	Y Holland	Y Maddox	Y Purcell, B
Y Brooks, D	Y DeLoach, B	Holmes	Y Mann	Y Randall
Y Brooks, T	Y DeLoach, G	Y Howard	Y Martin	Y Randolph
Y Brown, J	Y Dix	Y Hudson	Y McBee	Y Ray
Y Brush	Y Dixon, H	Y Hugley	E McCall	Reaves
Y Buck	Y Dixon, S	Irvin	Y McClinton	Y Reichert
Y Buckner	Y Dobbs	Y James	McKinney	Roberts
Y Bunn	Y Ehrhart	Y Jamieson	Y Mills	Y Rogers
Y Burkhalter	Y Epps	Y Jenkins	Y Mobley, B	Y Royal
Y Byrd	Evans	Y Johnson, G	Y Mobley, J	Y Sanders
Y Campbell	Y Falls	Y Johnson, J	Y Mosley	Y Sauder

Y Scoggins	Y Smith, L	Y Stancil, S	Y Titus	Y Westmoreland
Y Shanahan	Y Smith, P	Stanley, L	Y Towery	Y Whitaker
Y Shaw	Y Smith, T	Y Stanley, P	Y Trense	White
Y Sherrill	Y Smith, V	Stephenson	Turnquest	Y Wiles
Y Shipp	Smith, W	Y Streat	Y Twiggs	Williams, B
Y Simpson	Smyre	Y Taylor	Y Walker, L	Y Williams, J
Y Sinkfield	Y Snelling	Teague	Y Walker, R.L	Y Williams, R
Y Skipper	Snow	Teper	Y Wall	Y Woods
Y Smith, C	Y Stallings	Thomas	Y Watson	Y Yates
Y Smith, C.W	Y Stancil, F	Y Tillman	Watts	Murphy, Spkr

On the motion, the ayes were 150, nays 0.

The motion prevailed.

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

Mr. Speaker:

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

HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

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

HB 1761. By Representatives Heard of the 89th, McBee of the 88th and Scoggins of the 24th:

A bill to amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, so as to provide that certain provisions relating to storage of records at a location other than a courthouse in counties having a population of 550,000 or more are made applicable state wide.

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

HB 1728. By Representative Parham of the 122nd:

A bill to amend Code Section 10-1-662 of the Official Code of Georgia Annotated, relating to unlawful motor vehicle franchisor practices, so as to prohibit franchisors from conducting audits of or basing decisions adverse to a dealer on activity or transactions more than two years old; to prohibit a franchisor from canceling a franchise under certain circumstances.

The Senate has adopted, as amended, by the requisite constitutional majority the following resolution of the House:

HR 1091. By Representatives Chambless of the 163rd, Murphy of the 18th, Lee of the 94th and others:

A resolution creating the Commission on the Appellate Courts of Georgia.

The Senate insists on its substitute to the following bill of the House:

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 1864 Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

Representative Benefield of the 96th District, Chairman of the Committee on Transportation, submitted the following report:

Mr. Speaker:

Your Committee on Transportation has had under consideration the following Resolutions of the House and has instructed me to report the same back to the House with the following recommendations:

HR 1197 Do Pass
HR 1219 Do Pass

Respectfully submitted,
/s/ Benefield of the 96th
Chairman

The following Bill of the Senate was taken up for the purpose of considering the Senate's appointment of a Committee of Conference thereon:

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

Representative Jenkins of the 110th moved that the House adhere to its position in substituting SB 678 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

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The motion prevailed.

The Speaker has appointed as a Committee of Conference on the part of the House the following members:

Representatives Jenkins of the 110th, Twiggs of the 8th and Day of the 153rd.

The following Bills and Resolutions of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 1518. By Representative Holmes of the 53rd:

A bill to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to exempt nonjudicial candidates in nonpartisan primaries or elections from filing notices of candidacy; to provide for registration of voters who are not county residents by deputy registrars.

The following Senate substitute was read:

A BILL

To amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to provide for qualifying on legal holidays; to exempt nonjudicial candidates in nonpartisan primaries or elections from filing nomination petitions; to change provisions relating to the terms of registrars; to provide for registration of voters who are not county residents by deputy registrars; to provide for deputy registrars who are the designees of principals or assistant principals of high schools and presidents of state supported technical institutes; to provide for the storing of registration cards in secure areas other than the main office of the board of registrars in certain circumstances; to provide for the use of the electronic image of a voter's signature; to provide for rules and regulations regarding the electronic transmission of voter registration applications and signatures; to provide for the validity of electronically transmitted signatures; to change the registration deadline for certain special primaries and special elections; to provide a deadline for the receipt of mail voter registration applications for certain special primaries and special elections; to eliminate the duty of the board of registrars to furnish data maintained on electors; to provide that the Secretary of State shall establish the cost for such data and to authorize the Secretary of State to contract with private vendors regarding such data; to provide for obtaining data regarding deaths from the commissioner of human resources; to change provisions relating to comparing the electors list with change of address information supplied by the postal service; to change provisions relating to changing the boundaries of precincts and to eliminate obsolete provisions related thereto; to provide for the form of the ballot and ballot label as to nonjudicial candidates in nonpartisan primaries and elections; to revise the voter's certificate; to change provisions relating to assistance for physically disabled voters; to authorize filing the results of primaries and elections electronically; to provide that a slate of presidential electors shall receive the highest number of votes cast to be elected; to provide for the holding of certain special elections on dates other than statutorily specified dates; to provide for conditions and limitations; to change the date for filing notices of candidacy for candidates in municipal elections; to provide the earliest date for filing such notices of candidacy; to clarify provisions relating to the delivery of a copy of the list of electors of a municipality by the county board of registrars; 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 21 of the Official Code of Georgia Annotated, relating to elections, is amended by striking in their entirety subsections (b.1) and (d) of Code Section 21-2-132, relating to notices of candidacy, nomination petitions, qualifying fees, and pauper's affidavits, and inserting in lieu thereof the following:

"(b.1) All candidates seeking nomination in a nonpartisan primary shall file their notice of candidacy and pay the prescribed qualifying fee by the date prescribed in this subsection in order to be eligible to have their names placed on the nonpartisan primary ballot by the Secretary of State or election superintendent, as the case may be, in the following manner:

(1) Each candidate for the office of judge of the superior court, Judge of the Court of Appeals, or Justice of the Supreme Court, or the candidate's agent, desiring to have his or her name placed on the nonpartisan primary ballot shall file a notice of candidacy, giving his or her name, residence address, and the office sought, in the office of the Secretary of State no earlier than 9:00 A.M. on the fourth Monday in April immediately prior to the election and no later than 12:00 Noon on the Friday following the fourth Monday in April, notwithstanding the fact that any such days may be legal holidays; and

(2) Each candidate for a county judicial office, a local school board office, or an office of a consolidated government, or the candidate's agent, desiring to have his or her name placed on the nonpartisan primary ballot shall file notice of candidacy in the office of the superintendent no earlier than 9:00 A.M. on the fourth Monday in April immediately prior to the election and no later than 12:00 Noon on the Friday following the fourth Monday in April, notwithstanding the fact that any such days may be legal holidays."

"(d) Each candidate required to file a notice of candidacy by this Code section shall, no earlier than 9:00 A.M. on the fourth Monday in June immediately prior to the election and no later than 12:00 Noon on the second Tuesday in July immediately prior to the election, file with the same official with whom he or she filed his or her notice of candidacy a nomination petition in the form prescribed in Code Section 21-2-170, except that such petition shall not be required if such candidate is:

(1) A nominee of a political party for the office of presidential elector when such party has held a national convention and therein nominated candidates for President and Vice President of the United States;

(2) Seeking office in a special election;

(3) An incumbent qualifying as a candidate to succeed such incumbent if, prior to the election in which such incumbent was originally elected to the office for which such incumbent seeks reelection, such incumbent filed a notice of candidacy and a nomination petition as required by this chapter;

(4) A candidate seeking nomination or election to the office of ~~judge of a state court, judge of a superior court, Judge of the Court of Appeals, or Justice of the Supreme Court~~ in a nonpartisan primary or election; or

(5) A nominee for a state-wide office by a duly constituted political body convention, provided that the political body making the nomination has qualified to nominate candidates for state-wide public office under the provisions of Code Section 21-2-180."

SECTION 2.

Said title is further amended by striking in its entirety subsection (c) of Code Section 21-2-153, relating to qualification of candidates for party nomination in a primary, and inserting in lieu thereof the following:

"(c) In the case of a general primary, the candidates or their agents shall commence qualifying at 9:00 A.M. on the fourth Monday in April immediately prior to the primary and shall cease qualifying at 12:00 Noon on the Friday following the fourth Monday in April, notwithstanding the fact that any such days may be legal holidays. In the case of a special primary, the candidate shall qualify no earlier than the date of the call for the special primary and no later than 25 days prior to the date of such primary."

SECTION 3.

Said title is further amended by striking in their entirety subsections (a) and (b) of Code Section 21-2-212, relating to county registrars, and inserting in lieu thereof the following:

“(a) ~~The judge of the superior~~ court in each county or the senior judge in time of service in those counties having more than one judge shall appoint quadrennially, upon the recommendation of the grand jury of such county, not less than three nor more than five judicious, intelligent, and upright electors of such county as county registrars. The grand jury shall submit to the judge the names of ten such electors and the appointment shall be made therefrom and shall be entered on the minutes of the court. When making such appointments, the judge will designate one of the registrars as chief registrar who shall serve as such during such registrar’s term of office, and such designation shall likewise be entered on the minutes of the court. It shall be the duty of the clerk of the superior court to certify the appointments and designation to the Secretary of State within 30 days after the appointments and designation, and commissions shall be issued as for county officers. When certifying such names to the Secretary of State, the clerk of the superior court shall also list the addresses of the registrars. ~~The registrars shall serve for a term of four years and until their successors are appointed and qualified, except in the event of death, resignation, or removal as provided in this Code section.~~ Such judge will have the right to remove one or more of such registrars at any time for cause after notice and hearing. Any registrar shall have the right to resign at any time by submitting a resignation to such judge. In the event of any such removal or resignation of a registrar, such registrar’s duties and authority as such shall terminate instantly. In case of the death, resignation, or removal of a registrar, the judge shall appoint a successor who shall serve until the next grand jury convenes, at which time the grand jury shall submit to the judge the names of two judicious, intelligent, and upright electors of such county; and the judge shall make an appointment from said list, such successor to serve the unexpired term of such registrar’s predecessor in office. In the event the grand jury is in session at the time of any such death, removal, or resignation, such grand jury shall immediately submit the names of said electors to the judge for such appointment. Each such appointment or change in designation shall be entered on the minutes of the court and certified as provided in this Code section.

(b) The first appointees under this article shall take office on July 1, 1965, for a term of four years and until their successors are appointed and qualified, except in the event of resignation or removal as provided in subsection (a) of this Code section. Their terms shall commence on July 1 and expire on June 30 four years next thereafter. The first new grand jury which convenes in each county in the year 1965, and each four years thereafter, shall submit to the judge the list of names as provided in subsection (a) of this Code section. Such list shall be submitted to the judge, who shall appoint the registrars and designate the chief registrar prior to June 30. No appointment for a full term shall be made prior to January 1 of the year in which the appointee is to take office. If no such grand jury is convened or, if convened but failed to recommend, the judge shall appoint the registrars without the necessity of any recommendation. In the event that a registrar holds over beyond the end of the registrar’s term of office due to the failure to have a successor timely appointed and qualified, the successor shall be appointed to serve the remainder of the term of office and shall not receive a new four-year term of office.”

SECTION 4.

Said title is further amended by striking in its entirety subsection (b) of Code Section 21-2-213, relating to county deputy registrars, clerical help, and chief deputy registrars, and inserting in its place the following:

“(b) The board of registrars in each county may hire clerical help to assist them in their duties if the compensation required therefor has been first approved by the governing authority of the county. Such additional clerks shall be eligible to be appointed as deputy registrars for the purpose of registering voters ~~in the county~~ and performing other duties as may be required, but it shall not be necessary for such clerks to be electors of the county in which employed.”

SECTION 5.

Said title is further amended by striking in their entirety subsections (g) and (h) of Code Section 21-2-215, relating to the main office of the board of registrars, staffing, location, business hours, additional registration places, educators' duties, and digitization system for registration cards, and inserting in lieu thereof the following:

"(g) Each principal or assistant principal of every public or private high school, the president of every public or private college or university, ~~or such president's designee, and the director of each area vocational school~~ the president of each state supported technical institute in this state, and the designee of such principal, assistant principal, college or university president, or state supported technical institute president shall be a deputy registrar of the county in which the school, college, university, or institute is located for the purpose of receiving voter registration applications from obtain and make available the mail voter registration applications provided for in Code Section 21-2-223 for the purpose of registering as electors those qualified applicants who are enrolled students within the principal's ~~or director's~~ school or the president's college, ~~or university,~~ or institute or who are employed by the private high school, the school system, ~~or the college or university, or the state supported technical institute, notwithstanding the fact that such students or employees are not residents of the county in which the school, college, university, or institute is located.~~ Such principals, assistant principals, presidents, ~~or designees, and directors and their designees~~ shall inform their students and employees of the availability of such ~~forms~~ voter registration and shall provide reasonable and convenient procedures to enable such persons who are qualified applicants to register. The principal of each public or private high school, the president of each public or private college or university, and the ~~director~~ president of each area vocational school state supported technical institute are authorized to invite other deputy registrars to the school, college, ~~or university, or institute~~ for the purpose of conducting voter registration.

(h) The completed registration cards in the custody of the board of registrars and the other papers of the board of registrars shall be secured and maintained in the main office of the board of registrars, with the exception that completed registration cards may be retained temporarily at permanent additional voter registration places established under this Code section but shall be transmitted to the main office as expeditiously as possible by a registrar or deputy registrar or by United States mail. In no event shall the completed registration cards be temporarily retained beyond the end of the next business day. However, in counties in which a computer system for the electronic imaging of the entire voter registration card or the signature of the voter is operational and permits the registrars to view the signature of the voter electronically, the completed registration cards may be stored in a secure area outside of the main office of the board of registrars, provided that such cards may be retrieved within a reasonable time in the event that the actual card is needed. The electronic image of the voter's signature may be used by the registrars in the same manner as the original signature on the voter registration card to verify absentee ballot applications, absentee ballots, petitions, and other documents which require the registrars to compare the signature of the voter on the document to the signature on the voter's registration card."

SECTION 6.

Said title is further amended by inserting in Code Section 21-2-221, relating to the driver's license or identification application as application for voter registration, a new subsection to be designated subsection (h) to read as follows:

"(h) The Secretary of State and the commissioner of public safety shall have the authority to promulgate rules and regulations to provide for the transmission of voter registration applications and signatures electronically. Such electronically transmitted signatures shall be valid as signatures on the voter registration application and shall be treated in all respects as a manually written original signature and shall be recognized as such in any matter concerning the voter registration application."

SECTION 7.

Said title is further amended by striking in their entirety subsections (b) and (c) of Code Section 21-2-224, relating to registration deadlines, restrictions on voting in primaries, the

official list of electors, and the voting procedure when county boundaries are changed, and inserting in lieu thereof the following:

“(b) If any person whose name is not on the list of registered electors desires to vote at any ~~special primary or special~~ special election, such person shall make application as provided in this article no later than the close of business on the fifth day after the date of the call for the special primary or special election, excluding Saturdays, Sundays, and legal holidays of this state; except that:

(1) If such special primary or special election is held in conjunction with a general primary, general election, or presidential preference primary, the registration deadline for such special primary or special election shall be the same as the registration deadline for the general primary, general election, or presidential preference primary in conjunction with which the special primary or special election is being conducted; or

(2) If such special primary or special election is not held in conjunction with a general primary, general election, or presidential preference primary, but is held on one of the dates specified in Code Section 21-2-540 for the conduct of special elections to present a question to the voters or special primaries or elections to fill vacancies in elected county offices, the registration deadline for such a special primary or election shall be at the close of business on the ~~thirty-first day~~ fifth Monday prior to the date of the special primary or election or, if such ~~thirty-first day~~ Monday is a legal holiday, by the close of business on the following business day.

(c) Mail voter registration applications shall be deemed to have been made as of the date of the postmark affixed to such application by the United States Postal Service or, if no such postmark is affixed or if the postmark affixed by the United States Postal Service is illegible or bears no date, such application shall be deemed to have been made timely if received through the United States mail by the Secretary of State no later than the close of business on the fourth Friday prior to a general primary, general election, presidential preference primary, or special primary or special election held in conjunction with a general primary, general election, or presidential preference primary or special primary or special election held on one of the dates specified in Code Section 21-2-540 for the conduct of special elections to present questions to the voters or special primaries or special elections to fill vacancies in elected county offices or no later than the close of business on the ninth day after the date of the call, excluding Saturdays, Sundays, and legal holidays of this state, for all other special primaries and special elections.”

SECTION 8.

Said title is further amended by striking in its entirety subsection (c) of Code Section 21-2-225, relating to confidentiality of registration applications, limitations on registration data available for public inspection, and data made available by the Secretary of State, and inserting in its place the following:

“(c) It shall be the duty of the Secretary of State ~~and the board of registrars~~ to furnish copies of such data as may be collected and maintained on electors whose names appear on the list of electors maintained by the Secretary of State pursuant to this article, within the limitations provided in this article, on ~~computer tape or diskette~~ electronic media or computer run list or both. ~~The~~ Notwithstanding any other provision of law to the contrary, the Secretary of State shall establish the cost to be charged for such ~~lists~~ data. The Secretary of State may contract with private vendors to make such data available in accordance with this subsection. Such data may not be used by any person for commercial purposes.”

SECTION 9.

Said title is further amended by striking in its entirety subsection (c) of Code Section 21-2-231, relating to lists of persons convicted of felonies, persons declared mentally incompetent, and deceased persons and removal of names from the list of electors, and inserting in its place the following:

“(c) The local registrar of vital statistics of each county shall, on or before the tenth day of each month, prepare and transmit to the Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all persons, including addresses,

ages, and other identifying information as prescribed by the Secretary of State, who died during the preceding calendar month in the county. The Secretary of State may, by agreement with the commissioner of human resources, obtain such information from the state registrar of vital statistics."

SECTION 10.

Said title is further amended by striking in its entirety subsection (a) of Code Section 21-2-233, relating to the comparison of the electors list with change of address information supplied by the postal service and notice to electors, and inserting in its place the following:

"(a) Beginning in 1996, during the month of January in each year except a year in which a presidential preference primary is to be conducted and during the month of March in years in which a presidential preference primary is to be conducted, the The Secretary of State shall is authorized to cause at his or her discretion the official list of electors to be compared to the change of address information supplied by the United States Postal Service through its licensees periodically, but not more often than once each year, for the purpose of identifying those electors whose addresses have changed."

SECTION 11.

Said title is further amended by striking in its entirety subsection (a) of Code Section 21-2-261, relating to changes in precinct boundaries and creation of new precincts, and inserting in its place the following:

"(a) The superintendent of a county may, on petition as provided in Code Section 21-2-262, divide or redive any precinct in that county into two or more precincts of compact and contiguous territory, or alter the bounds of any precinct in that county, or form a precinct out of two or more adjoining precincts or parts of precincts in that county, or consolidate adjoining precincts in that county, so as to suit the convenience of the electors and to promote the public interests."

SECTION 12.

Said title is further amended by striking in their entirety subsections (b) and (e) of Code Section 21-2-261.1, relating to boundary requirements for precincts established or altered on or after a specified date, and redesignating the remaining subsections so that Code Section 21-2-261.1 reads as follows:

"21-2-261.1.

(a) All voting precincts established or altered on or after April 15, 1994, shall consist of areas which are bounded on all sides only by:

(1) Visible features which are readily distinguishable upon the ground (such as streets, railroad tracks, streams, lakes, and ridges) and which are indicated upon official Department of Transportation maps, current census maps, city or county planning maps, official municipal maps, official county maps, or any combination of such maps;

(1.1) The boundaries of public parks;

(1.2) The boundaries of public school grounds;

(1.3) The boundaries of churches; or

(2) The boundaries of counties and incorporated municipalities.

(b) No later than January 1, 1984, unless a waiver extending such deadline to January 1, 1986, is granted by the Secretary of State, the superintendent shall move the boundaries of all precincts so that they conform to the requirements of subsection (a) of this Code section and continue to promote the convenience of electors and the public interests. The superintendent shall within 30 days prior to the establishment of any new boundaries required to conform with subsection (a) of this Code section publish a notice of such changes once a week for two weeks in the county organ and post a conspicuous notice of such changes in at least five public and conspicuous places in each affected precinct. At least one such notice shall be posted at or in the immediate vicinity of the polling place in each affected precinct. Each notice shall state the date upon which adoption of such changes is proposed to be made and shall direct interested persons to address their comments or questions to the superintendent.

(e) The superintendent shall notify the board of registrars within ten days after such changes are adopted.

(d) (c) Not later than February 1, 1984, unless a waiver extending such deadline to February 1, 1986, has been granted by the Secretary of State, each superintendent shall file with the Secretary of State a current copy of a map of all precincts in the county. Thereafter the superintendent shall file with the Secretary of State:

- (1) A map reflecting any changes in precincts within 20 days after the changes are made;
- (2) A copy of any communications to or from the United States Department of Justice relating to any precincts within 20 days after such communication is sent or received;
- (3) A copy of any pleading initiating a court action potentially affecting any precincts within 30 days after it is filed;
- (4) A copy of any court order affecting any precincts within 20 days after it is entered; and
- (5) Any other documentation necessary to allow the Secretary of State to maintain a current listing of all precincts in the state.

(e) The Secretary of State shall be authorized to waive and postpone the effective dates of compliance as provided in subsections (b) and (d) of this Code section with respect to any superintendent if compliance by such dates would cause an undue hardship."

SECTION 13.

Said title is further amended by striking in its entirety Code Section 21-2-262, relating to petitions for division of precincts or alterations of precinct boundaries, and inserting in lieu thereof the following:

"21-2-262.

(a) The superintendent may upon his or her own motion direct the board of registrars to investigate the division or redivision of a precinct into two or more precincts, or the alteration of the bounds of any precinct, or the formation of one or more precincts out of two or more existing precincts or parts thereof or the consolidation of adjoining precincts. The board of registrars shall make a full investigation of the facts and shall promptly report to the superintendent its findings and recommendations as to the division, redivision, alteration, formation, or consolidation of the precincts. If the board of registrars shall find that a division, redivision, alteration, formation, or consolidation of precincts will promote the convenience of the electors and the public interests, it shall recommend a proper division, redivision, alteration, formation, or consolidation of precincts which conforms to the requirements of subsection (a) of Code Section 21-2-261.1 and shall accompany its report with a map, plat, or draft of the new election precinct or precincts proposed by it.

(a.1) Upon the petition of 20 electors or of the county executive committee of a political party to the superintendent of the county, praying for the division or redivision of a precinct into two or more precincts, or for the alteration of the bounds of any precinct, or for the formation of one or more precincts out of two or more existing precincts or parts thereof, or for the consolidation of adjoining precincts, the superintendent shall refer such petition to the board of registrars, which shall make a full investigation of the facts and shall promptly report to the superintendent its findings and recommendations as to the division, redivision, alteration, formation, or consolidation of the precincts prayed for. If the board of registrars shall find that a division, redivision, alteration, formation, or consolidation of precincts will promote the convenience of the electors and the public interests, it shall recommend a proper division, redivision, alteration, formation, or consolidation of precincts which ~~conform~~ conforms to the requirements of subsection (a) of Code Section 21-2-261.1 and shall accompany its report with a map, plat, or draft of the new election precinct or precincts proposed by it. Such petitions may specify the boundaries desired by the petitioners and may be accompanied by a map setting forth such boundaries.

(b) The board of registrars may also petition the superintendent for the division or redivision of any precinct into two or more precincts, or for the alteration of the bounds

of any precinct, or for the formation of one or more precincts out of two or more existing precincts or parts thereof, or for the consolidation of adjoining precincts, accompanying its petition by a description of the proposed new precincts and by a map, plat, or draft thereof. libtool.com.cn

(c) Upon the presentation of any such petition by the board of registrars or upon the filing by the board of its report and recommendations as to any ~~petition~~ investigation presented under subsection (a) of this Code section, the superintendent may make such order for the division, redivision, alteration, formation, or consolidation of precincts as will, in ~~his~~ the superintendent's opinion, promote the convenience of electors and the public interests; provided, however, that the superintendent shall not make any final order for the division, redivision, alteration, formation, or consolidation of precincts until at least ten days after notice of such change shall have been posted in at least five public and conspicuous places in the precinct or precincts to be affected thereby, one of which notices shall be posted on or in the immediate vicinity of the polling place in each such precinct advertised in the legal organ of the county. Such notice shall state briefly the division, redivision, alteration, formation, or consolidation of precincts recommended by the board of registrars and the date upon which the same will be considered by the superintendent and shall contain a warning that any person objecting thereto must file his or her objections with the superintendent prior to such date. Upon the making of any such final order by the superintendent, a copy thereof shall be certified by ~~him~~ the superintendent to the board of registrars.

(d) ~~Any other provisions of this Code section to the contrary notwithstanding, in all counties of this state having a population of 500,000 or more according to the United States decennial census of 1970 or any future such census, the notice of changes in precincts shall be accomplished by sending such notices by first-class mail to the electors affected thereby at the addresses of such electors shown on the electors list; and such notices shall be in lieu of all other notices required by this subsection.~~

(e) In any county having a population of more than 250,000 according to the United States decennial census of 1970 or any such future census, the powers and duties conferred upon the superintendent by this Code section and Code Sections 21-2-261 and 21-2-261.1 shall be exercised and performed by the governing authority of the county."

SECTION 14.

Said title is further amended by striking in its entirety Code Section 21-2-284.1, relating to nonpartisan primaries for judicial offices, and inserting in its place the following:

"21-2-284.1.

The names of all candidates seeking nomination in the nonpartisan primary ~~for the office of judge of a state court, judge of a superior court, Judge of the Court of Appeals, or Justice of the Supreme Court~~ shall be printed on the ballot of each political party; and insofar as practicable such offices to be filled in a nonpartisan primary shall be separated from the names of political party candidates by being listed last on each political party ballot, with the top of that portion of the ballot relating to the nonpartisan primary ~~for judges~~ to have printed in prominent type the words 'OFFICIAL NONPARTISAN PRIMARY BALLOT.' Immediately under this caption the following directions shall be printed: 'Place a cross (X) or check (✓) mark in the square opposite the name of each nonpartisan candidate for whom you choose to vote. If you spoil your ballot, do not erase, but ask for a new ballot. Use only pen or pencil.' Immediately under the directions, the names of the nonpartisan candidates shall in all cases be arranged under the title of the office for which they are candidates and be printed thereunder in alphabetical order. No party designation or affiliation shall appear beside the name of any candidate for nonpartisan office. The incumbency of a nonpartisan candidate seeking nomination for the public office he or she then holds shall be indicated on the ballots by printing the word 'Incumbent' beside his or her name. Under the title of each office shall be placed a direction as to the number of nonpartisan candidates to be voted for. The votes cast for each nonpartisan candidate listed on all political party ballots shall be combined to determine the total number of votes received by each candidate in the nonpartisan primary. In the event that a candidate in such nonpartisan primary does

not receive a majority of the total votes cast for such office, there shall be a nonpartisan primary runoff between the candidates receiving the two highest numbers of votes for such office; and the names of such candidates shall be placed on each political party ballot at the ~~general primary runoff~~ in the same nonpartisan portion as prescribed in this Code section. If no political party runoff is required, the form of the ballot for the nonpartisan primary runoff shall be prescribed by the Secretary of State or election superintendent in essentially the same format prescribed for nonpartisan primaries. The candidate receiving a majority of the total votes cast in the nonpartisan primary or the candidate receiving the highest number of votes cast in the nonpartisan primary runoff shall be the only candidate for such office to have his or her name placed on the nonpartisan election ballot, and such person may be referred to as the nominee for such office or as the candidate nominated for such office.”

SECTION 15.

Said title is further amended by striking in its entirety Code Section 21-2-285.1, relating to nonpartisan elections for judicial offices, and inserting in its place the following:

“21-2-285.1.

The names of all candidates nominated in the nonpartisan primary ~~for the office of judge of a state court, judge of a superior court, Judge of the Court of Appeals, or Justice of the Supreme Court~~ shall be printed on each official election ballot; and insofar as practicable such offices to be filled in the nonpartisan election shall be separated from the names of candidates for other offices by being listed last on each ballot, with the top of that portion of each official election ballot relating to the nonpartisan election ~~of judges~~ to have printed in prominent type the words ‘OFFICIAL NONPARTISAN ELECTION BALLOT.’ Immediately under this caption the following directions shall be printed: ‘Place a cross (X) or check (✓) mark in the square opposite the name of each nonpartisan candidate for whom you choose to vote. To vote for a person whose name is not on the ballot, manually write his or her name, accompanied by the title of the office involved, in the write-in column. If you spoil your ballot, do not erase, but ask for a new ballot. Use only pen or pencil.’ Immediately under the directions, the name of each nonpartisan candidate shall be arranged under the title of the office for which such candidate was nominated in the official nonpartisan primary. No party designation or affiliation shall appear beside the name of any candidate for nonpartisan office. An appropriate space shall also be placed on the ballot for the casting of write-in votes for such offices. In the event that no candidate in such nonpartisan election receives a plurality of the total votes cast for such office, there shall be a nonpartisan election runoff between the candidates receiving the two highest numbers of votes; and the names of such candidates shall be placed on the official ballot at the general election runoff in the same manner as prescribed in this Code section for the nonpartisan election. In the event that only nonpartisan candidates ~~for judges~~ are to be placed on a run-off ballot, the form of the ballot shall be as prescribed by the Secretary of State or election superintendent in essentially the same format as prescribed for the nonpartisan election ~~of judges~~. The candidate having a plurality of the votes cast in the nonpartisan election or the candidate receiving the highest number of votes cast in the nonpartisan election runoff shall be declared duly elected to such office.”

SECTION 16.

Said title is further amended by striking in their entirety subsections (g), (h), and (i) of Code Section 21-2-325, relating to the form of ballot labels, and inserting in lieu thereof the following:

“(g) The names of all candidates of a party or body shall appear in the same row or column, and no other names shall appear in the same row or column. The names of candidates and independent candidates shall be arranged under or opposite the title of the office for which they are candidates and shall appear in the order prescribed by subsection (c) and the second sentence of subsection (e) of Code Section 21-2-285. The rows or columns occupied by the names of the candidates of political parties and bodies shall be arranged according to the priority prescribed by subsection (c) of Code Section

21-2-285. When voting machines are used on which the titles of offices are arranged horizontally, the names of all candidates for the same office shall appear within the same vertical lines. The names of all candidates for the office of judge of a state court, judge of a superior court, ~~judge of the Court of Appeals, or Justice of the Supreme Court in the nonpartisan election~~ shall appear on a separate portion of the voting machine in the form and arrangement prescribed in Code Section 21-2-285.1 insofar as practicable. At the top of the separate portion shall be printed in prominent type the words 'OFFICIAL NONPARTISAN ELECTION BALLOT.'

(h) In primaries, the ballot labels containing the names of candidates seeking nomination by a political party shall be segregated on the face of the machine in adjacent rows or columns by parties, the priority of such political parties on the ballot labels to be determined in the order prescribed by subsection (c) of Code Section 21-2-285. In nonpartisan primaries, the ballot labels shall include a separate portion for the names of candidates seeking nomination in a nonpartisan primary for state and county judicial offices and the heading and arrangement of such candidates shall be as prescribed by Code Section 21-2-284.1 insofar as practicable. At the top of the separate portion shall be printed in prominent type the words 'OFFICIAL NONPARTISAN PRIMARY BALLOT.'

(i) In primaries, if it shall be impracticable to place on the ballot labels of one machine the names of all candidates seeking nomination in all political parties and the names of all candidates seeking nomination in a nonpartisan primary for state and county judicial offices, the superintendent may arrange for the names of all the candidates seeking nomination in any one political party to be placed on separate voting machines; provided, however, that the names of all candidates seeking nomination in a nonpartisan primary for state and county judicial offices shall appear on all machines."

SECTION 17.

Said title is further amended by striking in its entirety subsection (a) of Code Section 21-2-402, relating to voter's certificates, and inserting in its place the following:

"(a) At each primary and election, the Secretary of State shall prepare and furnish to each county a suitable number of voter's certificates which shall be in substantially the following form:

VOTER'S CERTIFICATE

I hereby certify that I am qualified to vote at the (primary or election) held on _____, 19____, and that I have not and will not vote elsewhere in this (primary or election) in my own name or in any other name. I understand that making a false statement on this certificate is a felony under Code Section 21-2-562.

Signature _____

Current ~~Address of Elector~~ residence address of elector: _____

Name or initials of poll officer receiving voter's certificate: _____

In case of physical disability or illiteracy, fill out the following:

I hereby certify that the voter is unable to sign his or her name by reason of the following: _____

Signature of poll officer

Number of stub of ballot or number of admission to voting machine: _____

SECTION 18.

Said title is further amended by striking in its entirety Code Section 21-2-409, relating to assisting electors who cannot read English or who have physical disabilities, and inserting in lieu thereof the following:

"21-2-409.

(a) No elector shall receive any assistance in voting at any primary or election unless he or she is unable to read the English language; or there is recorded upon the electors list a reference to his declaration that he or she has a physical disability which renders him or her unable to see, or mark the ballot or operate the voting machine or vote recorder or to enter the voting compartment or booth without assistance; the exact nature of such disability being recorded on the list of electors; and unless the poll officers are satisfied that he or she still suffers from the same disability; or unless he acquired such a physical disability after the time of registration and the poll officers are satisfied that he still suffers therefrom. Except for a blind elector, before an elector shall be permitted to receive assistance, he the elector shall take an oath which shall be administered to him or her and placed in writing by a manager, giving the reason why he the elector requires assistance. The name of each person assisting the elector shall be endorsed on the oath. An elector who declares that by reason of blindness he or she is unable to cast his a vote as he or she wishes and who in the judgment of a manager is blind may receive assistance on the basis of the blind elector's declaration without the necessity of an oath. The name of each person assisting a blind elector shall be shown on the declaration.

(b) Any elector who is entitled to receive assistance in voting under this Code section shall be permitted by the managers to select (1) any elector, except a poll officer or poll watcher, who is a resident of the precinct in which the elector requiring assistance is attempting to vote; or (2) the mother, father, sister, brother, spouse, or child of the elector entitled to receive assistance, to enter the voting compartment or booth with him or her to assist him in voting, such assistance to be rendered inside the voting compartment or booth. No person shall assist more than ten such electors in any primary, election, or runoff.

(c) The oaths or declarations of assisted electors shall be returned by the chief manager to the superintendent, who shall cause the same to be duplicated and deliver the original oaths or declarations to the superintendent of the county and the duplicates to the board of registrars. If such physical disability was acquired after the time of registration and if it appears to be permanent, the registrars shall record the need for voting assistance on subsequent electors lists for as long as the disability shall continue. The oaths or declarations of assisted electors shall be available in the superintendent's office for public inspection."

SECTION 19.

Said title is further amended by striking in its entirety Code Section 21-2-496, relating to copies of the consolidated return of a primary, and inserting in lieu thereof the following:

"21-2-496.

(a) Each superintendent shall prepare four copies of the consolidated return of the primary to be certified by the superintendent on forms furnished by the Secretary of State, such consolidated returns to be filed immediately upon certification as follows:

- (1) One copy to be posted at the county courthouse for the information of the public;
- (2) One copy to be filed in the superintendent's office;
- (3) One copy to be forwarded to the Secretary of State, together with a copy of each precinct return and a copy of the numbered list of voters of each precinct, as well as the returns and numbered list of voters for absentee electors; and
- (4) One copy to be sealed and filed with the clerk of the superior court as required by Code Section 21-2-500.

(b) The Secretary of State is authorized to provide a method by which the election superintendent can file the results of primaries and elections electronically. Once the Secretary of State provides such a method of filing, the election superintendent shall file a copy of the election returns electronically in the manner prescribed by the Secretary of State in addition to the filing provided in subsection (a) of this Code section. The Secretary of State is authorized to promulgate such rules and regulations as necessary to provide for such an electronic filing."

SECTION 20.

Said title is further amended by striking in its entirety subsection (b) of Code Section 21-2-501, relating to the share of the vote required for nomination in a primary and election in a ~~special~~ ~~or~~ ~~general~~ election, runoff elections, and officers elected by majority vote, and inserting in its place the following:

“(b) ~~To~~ ~~be~~ ~~except~~ ~~for~~ ~~presidential~~ ~~electors~~, ~~to~~ ~~be~~ ~~elected~~ ~~to~~ ~~public~~ ~~office~~ ~~in~~ ~~a~~ ~~general~~ ~~election~~, a candidate must receive a plurality of the votes cast in an election to fill such public office. To be elected to the office of presidential electors, no slate of candidates shall be required to receive a plurality of the votes cast, but that slate of candidates shall be elected to such office which receives the highest number of votes cast.”

SECTION 21.

Said title is further amended in Code Section 21-2-540, relating to the conducting of special elections, by striking in its entirety subsection (c) and inserting in lieu thereof the following:

“(c)(1) Notwithstanding any other provision of law to the contrary, a special election to present a question to the voters shall be held only on one of the following dates which is at least 29 days after the date of the call for the special election:

(A) In odd-numbered years any such special election shall only be held on:

- (i) The third Tuesday in March;
- (ii) The third Tuesday in June;
- (iii) The third Tuesday in September; or
- (iv) The Tuesday after the first Monday in November; and

(B) In even-numbered years any such special election shall only be held on:

- (i) The third Tuesday in March; provided, however, that in the event that a special election is to be held under this division in a year in which a presidential preference primary is to be held, then any such special election shall be held on the date of and in conjunction with the presidential preference primary;
- (ii) The date of the general primary;
- (iii) The third Tuesday in September; or
- (iv) The Tuesday after the first Monday in November.

(2) The provisions of this subsection shall not apply to:

(A) Special elections held pursuant to Chapter 4 of this title, the ‘Recall Act of 1989’; ~~or~~

(B) Special primaries or special elections to fill vacancies in public offices except as otherwise provided in paragraph (3) of this subsection; ~~or~~

(C) Special elections held prior to July 1, 1996, which are designed to bring about the approval or rejection of the voters of a proposed question, if the original call for such election is irregular for any reason or the advertisement of such call has not been conducted as required by law.

(3) The provisions of this subsection shall apply to special primaries or special elections to fill vacancies in elected county offices.

(4)(A) This subsection shall not apply to special elections under this paragraph.

(B) In the case of a special election designed to bring about the approval or rejection by the voters of a proposed question, if the call for such election is irregular for any reason or the advertisement of such call has not been conducted as required by law, the election superintendent may enter an amended order providing for a new call for such special election to be conducted on any date which is at least 29 days after the date of the amended call.”

SECTION 22.

Said title is further amended by striking in their entirety subsections (a) and (f) of Code Section 21-3-91, relating to notices of candidacy, certificates of nomination, affidavits, and candidates nominated by petition, and inserting in lieu thereof the following:

“(a) Each candidate; ~~except a candidate nominated by nomination petition provided for in subsection (f) of this Code section~~, or a designee shall file a notice of candidacy in the office of the municipal superintendent of such candidate’s municipality:

- (1) In the case of a general election held in an odd-numbered year, no earlier than 8:30 A.M. on the second Monday in September immediately preceding the general election and no later than 4:30 P.M. on the following Friday;
- (2) ~~In the case of a general~~ election held in an even-numbered year, no earlier than 8:30 A.M. on the last Monday in August immediately preceding the general election and no later than 4:30 P.M. on the following Friday; and
- (3) In the case of a special election, not earlier than the date of the call and at least 25 days prior to the election.

The hours of qualifying each day shall be from 8:30 A.M. until 4:30 P.M. with one hour allowed for the lunch break; provided, however, that municipalities which have normal business hours which cover a lesser period of time shall conduct qualifying during normal business hours for each such municipality. If a run-off primary is held, each candidate nominated therein or a designee shall file a notice of candidacy with the municipal superintendent within three days after the holding of such primary, irrespective of such three-day period's exceeding a qualification deadline prescribed in this subsection. Notice of the opening and closing dates and the hours for candidates to qualify shall be published at least two weeks prior to the opening of the qualifying period."

~~"(f) In the case of candidates nominated by nomination petition pursuant to Code Section 21-3-100, the last date for filing notice of candidacy shall be the same as the last date for filing for party nomination as provided in subsection (a) of Code Section 21-3-98, or, in the event a nonpartisan primary election is held, the last date for filing notice of candidacy by nomination petition shall be the same as the last date for filing notice of candidacy for the nonpartisan primary as provided in Code Section 21-3-103. A notice of candidacy by a nominating petition shall be accompanied by the nominating petition."~~

SECTION 23.

Said title is further amended by striking in their entirety subsections (b), (c), and (e) of Code Section 21-3-123, relating to deadlines for registration applications, voting in primaries, the official list of electors, the inactive list of electors, the municipal electors list, and the procedure for correcting the list of electors, and inserting in lieu thereof the following:

"(b) If any person whose name is not on the list of registered electors maintained by the Secretary of State under Article 6 of Chapter 2 of this title desires to vote at any municipal special primary or special election, such person shall make application as provided in Article 6 of Chapter 2 of this title no later than the close of business on the fifth day after the date of the call for the special primary or special election, excluding Saturdays, Sundays, and legal holidays of this state; except that:

- (1) If such special primary or special election is held in conjunction with a general primary or general election held under Chapter 2 of this title or this chapter or a presidential preference primary held under Chapter 2 of this title, the registration deadline for such special primary or special election shall be the same as the registration deadline for the general primary, general election, or presidential preference primary in conjunction with which the special primary or special election is being conducted;

or

- (2) If such special primary or special election is not held in conjunction with a general primary or general election held under Chapter 2 of this title or this chapter or a presidential preference primary held under Chapter 2 of this title, but is held on one of the dates specified in Code Section ~~21-2-540~~ 21-3-52 for the conduct of special elections to present a question to the voters or special primaries or elections to fill vacancies in elected ~~county~~ municipal offices, the registration deadline for such a special primary or election shall be at the close of business on the ~~thirty-first day~~ fifth Monday prior to the date of the special primary or election or, if such ~~thirty-first day~~ Monday is a legal holiday, by the close of business on the following business day.

(c) Mail voter registration applications shall be deemed to have been made as of the date of the postmark affixed to such application by the United States Postal Service or, if no such postmark is affixed or if the postmark affixed by the United States Postal Service is illegible or bears no date, such application shall be deemed to have been made

timely if received through the United States mail by the Secretary of State no later than the close of business on the fourth Friday prior to a general primary, general election, presidential preference primary, or special primary or special election held in conjunction with a ~~general primary~~ general election, or presidential preference primary, or special primary or special election held on one of the dates specified in Code Section 21-3-52 for the conduct of special elections to present questions to the voters or special primaries or elections to fill vacancies in elected municipal offices or no later than the close of business on the ninth day after the date of the call, excluding Saturdays, Sundays, and legal holidays of this state, for all other special primaries and special elections."

"(e) The county board of registrars shall deliver to the chief registrar of the municipality, upon a basis mutually agreed upon between the county board of registrars and the governing authority of the municipality, a copy of the list of electors for the municipality for the primary or election. Such list shall be delivered at least 14 days prior to such primary or election for the purpose of permitting the chief registrar of the municipality to check the accuracy of the list and to challenge the disqualified. The municipal registrar shall, upon receipt of the county registration list, or as soon as practicable thereafter but in no event later than five days prior to such primary or election, purge such list of the names of all persons who will not be qualified to vote at such primary or election. In addition, the county board of registrars shall provide a list of inactive electors for the municipality. The municipal registrar shall certify such lists and file with the city clerk a copy showing the names of electors entitled to vote at such primary or election."

SECTION 24.

Said title is further amended by striking in its entirety subsection (a) of Code Section 21-3-311, relating to voter's certificates, and inserting in its place the following:

"(a) At each primary and election, each superintendent shall prepare a suitable number of voter's certificates, which shall be in substantially the following form:

VOTER'S CERTIFICATE

I hereby certify that I am qualified to vote at the (primary or election) held on _____, 19____, and that I have not and will not vote elsewhere in this (primary or election).

Signature _____

Current residence address of elector: _____

Name or initials of poll officer receiving voter's certificate: _____

In case of physical disability or illiteracy, fill out the following:

I hereby certify that the voter is unable to sign his or her name by reason of the following: _____

Signature of poll officer

Number of stub of ballot or number of admission to voting machine: _____

SECTION 25.

Said title is further amended by striking in their entirety subsections (b) and (e) of Code Section 21-3-161.1, relating to boundary and filing requirements for voting precincts established or altered on or after a specific date, and redesignating the remaining subsections, so that said Code section shall read as follows:

"21-3-161.1.

(a) All voting precincts established or altered on or April 15, 1994, shall consist of areas which are bounded on all sides only by:

(1) Visible features which are readily distinguishable upon the ground (such as streets, railroad tracks, streams, lakes, and ridges) and which are indicated upon official

Department of Transportation maps, current census maps, city or county planning maps, official municipal maps, official county maps, or any combination of such maps;

- (1.1) The boundaries of public parks;
- (1.2) ~~The boundaries of public~~ school grounds;
- (1.3) The boundaries of churches; or

(2) The boundaries of counties and incorporated municipalities.

(b) ~~No later than January 1, 1984, unless a waiver extending such deadline to January 1, 1986, is granted by the Secretary of State, the governing authority shall move the boundaries of all precincts so that they conform to the requirements of subsection (a) of this Code section and continue to promote the convenience of electors and the public interests. The governing authority shall within 30 days prior to the establishment of any new boundaries required to conform with subsection (a) of this Code section publish a notice of such changes once a week for two weeks in the county organ and post a conspicuous notice of such changes in at least five public and conspicuous places in each affected precinct. At least one such notice shall be posted at or in the immediate vicinity of the polling place in each affected precinct. Each notice shall state the date upon which adoption of such changes is proposed to be made and shall direct interested persons to address their comments or questions to the superintendent.~~

(e) The governing authority shall notify the board of registrars within ten days after such changes are adopted.

~~(d)~~(c) Not later than February 1, 1984, unless a waiver extending such deadline to February 1, 1986, has been granted by the Secretary of State, each governing authority shall file with the Secretary of State a current copy of a map of all precincts in the municipality. Thereafter the governing authority shall file with the Secretary of State:

- (1) A map reflecting any changes in precincts within 20 days after the changes are made;
- (2) A copy of any communications to or from the United States Department of Justice relating to any precincts within 20 days after such communication is sent or received;
- (3) A copy of any pleading initiating a court action potentially affecting any precincts within 30 days after it is filed;
- (4) A copy of any court order affecting any precincts within 20 days after it is entered; and
- (5) Any other documentation necessary to allow the Secretary of State to maintain a current listing of all precincts in the state.

(e) ~~The Secretary of State shall be authorized to waive and postpone the effective dates of compliance as provided in subsections (b) and (d) of this Code section with respect to any governing authority if compliance by such dates would cause an undue hardship."~~

SECTION 26.

Said title is further amended by striking in its entirety subsection (b) of Code Section 21-3-318, relating to assisting electors who cannot read English or who have physical disabilities, and inserting in its place the following:

"(b) The oaths or declarations of assisted electors shall be returned by the chief manager to the superintendent, who shall cause the same to be duplicated and deliver the original oaths or declarations to the superintendent of the county within which the municipality is located and the duplicates to the registrars. If such physical disability was acquired after the time of registration and if it appears to be permanent, the registrars shall record the need for voting assistance on subsequent lists of electors for as long as the disability shall continue. The oaths or declarations of assisted electors shall be available in the superintendent's office for public inspection."

SECTION 27.

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

SECTION 28.

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

Representative Holmes of the 53rd moved that the House agree to the Senate substitute to HB 1518.

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

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Y Allen	N Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	Pinholster	Y Stallings
N Bannister	N Day	N Johnson, J	Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bargeron	N DeLoach, G	Y Jones	Porter	Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Teper
Y Bostick	Evans	Y Lane	Y Ray	Thomas
Y Breedlove	N Falls	N Lawrence	Reaves	Y Tillman
N Brooks, D	N Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	N Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	N Lifsey	Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Shaw	Y Watson
Y Campbell	N Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	N Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	Y Yates
N Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 118, nays 38.

The motion prevailed.

HR 884. By Representative Davis of the 60th:

A resolution compensating Ms. Margaret C. Ritchie.

The following Senate amendment was read:

Amend HR 884 by striking on Page 1 Line 18 and Line 24 "\$5,000.00" and inserting in lieu thereof \$1,832.00"

Representative Davis of the 60th moved that the House disagree to the Senate amendment to HR 884.

The motion prevailed.

HB 1278. By Representatives Mobley of the 69th, Randall of the 127th, Martin of the 47th and Falls of the 125th:

A bill to amend Article 1 of Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relating to marriage, so as to provide that no common-law marriage shall be entered into in this state on or after July 1, 1996; to provide that otherwise valid common-law marriages, entered into prior to July 1, 1996, shall not be affected and shall continue to be recognized in this state.

The following Senate substitute was read:

A BILL

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To amend Article 1 of Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relating to marriage, so as to provide that no common-law marriage shall be entered into in this state on or after January 1, 1997; to provide that otherwise valid common-law marriages entered into prior to January 1, 1997, shall not be affected and shall continue to be recognized in this state; to provide for a state-wide education program regarding this Act and the elements of a valid common-law marriage; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relating to marriage, is amended by adding, after Code Section 19-3-1 the following:

“19-3-1.1.

No common-law marriage shall be entered into in this state on or after January 1, 1997. Otherwise valid common-law marriages entered into prior to January 1, 1997, shall not be affected by this Code section and shall continue to be recognized in this state.”

SECTION 2.

The Department of Human Resources is authorized and directed to implement a state-wide education program through the broadcast and print media to inform state residents regarding the Code section enacted by this Act and the elements of a valid common-law marriage.

SECTION 3.

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

Representative Mobley of the 69th moved that the House agree to the Senate substitute to HB 1278.

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

Y Allen	Y Chambless	Goodwin	Y Ladd	Y Pinholster
Y Anderson	Y Channell	E Greene	Y Lakly	Polak
Y Ashe	Y Childers	Grindley	Y Lane	Y Ponder
Y Bailey	Coker	Y Hanner	Y Lawrence	Y Porter
Y Baker	Y Coleman, B	Y Harbin	Y Lee	Y Poston
Y Bannister	Y Coleman, T	Y Harris	Y Lewis	Powell
Y Barfoot	Y Connell	Y Heard	Lifsey	Y Purcell, A
Y Bargerion	Y Crawford	Y Heckstall	Y Lord	Purcell, B
Y Barnard	Y Crews	Y Hegstrom	Y Lucas	Randall
Y Barnes	Y Culbreth	Y Hembree	Y Maddox	Y Randolph
Y Bates	Y Cummings	Y Henson	Y Mann	Y Ray
Y Benefield	Y Davis, G	Y Holland	Y Martin	Reaves
Birdsong	Y Davis, M	Y Holmes	Y McBee	Y Reichert
N Bordeaux	Y Day	Y Howard	E McCall	Y Roberts
Y Bostick	Y DeLoach, B	Y Hudson	Y McClinton	Y Rogers
Y Breedlove	Y DeLoach, G	Y Hugley	McKinney	Y Royal
Y Brooks, D	Y Dix	Irvin	Y Mills	Y Sanders
Y Brooks, T	Y Dixon, H	Y James	Y Mobley, B	Y Sauder
Y Brown, J	Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins
Y Brush	Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan
Y Buck	Ehrhart	Y Johnson, G	Y Mueller	Y Shaw
Y Buckner	Epps	Y Johnson, J	Y O'Neal	Y Sherrill
Bunn	Evans	Y Johnston	Y Orrock	Y Shipp
Y Burkhalter	Y Falls	Y Jones	Y Parham	Y Simpson
Y Byrd	Y Felton	Y Joyce	Y Parrish	Y Sinkfield
Y Campbell	Floyd	Y Kaye	Parsons	Y Skipper
Y Canty	Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C
Y Carter	Y Golden	Y Klein	Y Perry	Y Smith, C.W

Y Smith, L	Y Stallings	Y Teague	Y Twiggs	Y White
Y Smith, P	Y Stancil, F	Y Teper	Y Walker, L	Y Wiles
Y Smith, T	Y Stancil, S	Y Thomas	Y Walker, R.L	Y Williams, B
Y Smith, V	Y Stanley, L	Y Tillman	Y Wall	Y Williams, J
Y Smith, W	Y Stanley, P	Y Titus	Y Watson	Y Williams, R
Y Smyre	Y Stephenson	Y Towery	Y Watts	Y Woods
Y Snelling	Y Streat	Y Trense	Y Westmoreland	Y Yates
Y Snow	Y Taylor	Y Turnquest	Y Whitaker	Murphy, Spkr

On the motion, the ayes were 155, nays 1.

The motion prevailed.

HB 1586. By Representatives Royal of the 164th, Jamieson of the 22nd and Buck of the 135th:

A bill to amend Code Section 48-8-49 of the Official Code of Georgia Annotated, relating to dealers' returns as to gross proceeds of sales and purchases, so as to provide for annual filing of such reports by certain dealers.

The following Senate substitute was read:

A BILL

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for additional powers, duties, and authority of the state revenue commissioner; to provide for the disclosure of certain privileged and confidential information under certain circumstances; to provide for conditions and limitations; to provide for civil and criminal penalties; to provide for the serving of certain notices of delinquency and the receiving of certain acknowledgements of service by telephonic facsimile transmission or by other means of instantaneous electronic transmission; to provide for annual filing of certain reports of gross proceeds of sales and purchases by certain dealers; 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 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by adding a new Code section immediately following Code Section 48-2-6, to be designated Code Section 48-2-6.1. to read as follows:

"48-2-6.1.

(a) As used in this Code section, the term 'return information' means any information secured by the commissioner incident to the administration of any tax.

(b) Notwithstanding any other provision of law, the commissioner shall be permitted to disclose any return information to such other persons as may be authorized by law to collect delinquent tax liabilities on behalf of the state to the extent such information is reasonably needed to effect such collections. Such information shall retain its privileged and confidential nature in the hands of such other persons to the same extent and under the same conditions as that information is privileged and confidential in the hands of the commissioner. Any such other person shall be subject to the same civil and criminal penalties as those provided for divulgence of information by employees of the department."

SECTION 2.

Said title is further amended by striking subsection (c) of Code Section 48-7-108, relating to employers' liability for current income tax payment, and inserting in its place a new subsection (c) to read as follows:

"(c) Assessment, collection, and payment. Except as otherwise provided by law, the liability of an employer under subsection (a) of this Code section and the amount of the fund described in subsection (b) of this Code section shall be assessed, collected, and paid in

the same manner and subject to the same provisions and limitations including, but not limited to, penalties as are income taxes. In the event any employer is delinquent in payment of the tax imposed by this article, the commissioner may give notice of the amount of the delinquency by registered or certified mail to all persons having in their possession or under their control any credits or other personal property belonging to the employer and to all persons owing any debts to the employer at the time of receipt by them of the notice. In lieu of registered or certified mail, the notice may be served and the recipient may acknowledge service thereof by telephonic facsimile transmission or by other means of instantaneous electronic transmission. Thereafter, no person so notified shall transfer or make any other disposition of the credits, other personal property, or debts until the commissioner has consented to a transfer or disposition or until 30 days have elapsed after receipt of the notice. Each person so notified must advise the commissioner, within five days after receipt of the notice, of any and all credits, other personal property, or debts in his such person's possession, under his such person's control, or owing by him such person as provided in this Code section."

SECTION 3.

Said title is further amended by striking subsection (a) of Code Section 48-8-49, relating to dealers' returns as to gross proceeds of sales and purchases, and inserting in its place a new subsection (a) to read as follows:

"(a) Each dealer, on or before the twentieth day of each month, shall transmit returns to the commissioner showing the gross sales and purchases arising from all sales and purchases taxable under this article during the preceding calendar month. The commissioner may provide by regulation for quarterly or annual returns or, upon application, may permit a dealer to file a return on a quarterly or annual basis if deemed advisable by the commissioner. The returns required by this subsection shall be made upon forms prescribed, prepared, and furnished by the commissioner."

SECTION 4.

Said title is further amended by striking Code Section 48-8-47, relating to notice by commissioner to persons holding credits of or owing debts to delinquent dealers, and inserting in its place a new Code Section 48-8-47 to read as follows:

"48-8-47.

In the event any dealer is delinquent in the payment of the tax imposed by this article, the commissioner may give notice of the amount of the delinquency by registered or certified mail to all persons having in their possession or under their control any credits or other personal property belonging to the dealer and to all persons owing any debts to the dealer at the time of receipt by them of the notice. In lieu of registered or certified mail, the notice may be served and the recipient may acknowledge service thereof by telephonic facsimile transmission or by other means of instantaneous electronic transmission. Thereafter, no person so notified shall transfer or make any other disposition of the credits, other personal property, or debts until the commissioner has consented to a transfer or disposition or until 30 days have elapsed after the receipt of the notice. Each person so notified must advise the commissioner within five days after receipt of the notice of any and all credits, other personal property, or debts in his such person's possession, under his such person's control, or owing by him such person as provided in this Code section."

SECTION 5.

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

SECTION 6.

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

Representative Royal of the 164th moved that the House agree to the Senate substitute to HB 1586.

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

Y Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Burkhalter	Y Hanner	Y Martin	Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	N Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 153, nays 3.

The motion prevailed.

HB 1525. By Representatives Watson of the 139th and Powell of the 23rd:

A bill to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to provide that the Georgia Real Estate Appraisers Board shall approve instructors of education courses for appraiser classifications and may require that instructors receive special instruction.

The following Senate substitute was read:

A BILL

To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to provide that the Georgia Real Estate Appraisers Board shall approve instructors of education courses for appraiser classifications and may require that instructors receive special instruction; to change the provisions relating to fees for examination, activation, and renewal of appraiser classifications; to provide for methods of payment of fees; to provide for additional fees in cases where checks received by the board are returned unpaid; to change provisions of the law relating to real estate brokers and salespersons; to change the definition of certain terms; to provide qualifications for a community association manager's license; to change the provisions relating to nonresident licenses; to provide that the Georgia Real Estate Commission, in its discretion, may enter into written agreements with similar licensing authorities of other states to permit persons licensed in those states to conduct real estate brokerage business in Georgia without

obtaining a license in Georgia, provided that such other state affords the same opportunities to Georgia licensees; to change the provisions relating to license fees; to change the provisions relating to the granting, revocation, or suspension of licenses; to provide conditions under which a community association manager's license may be denied, revoked, or suspended; to provide that a community association manager shall not act as a licensee for any broker other than the broker holding the salesperson's license except under certain circumstances; to change the provisions relating to the trust or escrow checking account for a real estate business; to provide that the commission may require that each broker who provides community association management services under this Act and who collects, controls, has access to, or disburses community association funds shall at all times provide or be covered by a fidelity bond or fidelity insurance; to provide certain requirements with respect to such fidelity bonds or fidelity insurance; to provide that certain trust or escrow checking account provisions shall apply to community association managers; to prohibit certain conduct or activities of community association managers; to provide for sanctions; to provide certain exceptions under such chapter with respect to community association management services; to change the provisions relating to certain exemptions; to require persons who provide community association management services to be licensed; to provide for the granting of a broker's license to certain corporations, partnerships, or limited liability companies engaged solely in providing community association management services; to provide certain qualifications with respect to the issuance of such licenses; to provide for related matters; to provide for the automatic repeal of certain provisions of this Act; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended by adding at the end of Code Section 43-39A-8, relating to the establishment of real estate appraiser classifications which comply with federal law, a new subsection (e) to read as follows:

“(e) An instructor in any education course approved by the board must also be approved by the board and, where the board deems necessary, receive any special instruction that the board may require.”

SECTION 2.

Said title is further amended by striking in their entirety subsections (e) and (k) of Code Section 43-39A-11, relating to fees for examination, activation, and renewal of appraiser classifications, and inserting in lieu thereof new subsections (e) and (k) to read as follows:

“(e) Applications and fees must be filed personally in the board's offices during regular business hours or may be mailed to the board's offices in a letter postmarked by the United States Postal Service. The board, through its rules and regulations, may establish standards for the filing of applications and fees by electronic means or by courier services.”

“(k) A reasonable fee, not to exceed the renewal fee charged for an appraiser classification, may be imposed by the board on any applicant or appraiser who:

- (1) Fails to notify the board in writing within 14 days of a change of address; ~~or~~
- (2) Fails to respond within 14 days to a written inquiry from the board requesting further information on any application the applicant or appraiser has filed with the board; or
- (3) Submits to the board a check that is returned unpaid.”

SECTION 3.

Said title is further amended by striking in its entirety Code Section 43-40-1, relating to definitions applicable under said title, and inserting in lieu thereof a new Code Section 43-40-1 to read as follows:

“43-40-1.

As used in this chapter, the term:

- (1) 'Associate broker' means a person who acts on behalf of a real estate broker in performing any act authorized by this chapter to be performed by the broker.
- (2) 'Broker' means any person who, for another, and who, for a fee, commission, or any other valuable consideration or with the intent or expectation of receiving the same from another:
- (A) Negotiates or attempts to negotiate, or assists in procuring prospects for the listing, sale, purchase, exchange, renting, lease, or option for any real estate or of the improvements thereon;
 - (B) Holds himself or herself out as a referral agent for the purpose of securing prospects for the listing, sale, purchase, exchange, renting, lease, or option for any real estate;
 - (C) Collects rents, assessments, or other trust funds or attempts to collect rents, assessments, or other trust funds;
 - (D) Is employed by or on behalf of the owner or owners of lots, time-share intervals, or other parcels of real estate at a salary, fee, commission, or any other valuable consideration to sell such real estate or any part thereof in lots or parcels or intervals or other disposition thereof;
 - (E) Engages in the business of charging an advance fee or contracting for collecting of a fee, other than an advertising fee, in connection with any contract whereby he or she undertakes primarily to promote the sale of real estate either through its listing in a publication issued primarily for such purpose, or for referral of information concerning such real estate to brokers, or both;
 - (F) Auctions or offers or attempts or agrees to auction real estate;
 - (G) Buys or offers to buy, sells or offers to sell, or otherwise deals in options to buy real estate;
 - (H) Performs property management services or community association management services;
 - (I) Provides or attempts to provide to any party to a real estate transaction consulting services designed to assist the party in the negotiations or procurement of prospects for the listing, sale, purchase, exchange, renting, lease, or option for any real estate or the improvements thereon; or
 - (J) Advertises or holds himself or herself out as engaged in any of the foregoing.
- (3) 'Commission' means the Georgia Real Estate Commission.
- (4) 'Commissioner' means the real estate commissioner.
- (4.1) 'Community association' means an owner organization of a residential or mixed use common interest realty association in which membership is mandatory as an incident of ownership within the development, such as condominiums, cooperatives, homeowner associations, timeshares, lot division with restrictions in management, and other forms of common interest or planned developments wherein there is a common management.
- (4.2) 'Community association management services' means the provision, for a valuable consideration, to others of management or administrative services on, in, or to the operation of the affairs of a community association, including, but not limited to, collecting, controlling, or disbursing the funds; obtaining insurance, arranging for and coordinating maintenance to the association property; and otherwise overseeing the day-to-day operations of the association.
- (4.3) 'Community association manager' means a person who acts on behalf of a real estate broker in providing only community association management services.
- (5) 'Licensee' means any person who is licensed as a community association manager, salesperson, associate broker, or broker.
- (5.1) 'Ministerial acts' means those acts related to real estate brokerage activities which a licensee or a licensee's employee performs and which do not require discretion or the exercise of the licensee's own judgment.
- (6) 'Person' means individuals, corporations, limited liability companies, and partnerships.
- (7) 'Property management services' means the provision, for a valuable consideration, to another of marketing, including referring prospective tenants; leasing; physical,

administrative, or financial maintenance; and overall management of real property; or supervision of the foregoing activities for another pursuant to a property management agreement.

(8) ~~'Purchaser' means a person~~ 'Purchaser' means a person who acquired or attempts to acquire or succeeds to an interest in land.

(9) 'Real estate' means condominiums and leaseholds, as well as any other interest or estate in land, whether corporeal, incorporeal, freehold or nonfreehold and whether the real estate is situated in this state or elsewhere; and shall also include a mobile home when such mobile home is affixed to land. 'Mobile home,' as used in this paragraph, means any factory-built structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units and designed to be used as a dwelling unit or units.

(10) 'Salesperson' means any person, other than an associate broker, who acts on behalf of a real estate broker in performing any act authorized by this chapter to be performed by the broker."

SECTION 4.

Said title is further amended by striking in its entirety Code Section 43-40-8, relating to qualifications of licensees, and inserting in lieu thereof a new Code Section 43-40-8 to read as follows:

"43-40-8.

(a) In order to qualify for a community association manager's license, an applicant must:

(1) Have attained the age of 18 years;

(2) Be a resident of the State of Georgia, unless that person has fully complied with the provisions of Code Section 43-40-9;

(3) Be a high school graduate or the holder of a certificate of equivalency;

(4) Furnish evidence of completion of at least 25 in-class hours in a community association manager's course or courses of study approved by the commission; and

(5) Stand and pass a real estate examination administered by or approved by the commission covering generally the matters confronting real estate brokers who provide community association management services and community association managers after completing the requirements of paragraph (4) of this subsection.

~~(a)~~(b) In order to qualify for a salesperson's license, an applicant must:

(1) Have attained the age of 18 years;

(2) Be a resident of the State of Georgia, unless that person has fully complied with the provisions of Code Section 43-40-9;

(3) Be a high school graduate or the holder of a certificate of equivalency;

(4) Furnish evidence of completion of at least 75 in-class hours in a salesperson's course or courses of study approved by the commission; and

(5) Stand and pass a real estate examination administered by or approved by the commission covering generally the matters confronting real estate brokers and salespersons after completing the requirements of paragraph (4) of this subsection.

Failure to meet any of these requirements shall be grounds for denial of license without a hearing.

~~(b)~~(c) In order to qualify for a broker or associate broker's license, an applicant must:

(1) Have attained the age of 21 years;

(2) Be a resident of the State of Georgia, unless that person has fully complied with the provisions of Code Section 43-40-9;

(3) Be a high school graduate or the holder of a certificate of equivalency;

(4) Have served actively for three years as a licensed salesperson licensee;

(5) Furnish evidence of completion of 60 in-class hours in a broker's course of study approved by the commission, provided that if licensed as a community association manager, the applicant must furnish evidence of completion of an additional 75 in-class hours in courses or a course of study approved by the commission; and

(6) Stand and pass a real estate examination administered by or approved by the commission covering generally the matters confronting real estate brokers after completing the requirements of paragraph (5) of this subsection and after serving at least two years of active licensure.

Failure to meet any of the these requirements shall be grounds for denial of license without a hearing.

~~(e)~~(d) Upon being issued an original salesperson's license, each salesperson shall be required to furnish the commission, within one year of the issuance of a license, evidence of satisfactory completion of a course of study of at least 25 in-class hours approved by the commission. As a part of satisfactory completion of this course, the licensee must stand and pass an examination covering the subject matter contained in the course. The commission, in its discretion, may approve an examination prepared by and administered by the school offering the course or may prepare and administer an examination itself. The license of any salesperson who fails to complete satisfactorily in a timely manner the course provided for in this subsection shall lapse, and the salesperson's wall certificate of licensure and pocket card shall immediately be surrendered to the commission. Any salesperson whose license lapses for failure to complete satisfactorily this course may reinstate the license in the following manner:

(1) Any salesperson who has enrolled in the course within one year of the issuance of an original license, has paid all required fees for the course, and:

- (A) Has not completed all in-class sessions, required exercises, or examinations;
- (B) Produces a medical doctor's certification of incapacitation which caused the licensee to be unable to complete all in-class sessions and the examination; or
- (C) Has not completed the course or the examination due to cancellation of the course by the approved school

may reinstate the license by completing the course within six months of the lapsing of the license.

(2) Any salesperson who fails to reinstate a lapsed license as provided in paragraph (1) of this subsection must qualify as an original applicant by passing a new examination as required in subsection ~~(a)~~ (b) of this Code section and must complete 25 in-class hours of instruction approved by the commission before making application to reinstate such license.

~~(d)~~(e) Except those individuals actively licensed on January 1, 1980, each applicant for renewal of an active license must furnish to the commission before renewing a license evidence of satisfactorily completing a continuing education course or courses approved by the commission. The length of the course or courses taken by licensees to meet this requirement of continuing education must total at least six hours for each year of the renewal period established by the commission. The commission shall not require the passing of an examination to meet this requirement. Continuing education courses will be provided by all educational or duly authorized instructional organizations teaching real estate licensing courses. No licensee whose license has been placed on inactive status shall be allowed to reactivate unless the provisions of this subsection and subsection (g) of Code Section 43-40-12 are met.

~~(e)~~(f) Instructors in all of the approved courses must be approved by the commission and, where the commission deems necessary, receive any special instruction the commission may require.

~~(f)~~(g) Failure to complete any of the educational requirements as provided in this Code section shall be grounds for denial of a license or denial of renewal of a license without further hearing. No fees or portion of fees paid shall be refunded if a licensee fails to meet the continuing education provisions of this chapter.

~~(g)~~(h) The commission may prepare and distribute to licensees under this chapter educational material deemed of assistance in the conduct of their business.

~~(h)~~(i) The commission, through its rules and regulations, shall establish standards for the offering of the prelicense education courses required by this chapter by methods of instruction, which it deems to be educationally sound, other than in-class instruction. The commission, through its rules and regulations, may establish standards for the offering of continuing education courses required by this chapter by methods of instruction, which it deems to be educationally sound, other than in-class instruction."

SECTION 5.

Said title is further amended by striking in its entirety paragraph (4) of subsection (c) of Code Section 43-40-9, relating to nonresident licenses, and inserting in lieu thereof a new paragraph (4) to read as follows:

“(4) Affiliate with a resident or nonresident broker if the applicant is an individual community association manager, salesperson, or associate broker. If a nonresident licensee terminates the affiliation with a broker licensed by the commission, the license of such nonresident shall automatically be terminated unless such nonresident places the license on inactive status or affiliates with another broker licensed by the commission within 14 days. No license shall be issued to any member, officer, independent contractor, employee, or partner of a nonresident partnership, limited liability company, or corporation until said partnership, limited liability company, or corporation qualifies for a broker’s license. A nonresident corporation or limited liability company must obtain from the proper agency and maintain a certificate of authority to transact business in this state;”

SECTION 6.

Said title is further amended by striking in its entirety subsection (e) of Code Section 43-40-9, relating to nonresident licenses, and inserting in lieu thereof a new subsection (e) to read as follows:

“(e)(1) Notwithstanding any other provision of this Code section, a licensed broker of another state may enter into a written agreement with a Georgia broker to conduct the real estate brokerage business in Georgia without first obtaining a Georgia license. The Georgia broker shall be responsible for all real estate brokerage acts performed by the out-of-state broker under such written agreement and for determining that the out-of-state broker has and maintains an active license in the out-of-state broker’s state of residence. For purposes of this subsection, a ‘licensed broker of another state’ means the licensed broker and other brokers or salespersons licensed under such broker. The licensed Georgia broker and the licensed broker of another state must enter into a separate agreement for each transaction in which they become involved. The Georgia broker shall maintain for at least three years a copy of any written agreement into which such Georgia broker enters with a licensed broker of another state. Each written agreement shall provide:

- (1)(A) For procedures to be followed in the event of the out-of-state broker’s performing any of the acts of a broker on real property located in Georgia;
- (2)(B) How the brokers will divide any earned commissions;
- (3)(C) That any listing or property management agreement for Georgia real property in which the out-of-state broker will participate shall be in the name of the Georgia broker;
- (4)(D) That the out-of-state broker shall conduct negotiations with any client of a Georgia broker only with the express permission of the Georgia broker;
- (5)(E) That any advertisement by any means of Georgia real property shall identify the listing Georgia broker;
- (6)(F) That any contracts, agreements, or offers on Georgia real property shall clearly identify the Georgia broker and the out-of-state broker with the statement that the out-of-state broker is not licensed by the Georgia Real Estate Commission; that said contract, agreement, or offer shall be construed under Georgia law; and that the superior courts of this state shall have jurisdiction over any actions which may be brought against either broker as a result of such contract, agreement, or offer;
- (7)(G) That any trust funds obtained in any transaction involving any real property in Georgia by an out-of-state broker shall be held in the trust account of the Georgia broker unless agreed otherwise in writing by the party or parties having any interest in said trust funds; and
- (8)(H) Such other matters as the commission may require by rule and regulation.

(2) Notwithstanding any other provision of this Code section, the commission in its discretion may enter into written agreements with similar licensing authorities of other

states to permit persons licensed in those states to conduct real estate brokerage business in Georgia without obtaining a license in Georgia, provided that such other states afford the same opportunities to Georgia licensees."

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SECTION 7

Said title is further amended by striking in its entirety Code Section 43-40-12, relating to license fees, and inserting in lieu thereof a new Code Section 43-40-12 to read as follows:

"43-40-12.

(a) To pay the expense of the maintenance and operation of the office of the commission and the enforcement of this chapter, the commission shall establish reasonable fees in accordance with Code Sections 43-40-13 and 43-40-3 and in accordance with its rule-making authority. No fee or portion of a fee required under this chapter which is paid to the commission shall be refunded. Each licensee shall be responsible for filing his or her own fees.

(b) When the commission administers an examination, at the time an application for examination is submitted, the commission shall collect from the applicant a fee for the examination and an investigation fee if necessary. If an applicant fails to pass an examination, upon filing a new application and paying an additional fee, the applicant may take another examination as soon as scheduling permits.

(c) Prior to the issuance of an original license, each applicant who has passed the examination required by Code Section 43-40-8 and each corporation, limited liability company, and partnership shall pay an activation fee in advance.

(d) All licenses shall be renewed periodically as determined by the commission in its rules and regulations, and the commission shall charge a fee for any such license renewed. When renewing a license, a broker must complete a form prescribed by the commission regarding the status of such broker's trust account or accounts and any trust account or accounts that the broker allows affiliated licensees to maintain. The time for renewal of a license and the number of years for which it may be renewed shall be in the discretion of the commission. All fees shall be deposited into the state treasury for the expenses of the commission. This Code section shall not obviate any other fees or conditions required to maintain such license in accordance with this chapter. A license not renewed in accordance with this subsection shall be viewed as lapsed.

(e) Applications and fees must be filed personally in the commission's offices during regular business hours or may be mailed to the commission's offices in a letter post-marked by the United States Postal Service. The commission, through its rules and regulations, may establish standards for the filing of applications and fees by electronic means or by courier services.

(f) Any licensee whose license lapses for failure to pay a renewal fee may reinstate that license within two years of the date of its lapsing by paying the total amount of all renewal fees and late charges which would have been due during the period when the license was lapsed plus a reinstatement fee. If any licensee who has passed an examination administered by or approved by the commission allows a license to lapse for a period longer than two years and less than ten years due solely to a failure to pay a renewal fee, the licensee may reinstate that license by paying the total amount of all renewal fees and late charges which would have been due during the period when the license was lapsed plus a reinstatement fee and by successfully completing any educational course or courses which the commission may require. Any licensee whose license has lapsed for longer than ten years for failure to pay a renewal fee and who seeks to reinstate that license must meet the education and examination requirements for that license as set forth in Code Section 43-40-8. Any nonresident licensee whose license lapses for failure to pay a renewal fee may reactivate that license by paying the fee required of an original applicant if such nonresident licensee has maintained an active license in his or her state of residence during the period that his or her license lapsed and has met its continuing education requirements. Any licensee whose license has lapsed for longer than one year and who is not subject to the continuing education requirements of subsection ~~(d)~~ (e) of Code Section 43-40-8 and who reinstates such

license under the terms of this subsection shall thereafter be subject to the continuing education requirements of subsection ~~(d)~~ (e) of Code Section 43-40-8.

(g) Any real estate broker who does not wish to be actively engaged in the brokerage business or any licensee who is temporarily not actively engaged on behalf of a broker may continue a license by making a written request within 14 days of ceasing work that the license be placed on inactive status. Any licensee whose license has been placed on an inactive status may not engage in the real estate brokerage business except in connection with property owned by the licensee. To reinstate a license held on inactive status, a licensee other than a broker must secure the signature of the broker for whom the licensee wishes to act; and a broker must make application to the commission prior to resuming brokerage activity. Any individual licensee who seeks to activate a license which has been on inactive status for a period of two years or longer shall be required to attend a commission approved course of study prior to activating an inactive license. The course of study shall consist of a commission approved education course or courses totaling at least six hours for each year the license was on inactive status. This education requirement for activating a license on inactive status shall not apply to licensees who meet the continuing education requirement of subsection ~~(d)~~ (e) of Code Section 43-40-8 in each renewal period that they are on inactive status nor to licensees who maintained an active license in another state that has continuing education requirements while such licensee's license was on inactive status in Georgia.

(h) Any licensee who places a license on inactive status ~~after June 30, 1985,~~ shall be required to pay the license renewal fee provided for in subsection (d) of this Code section. Whenever any licensee on inactive status fails to pay the required renewal fees, the licensee's license shall be lapsed. ~~Licenses whose licenses were placed on inactive status prior to July 1, 1985, shall remain subject to the conditions for reactivating their licenses which were in effect at the time they placed their licenses on inactive status. However, any license placed on inactive status prior to July 1, 1985, which has been or will be on inactive status for a period of five years or longer shall be lapsed; provided that, if such licensee seeks reinstatement within ten years of placing a license on inactive status, the licensee shall be allowed to reinstate the license under the terms the law permitted at the time the license was placed on inactive status.~~ If a licensee on inactive status changes address, the licensee shall notify the commission of the new address, in writing, within 14 days.

(i) Any check which is presented to the commission as payment for any fee which the commission is permitted to charge under this chapter and which is returned unpaid may be cause for denial of license or for imposing any sanction permitted under Code Section 43-40-25.

(j) Any licensed broker or associate broker who wishes to be licensed as a salesperson may do so by surrendering that broker's license and applying for a license as a salesperson. No examination shall be required of a licensed broker or associate broker who surrenders that license and applies for a salesperson's license. In the event that such person later wishes to be relicensed as a broker, no additional broker's examination shall be required. When a licensee changes status as contemplated in this subsection, the licensee shall be required to pay the same fee as an original applicant.

(k) Should a license be suspended or revoked, as provided for by this chapter, said suspension or revocation shall prevent the licensee from making either application as set out in subsection (j) of this Code section.

(l) Any school approved to offer required education courses under this chapter and instructors approved to teach those courses shall pay the same original application fee and renewal fee established by the commission for broker applicants and licensees. If such approvals lapse, the school or instructor may reinstate the approval by paying the total amount of all renewal fees and late charges which would have been due during the period the approval was lapsed plus a reactivation fee and by successfully completing any educational course or courses which the commission may require.

(m) A reasonable fee, not to exceed the renewal fee charged broker licensees, may be imposed by the commission on a licensee who:

- (1) Fails to notify the commission in writing within 14 days of a change of address, of the opening or closing of a designated trust account, of transferring to a new company, or of leaving a firm to go on inactive status;
- (2) Fails to affiliate with an new company or to apply to go on inactive status within 14 days of the commission's receipt of notice that the broker holding the licensee's license no longer wishes to do so and has mailed a letter to the licensee's last known address indicating that the broker is returning the license to the commission; ~~and~~
- (3) Fails to respond within 14 days to a written inquiry from the commission requesting further information on any application the licensee has filed with the commission; ~~and~~
- (4) Submits to the commission a check that is returned unpaid.
- (n) Whenever a licensee who resides in a county designated as a disaster area by state or federal authorities suffers uninsured major damage or loss to such licensee's residence or place of business, the commission may extend such licensee's renewal period for up to two years without further payment of any fee by the licensee upon satisfactory proof of the licensee's uninsured major damage or loss. The commission is further authorized to make appropriate adjustments in deadline dates mandated by this chapter for applications filed by applicants and licensees located in counties designated as disaster areas by state or federal authorities."

SECTION 8.

Said title is further amended by striking in its entirety Code Section 43-40-15, relating to the granting, revocation, or suspension of licenses, and inserting in lieu thereof a new Code Section 43-40-15 to read as follows:

"43-40-15.

(a) Licenses shall be granted only to persons who bear a good reputation for honesty, trustworthiness, integrity, and competence to transact the business of a licensee in such manner as to safeguard the interest of the public and only after satisfactory proof of such qualifications has been presented to the commission. The commission may deny a license to a corporation, limited liability company, or partnership if a stockholder, member, or partner or any combination thereof which owns more than a 20 percent interest therein does not bear a good reputation for honesty, trustworthiness, and integrity; has been convicted of any of the crimes enumerated in subsection (b) of this Code section; or has been sanctioned by any legally constituted regulatory agency for violating a law regulating the sale of real estate.

(b)(1) As used in this Code section, the term:

(A) 'Conviction' means a finding or verdict of guilty or a plea of guilty, regardless of whether an appeal of the conviction has been brought; a sentencing to first offender treatment without an adjudication of guilt pursuant to a charge of a felony or any crime involving moral turpitude; or a plea of nolo contendere to a charge of a felony or any crime involving moral turpitude.

(B) 'Felony' includes any offense which, if committed in this state, would be deemed a felony, without regard to its designation elsewhere.

(2) Where an applicant for a community association manager's license or a salesperson's license has been convicted of forgery, embezzlement, obtaining money under false pretenses, theft, extortion, conspiracy to defraud, or other like offense or offenses or has been convicted of a felony or a crime involving moral turpitude and has been convicted thereof in a court of competent jurisdiction of this or any other state, district, or territory of the United States, or of a foreign country, such conviction in itself may be a sufficient ground for refusal of a license. An applicant for licensure as an associate broker or a broker who has been convicted of any offense enumerated in this subsection may be licensed by the commission as an associate broker or a broker only if:

(A) At least ten years have passed since the applicant was convicted, sentenced, or released from any incarceration, whichever is later;

(B) No criminal charges are pending against the applicant; and

(C) The applicant presents to the commission satisfactory proof that the applicant now bears a good reputation for honesty, trustworthiness, integrity, and competence to transact the business of a licensee in such a manner as to safeguard the interest of ~~the public~~ [the public tool.com.cn](http://www.the-public-tool.com.cn)

(c) Where an applicant or licensee has been found guilty of a violation of the federal fair housing law or Article 4 of Chapter 3 of Title 8 by an administrative law judge or a court of competent jurisdiction and after any appeal of such conviction is concluded, such conviction may in itself be a sufficient ground for refusal of a license or the imposition of any sanction permitted by this chapter.

(d) Where an applicant or licensee has made a false statement of material fact on his or her application or caused to be submitted or been a party to preparing or submitting any falsified application to the commission, such action may, in itself, be a sufficient ground for the refusal, suspension, or revocation of the license.

(e) Grounds for suspension or revocation of a license, as provided for by this chapter, shall also be grounds for refusal to grant a license.

(f) The conduct provided for in subsections (a), (b), (c), (d), and (h) of this Code section which relates to the denial of a real estate license to an applicant shall also be grounds for imposition of any sanction permitted by this chapter when the conduct is that of a licensee.

(g) Whenever the commission initiates an investigation as permitted by Code Section 43-40-27 to determine whether a licensee has violated any provision of this chapter or its rules and regulations and such licensee has:

(1) Surrendered or voluntarily surrenders the license to the commission;

(2) Allowed or allows the license to lapse due to failure to meet educational requirements provided by law; or

(3) Allowed or allows the license to lapse due to failure to pay any required fees

then if such surrender or lapsing takes place after the commission has filed a notice of hearing alleging that such licensee has violated any provision of this chapter or its rules and regulations, but before the commission enters a final order in the matter, then upon submission of a new application by such licensee the matters asserted in the notice of hearing shall be deemed admitted and may be used by the commission as grounds for refusal of a new license to such licensee. If such surrender or lapsing takes place prior to the commission's filing of a notice of hearing, but after the commission initiates an investigation as permitted by Code Section 43-40-27, then the commission may issue an order revoking such licensee's license. Such order of revocation shall be final ten days after it is issued unless the licensee named in the order requests a hearing before the commission. If such licensee requests a hearing, the commission shall file a notice of hearing and provide a hearing for such licensee in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(h) Whenever any occupational licensing body of this state, any other state, or any foreign country has sanctioned the license of an applicant for a ~~salesperson's, associate broker's, or broker's~~ any license authorized by this chapter or whenever such an applicant has allowed a license to lapse or has surrendered a license to any occupational licensing body of this state, any other state, or any foreign country after that body has initiated an investigation or a disciplinary process regarding such applicant's license, such sanction, lapsing, or surrender in itself may be a sufficient ground for refusal of a license. Whenever any occupational licensing body of this state, any other state, or any foreign country has revoked the license of an applicant for a ~~salesperson's, associate broker's, or broker's~~ any license authorized by this chapter or whenever such an applicant has allowed a license to lapse or has surrendered a license to any occupational licensing body of this state, any other state, or foreign country after that body has initiated an investigation or a disciplinary process regarding such applicant's license, the commission may issue an associate broker's or a broker's license only if:

(1) At least ten years have passed since the date that the applicant's occupational license was revoked;

(2) No criminal charges are pending against the applicant at the time of application; and

(3) The applicant presents to the commission satisfactory proof that the applicant now bears a good reputation for honesty, trustworthiness, integrity, and competence to transact the business of a licensee in such a manner as to safeguard the interest of the public.

(i) Whenever any licensee is convicted of any offense enumerated in subsection (b) of this Code section, the licensee must immediately notify the commission of that conviction. The licensee's license shall automatically be revoked 60 days after the licensee's conviction unless the licensee makes a written request to the commission for a hearing during that 60 day period. The failure of a licensee to notify the commission of the licensee's conviction within 60 days of the date of that conviction shall be grounds for automatically revoking the licensee's license prior to any hearing at the time the commission receives evidence of that conviction. Following any such hearing held pursuant to this subsection, the commission in its discretion may impose upon that licensee any sanction permitted by this chapter.

(j) Whenever the commission revokes or suspends the license of a community association manager, a salesperson, an associate broker, or a broker, then any school or instructor approval which such licensee holds shall also be revoked or suspended. Whenever a licensee surrenders a real estate license as provided for in subsection (g) of this Code section, any school or instructor approval which such licensee holds shall also be subject to the provisions of subsection (g) of this Code section."

SECTION 9.

aid title is further amended by striking in its entirety subsection (d) of Code Section 3-40-19, relating to change of place of business or transfer of salesperson or associate broker, and inserting in lieu thereof a new subsection (d) to read as follows:

"(d) A salesperson or community association manager shall not act as a licensee for any broker other than the broker holding the salesperson's or community association manager's license except as provided in subsection (c) of this Code section."

SECTION 10.

aid title is further amended by striking in their entirety subsections (c) and (h) of Code section 43-40-20, relating to trust or escrow checking account for real estate business, and inserting in lieu thereof new subsections (c) and (h) to read as follows:

"(c) Each broker shall authorize the commission to examine such trust account by a duly authorized representative of the commission. ~~Such examination may be made biennially or at such time as the commission may direct upon reasonable cause.~~ The commission may examine such account at any time upon reasonable cause. The commission shall examine each broker's trust account or accounts during each renewal period. In lieu of an examination of any such account or accounts by a duly authorized representative of the commission, the The commission, in its discretion, may accept a written report from a certified public accountant that the broker's trust account or accounts are maintained in accordance with the provisions of this chapter and its attendant rules and regulations. ~~in~~ In lieu of an the renewal period examination by a duly authorized representative of the commission, the commission may accept with the broker's renewal application and fee a summary of data on the broker's trust account or accounts on a form prepared by or approved by the commission if that data appears complete and includes no indication of irregularities. The commission, after initiating an authorized investigation, may require that a broker supply to it written reports on the status of the broker's designated trust account or accounts."

"(h) Community association managers, salespersons, Salespersons or associate brokers who receive security deposits or other trust funds on property they own or who receive payments as described in subsection (f) of this Code section must deposit those funds into a designated trust account maintained by the broker with whom their licenses are affiliated or in a designated trust account approved by that broker. If the broker approves the affiliated licensee's holding such trust funds in a designated trust account owned by the licensee, the broker shall assure that the bank in which the account is maintained designates the account as a trust account and the broker shall notify the commission of the name of the bank in which the account is maintained, the number

of the account, and the name of the licensee who owns the account. The licensee who owns such account shall maintain such records on the account as are required by this chapter and the applicable rules and regulations for brokers in maintaining their trust accounts. ~~The licensee who owns~~ such account shall provide to such licensee's broker on at least a quarterly basis a written reconciliation statement comparing the licensee's total trust liability with the reconciled bank balance of the licensee's trust account."

SECTION 11.

Said title is further amended by adding between Code Sections 43-40-22 and 43-40-23 a new Code Section 43-40-22.1 to read as follows:

"43-40-22.1.

(a) The commission may require that each broker who provides community association management services under this chapter and who collects, controls, has access to, or disburses community association funds shall at all times provide or be covered by a fidelity bond or fidelity insurance coverage protecting the community associations being managed by the broker against loss of any funds belonging to those community associations being held or controlled by the broker.

(b) The commission shall establish through its rules and regulations the criteria that such fidelity bonds or fidelity insurance, if required, must meet.

(c) Each broker providing community association management services shall maintain a copy of any mandatory fidelity bond or fidelity insurance policy and a current certificate of each such bond or insurance policy showing current coverage, shall provide a copy thereof to the community association, and shall produce a copy thereof at the reasonable request of the commission or any of its agents for their inspection."

SECTION 12.

Said title is further amended by striking in its entirety Code Section 43-40-25, relating to violations by licensees, schools, and instructors, and inserting in lieu thereof a new Code Section 43-40-25 to read as follows:

"43-40-25.

(a) In accordance with the hearing procedures established for contested cases by Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' the commission shall have the power to reprimand licensees and approved schools or instructors; to revoke or suspend any license issued under this chapter; to revoke the license of a real estate broker or qualifying broker and simultaneously issue such licensee a salesperson's license; to revoke or suspend approval of any school or instructor; to impose a fine not to exceed \$1,000.00 for each violation of this chapter or its rules and regulations with fines for multiple violations limited to \$2,000.00 in any one hearing; to require completion of a course of study in real estate brokerage or instruction; to require the filing of periodic reports by an independent accountant on a real estate broker's designated trust account; or to utilize any combination of these sanctions which the commission may deem appropriate whenever a license, a school approval, or an instructor approval has been obtained by false or fraudulent representation or whenever a licensee, an approved school, or an approved instructor has been found guilty of a violation of this chapter, or of the rules and regulations promulgated by the commission, or of any unfair trade practices, including, but not limited to, the following:

- (1) Because of race, color, religion, sex, disability, familial status, or national origin:
 - (A) Refusing to sell or rent after the making of a bona fide offer, or refusing to negotiate for the sale or rental of, or otherwise making unavailable or denying, real estate to any person;
 - (B) Discriminating against any person in the terms, conditions, or privileges of sale or rental of real estate or in the provision of services or facilities in connection therewith;
 - (C) Making, printing, or publishing or causing to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of real estate, that indicates any preference, limitation, or discrimination or an intention to make any such preference, limitation, or discrimination;

- (D) Representing to any person that any real estate is not available for inspection, sale, or rental when such real estate is in fact so available; or
- (E) Representing explicitly or implicitly that a change has or will or may occur in a block, neighborhood, or area in order to induce or discourage the listing, purchasing, selling, or renting of real estate;
- (2) Intentionally advertising material which is misleading or inaccurate or which in any way misrepresents any property, terms, values, policies, or services of the business conducted;
- (3) Failing to account for and remit any money coming into the licensee's possession which belongs to others;
- (4) Commingling the money or other property of the licensee's principals with the licensee's own;
- (5) Failing to maintain and deposit in a separate, federally insured checking account all money received by said broker acting in said capacity, or as escrow agent or the temporary custodian of the funds of others, in a real estate transaction unless all parties having an interest in said funds have agreed otherwise in writing;
- (6) Accepting, giving, or charging any undisclosed commission, rebate, or direct profit on expenditures made for a principal or any undisclosed commission, rebate, or direct profit for procuring a loan or insurance or for conducting a property inspection related to a real estate transaction;
- (7) Representing or attempting to represent a real estate broker, other than the broker holding the licensee's license, without the express knowledge and consent of the broker holding the licensee's license;
- (8) Accepting a commission or other valuable consideration by a licensee from anyone other than the broker holding that licensee's license without the consent of that broker;
- (9) Acting in the dual capacity of agent and undisclosed principal in any transaction;
- (10) Guaranteeing or authorizing any person to guarantee future profits which may result from the resale of real property;
- (11) Placing a sign on any property offering it for sale or rent without the written consent of the owner or the owner's authorized agent and failing to remove such sign within ten days after the expiration of listing;
- (12) Offering real estate for sale or lease without the knowledge and consent of the owner or the owner's authorized agent or on terms other than those authorized by the owner or the owner's authorized agent;
- (13) Inducing any party to a contract of sale or lease, a listing contract, an exclusive agency contract or agreement, or a management agreement to break such contract or agreement for the purpose of substituting in lieu thereof any other contract or agreement with another principal;
- (14) Negotiating a sale, exchange, or lease of real estate directly with an owner or lessor if the licensee knows that such owner has a written outstanding contract in connection with such property granting an exclusive agency or an exclusive right to sell to another broker;
- (15) Indicating that an opinion given to a potential seller, purchaser, landlord, or tenant regarding a listing, lease, rental, or purchase price is an appraisal unless such licensee holds an appraiser classification in accordance with Chapter 39A of this title;
- (16) Performing or attempting to perform any of the acts of a licensee on property located in another state without first having been properly licensed in that state or otherwise having complied fully with that state's laws regarding real estate brokerage;
- (17) Paying a commission or compensation to any person for performing the services of a real estate licensee who has not first secured the appropriate license under this chapter or is not cooperating as a nonresident who is licensed in such nonresident's state or foreign country of residence, provided that nothing contained in this subsection or any other provision of this Code section shall be construed so as to prohibit the payment of earned commissions:
- (A) To the estate or heirs of a deceased real estate licensee when such deceased real estate licensee had a valid Georgia real estate license in effect at the time the commission was earned and at the time of such person's death; or

- (B) To a citizen of another country acting as a referral agent if that country does not license real estate brokers and if the Georgia licensee paying such commission or compensation obtains and maintains reasonable written evidence that the payee is a citizen of said other country, is not a resident of this country, and is in the business of brokering real estate in said other country;
- (18) Failing to include a fixed date of expiration in any written listing agreement and failing to leave a copy of said agreement with the principal;
- (19) Failing to deliver, within a reasonable time, a completed copy of any purchase agreement or offer to buy or sell real estate to the purchaser and to the seller;
- (20) Failure by a broker to deliver to the seller in every real estate transaction, at the time said transaction is consummated, a complete, detailed closing statement showing all of the receipts and disbursements handled by such broker for the seller or failure to deliver to the buyer a complete statement showing all money received in said transaction from such buyer and how and for what the same was disbursed; the broker shall retain true copies of such statements in the broker's files;
- (21) Making any substantial misrepresentations;
- (22) Acting for more than one party in a transaction without the express written consent of all parties to the transaction;
- (23) Failure of an associate broker, ~~or salesperson~~, or community association manager to place, as soon after receipt as is practicably possible, in the custody of the broker holding the licensee's license any deposit money or other money or funds entrusted to the licensee by any person dealing with the licensee as the representative of the licensee's licensed broker;
- (24) Filing a listing contract or any document or instrument purporting to create a lien based on a listing contract for the purpose of casting a cloud upon the title to real estate when no valid claim under said listing contract exists;
- (25) Having demonstrated incompetency to act as a real estate ~~broker or salesperson licensee~~ in such manner as to safeguard the interest of the public or any other conduct whether of the same or a different character than heretofore specified which constitutes dishonest dealing;
- (26) Obtaining an exclusive listing, ~~or sales contract~~, or management agreement from any owner while knowing or having reason to believe that another broker has an exclusive listing on the property, unless the licensee has written permission from the broker having the first exclusive listing; provided, however, that notwithstanding the provisions of this paragraph, a licensee shall be permitted to present a proposal or bid for community association management if requested to do so in writing from a community association board of directors;
- (27) Failing to keep for a period of three years a true and correct copy of all sales contracts, closing statements, and other documents relating to real estate closings or failing to produce documents at the reasonable request of the commission or any of its agents for their inspection;
- (28) Being or becoming a party to any falsification of any portion of any contract or other document involved in any real estate transaction;
- (29) Conducting the closing of any real estate transaction by any licensee except a broker unless the licensee acts under the supervision of the broker under whom such licensee is licensed or under the supervision of a practicing attorney with the knowledge and consent of the broker;
- (30) Failing to obtain the written agreement of the parties indicating to whom the broker shall pay any interest earned on trust funds deposited into an interest-bearing checking account prior to depositing those funds into such account; ~~or~~
- (31) Failing to disclose in a timely manner to all parties in a real estate transaction any agency relationship that the licensee may have with any of the parties;
- (32) Attempting to perform any act authorized by this chapter to be performed only by a broker, associate broker, or salesperson while licensed as a community association manager; or
- (33) Attempting to sell, lease, or exchange the property of any member of a community association to which a licensee is providing community association management services without the express written consent of that association to do so.

(b) When a licensee has previously been sanctioned by the commission or by any other state's real estate brokerage licensing authority, the commission, through its hearing officers, may consider any such prior sanctions in determining the severity of a new sanction which may be imposed upon a finding that the licensee has committed an unfair trade practice, that the licensee has violated any provision of this chapter, or that the licensee has violated any of the rules and regulations of the commission. The failure of a licensee to comply with or to obey a final order of the commission may be cause for suspension or revocation of the individual's license after a hearing.

(c) Whenever a licensee acts in a real estate transaction as a principal or as an officer, employee, or member of a corporation, limited liability company, or partnership or any other entity acting as a principal, the commission may impose any sanction permitted by this chapter if the licensee commits any unfair trade practice enumerated in this Code section or violates any other provision of this chapter or any rules and regulations adopted pursuant to this chapter in such a transaction.

(d) Whenever a community association manager, a salesperson, or an associate broker violates any provision of this chapter or any rules and regulations adopted pursuant to this chapter by performing any duty or act of a broker enumerated in this chapter or any rules and regulations adopted pursuant to this chapter either with the proper delegation of that duty or act by the broker or without the broker's authorization, the commission may impose any sanction permitted under this chapter on the license of such community association manager, salesperson, or associate broker."

SECTION 13.

Said title is further amended by striking in its entirety subsection (a) of Code Section 43-40-29, relating to exemptions to operation of title, and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) Except as otherwise provided, this chapter shall not apply to:

(1) Any person who, as owner, as the spouse of an owner, as general partner of a limited partnership, as lessor, or as prospective purchaser or their regular employees, performs any act with reference to property owned, leased, or to be acquired by such owner, limited partnership, lessor, or prospective purchaser where such acts are performed in the regular course of, or as incident to, the management of such property and the investment therein or any person who manages residential apartment complexes under a contract approved by any federal agency for an organization which is exempt from federal taxes pursuant to Section 501(c)(3) of the Internal Revenue Code, as defined in Code Section 48-1-2, provided that such person was engaged in managing such property under such type contract prior to January 1, 1989;

(2) An attorney in fact under a duly executed power of attorney to convey real estate from the owner or lessor;

(3) A licensed practicing attorney acting solely as an incident to the practice of law;

(4) Any person acting as receiver, trustee in bankruptcy, administrator, executor, or guardian or acting under a court order or under the authority of a will or of a trust instrument;

(5) Any officer or employee of a government agency in the conduct of official duties;

(6) Any person employed by a public or private utility who performs any act with reference to property owned, leased, or to be acquired by the utility employing that person, where such acts are performed in the regular course of, or as incident to, the management of such property and the investment therein;

(7) Any person who, as owner or through another person engaged by such owner on a full-time basis, provides property management services or community association management services, buys, sells, leases, manages, auctions, or otherwise deals with property owned by such person;

(8) Any person employed on a full-time basis by the owner of property for the purpose of providing property management services or community association management services, selling, buying, leasing, managing, auctioning, or otherwise dealing with such property;

(8.1) Any person employed on a full-time basis by a community association for the purpose of providing community association management services;

(9) Any person acting as a referral agent who is not involved in the actual negotiations, execution of documents, collection of rent, management of property, or other related activity which involves more than the mere referral of one person to another and ~~who~~ w.libtool.com.cn

- (A) Does not receive a fee for such referral from the party being referred;
- (B) Does not charge an advance fee; and
- (C) Does not act as a referral agent in more than three transactions per year;

(10) Any individual employed by a broker to assist in the ~~management of property management services on~~ property on which the broker has a written management agreement that the broker procured from and negotiated with the owner, provided that such individual's activities are explicitly authorized by the broker in a written agreement between the broker and the employee and provided that such activities are limited to one or more of the following:

- (A) Delivering a lease application, a lease, or any amendment thereto to any person;
- (B) Receiving a lease application, a lease, or any amendment thereto, a security deposit, rental payment, or any related payment for delivery to and made payable to the broker or the owner;
- (C) Showing a rental unit to any person, provided that the employee is acting under the direct instructions of the broker, and executing leases or rental agreements makes no representations regarding the condition of the property, amenities that the owner or broker may provide, or the terms under which the property may be leased;
- (D) Providing, ~~without any verbal representations as to its contents, written information prepared~~ authorized by the broker or ~~previously expressly approved by the broker~~ about a rental unit, a lease application, or a lease;
- (E) Providing information to a tenant about the status of such tenant's security deposit or rent payments or to an owner about the owner's financial accounts and payments from the owner's tenants; and
- (F) Performing physical maintenance on a property any ministerial acts that are explicitly authorized by the broker in a written agreement between the broker and the employee.

Any broker utilizing the services of such an employee shall be held responsible under this chapter for the activities of that individual; ~~or~~

(11) Any person who provides property management services on properties available for less than 90 days' occupancy by guests or occupants and meets all of the following conditions:

- (A) The property manager enters into a written agreement with the owner specifying all terms and conditions under which the property is to be managed, the reporting of income and expenses, and the remitting of income to the owner;
- (B) The management agreement between the property manager and the owner does not allow the property manager to rent or lease the property and any agreement between the property manager and the guest or occupant is not a lease or rental agreement;
- (C) Any applicable zoning laws do not prohibit short-term occupancy uses of the property;
- (D) The guest's or occupant's occupancy is for less than 90 days;
- (E) No deposit exceeds the cost of the rental required for the minimum rental period;
- (F) The guest or occupant pays any required state or local sales taxes or excise taxes on rooms, lodgings, and accommodations and the property manager has any required state or local business licenses or permits;
- (G) The property manager has the authority to specify rooms or units that the guest or occupant will occupy;
- (H) No extra charge is made for basic utilities;
- (I) Notice is not required for a guest or occupant to terminate occupancy of the room or unit, except as provided under the provisions of Article 1 of Chapter 21 of this title; and
- (J) The room or unit is not the permanent residence of the guest or occupant;

(12) Any person who is a member of a community association and who provides community association management services only to one community association of which such person is a member;

(13) Any person who performs only physical maintenance on a property; or

(14) A licensed certified public accountant or registered public accountant acting solely as an incident to the practice of public accounting."

SECTION 14.

aid title is further amended by adding after Code Section 43-40-30.1 a new Code Section 3-40-30.2 to read as follows:

"43-40-30.2.

(a) Any person, except the designated officer, partner, or member of a firm as provided below, providing community association management services as defined in paragraph (4.2) of Code Section 43-40-1 must obtain any license required by this chapter by January 1, 1997. The commission may grant a broker's license to a corporation, partnership, or limited liability company engaged solely in providing community association management services, provided that such corporation, partnership, or limited liability company designates a qualifying broker no later than July 1, 1997. In order to be granted a broker's license prior to designating a qualifying broker, such corporation, partnership, or limited liability company must first designate an officer, if a corporation; a partner, if a partnership; or a member, if a limited liability company, to sign any documents and applications that must be filed with the commission and to disburse trust funds from the firm's designated trust account or accounts as may be required by any contracts or agreements authorizing the firm to hold such trust funds. Any person who seeks to be the qualifying broker of a firm providing community association management services and who was not previously licensed as a broker or qualifying broker must by July 1, 1997:

- (1) Have attained the age of 21 years;
 - (2) Be a resident of the State of Georgia unless that person has fully complied with the provisions of Code Section 43-40-9;
 - (3) Be a high school graduate or the holder of a certificate of equivalency;
 - (4) Furnish evidence of three years of experience in actively providing community association management services under a written contract prior to qualifying to take the broker's examination;
 - (5) Furnish evidence of completion of 60 in-class hours in a broker's course of study approved by the commission; and
 - (6) Stand and pass a real estate examination administered by or approved by the commission covering generally the matters confronting real estate brokers after completing the requirements of paragraph (5) of this subsection.
- (b) This Code section shall be repealed in its entirety effective July 2, 1997."

SECTION 15.

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

Representative Watson of the 139th moved that the House agree to the Senate substitute to HB 1525.

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

{ Allen	Y Benefield	Y Bunn	Y Coleman, T	Y Dix
{ Anderson	Birdsong	Y Burkhalter	Connell	Y Dixon, H
{ Ashe	Bordeaux	Y Byrd	Y Crawford	Y Dixon, S
{ Bailey	Y Bostick	Y Campbell	Y Crews	Y Dobbs
{ Baker	Y Breedlove	Y Canty	Y Culbreth	Y Ehrhart
{ Bannister	Y Brooks, D	Y Carter	Y Cummings	Y Epps
{ Barfoot	Y Brooks, T	Y Chambless	Y Davis, G	Evans
{ Bargeron	Y Brown, J	Y Channell	Y Davis, M	Y Falls
{ Barnard	Y Brush	Y Childers	N Day	Y Felton
{ Barnes	Y Buck	Y Coker	DeLoach, B	Y Floyd
{ Bates	Y Buckner	Y Coleman, B	Y DeLoach, G	Y Godbee

Y Golden	Y Joyce	Y O'Neal	Y Scoggins	Y Taylor
Goodwin	Kaye	Y Orrock	Shanahan	Y Teague
E Greene	Y Kinnamon	Y Parham	Y Shaw	Y Teper
Grindley	Y Klein	Y Parrish	Y Sherrill	Thomas
Y Hanner	Y Ladd	Parsons	Y Shipp	Y Tillman
Y Harbin	Y Lakly	Y Pelote	Y Simpson	Y Titus
Y Harris	Y Lane	Y Perry	Sinkfield	Y Towery
Y Heard	Y Lawrence	Pinholster	Skipper	Y Trense
Y Heckstall	Y Lee	Y Polak	Y Smith, C	Y Turnquest
Y Hegstrom	Y Lewis	Y Ponder	Y Smith, C.W	Y Twiggs
Y Hembree	Y Lifsey	Y Porter	Y Smith, L	Y Walker, L
Henson	Y Lord	Y Poston	Y Smith, P	Y Walker, R.L
Y Holland	Y Lucas	Powell	Y Smith, T	Y Wall
Y Holmes	Maddox	Y Purcell, A	Y Smith, V	Y Watson
Y Howard	Y Mann	Purcell, B	Smith, W	Watts
Y Hudson	Y Martin	Y Randall	Y Smyre	Y Westmoreland
Y Hugley	Y McBee	Y Randolph	Y Snelling	Y Whitaker
Y Irvin	E McCall	Y Ray	Y Snow	Y White
Y James	Y McClinton	Reaves	Y Stallings	Y Wiles
Y Jamieson	McKinney	Y Reichert	Y Stancil, F	Y Williams, B
Jenkins	Y Mills	Y Roberts	Y Stancil, S	Y Williams, J
Y Johnson, G	Y Mobley, B	Y Rogers	Y Stanley, L	Y Williams, R
Y Johnson, J	Y Mobley, J	Y Royal	Y Stanley, P	Y Woods
Y Johnston	Y Mosley	Y Sanders	Y Stephenson	Y Yates
Y Jones	Y Mueller	Y Sauder	Streat	Murphy, Spkr

On the motion, the ayes were 151, nays 1.

The motion prevailed.

HB 1197. By Representatives Chambless of the 163rd, Bostick of the 165th, Baker of the 70th, Crawford of the 129th, Reichert of the 126th and others:

A bill to amend Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against persons, so as to increase minimum penalties for aggravated assault and aggravated battery against employees of the Department of Children and Youth Services.

The following Senate substitute was read:

A BILL

To provide for certain offenses relating to employees of and persons in the custody of the Department of Children and Youth Services; to amend Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against persons, so as to increase minimum penalties for aggravated assault and aggravated battery against persons known to be employees of the Department of Children and Youth Services; to provide for related matters; to provide for applicability; to provide an effective date; to amend Chapter 4A of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to provide that assisting a child committed to the Department of Children and Youth Services to escape the department's control or custody, harboring an escaped child, and hindering the apprehension of an escaped child are felony offenses; to provide for the felony offenses of providing contraband to a child under the custody of the department and possession of contraband by a child of 17 or older under the control of the department; to provide for delinquency petitions for children younger than 17 under the custody of the department possessing contraband; to provide penalties; to provide for related matters; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against persons, is amended by striking in its entirety subsection (e) of Code Section 16-5-21, relating to aggravated assault, and inserting in lieu thereof the following:

“(e)(1) As used in this subsection, the term ‘correctional officer’ shall include superintendents, wardens, deputy wardens, guards, and correctional officers of state, county, and municipal penal institutions who are certified by the Georgia Peace Officer Standards and Training Council pursuant to Chapter 8 of Title 35 and employees of the Department of Children and Youth Services who are known to be employees of the department or who have given reasonable identification of their employment.”

(2) A person who knowingly commits the offense of aggravated assault upon a correctional officer while the correctional officer is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished by imprisonment for not less than five nor more than 20 years.”

SECTION 2.

Said chapter is further amended by striking in its entirety subsection (e) of Code Section 16-5-24, relating to aggravated battery, and inserting in lieu thereof the following:

“(e)(1) As used in this subsection, the term ‘correctional officer’ shall include superintendents, wardens, deputy wardens, guards, and correctional officers of state, county, and municipal penal institutions who are certified by the Georgia Peace Officer Standards and Training Council pursuant to Chapter 8 of Title 35 and employees of the Department of Children and Youth Services who are known to be employees of the department or who have given reasonable identification of their employment.”

(2) A person who knowingly commits the offense of aggravated battery upon a correctional officer while the correctional officer is engaged in, or on account of the performance of, his or her official duties shall, upon conviction thereof, be punished by imprisonment for not less than ten nor more than 20 years.”

SECTION 3.

Chapter 4A of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, is amended by striking in its entirety Code Section 49-4A-11, relating to assisting a child to escape, harboring an escaped child, and hindering the apprehension of an escaped child, and inserting in lieu thereof the following:

“49-4A-11.

(a) Any person who shall knowingly aid, assist, or encourage any child or youth who has been committed to the department to escape or to attempt to escape its control or custody shall be guilty of a ~~misdemeanor~~ felony and, upon conviction thereof, shall be imprisoned for not less than one or more than five years.

(b) Any person who shall knowingly harbor, or shelter, ~~entertain, or encourage~~ any child or youth who has escaped the lawful custody or control of the department shall be guilty of a ~~misdemeanor~~ felony and, upon conviction thereof, shall be imprisoned for not less than one or more than five years.

(c) Any person who shall knowingly hinder the apprehension of any child under the lawful control or custody of the department who has been placed by the department in one of its institutions or facilities and who has escaped therefrom or who has been placed under supervision and is alleged to have broken the conditions thereof shall be guilty of a ~~misdemeanor~~ felony and, upon conviction thereof, shall be imprisoned for not less than one or more than five years.

(d) Any person who shall knowingly provide to any child under the lawful control or custody of the department a gun, pistol, or any other weapon, any intoxicating liquor, any controlled substance listed in Code Section 16-13-27 as a Schedule III controlled substance, listed in Code Section 16-13-28 as a Schedule IV controlled substance, or listed in Code Section 16-13-29 as a Schedule V controlled substance, or an immediate precursor of any such controlled substance, or any dangerous drug as defined by Code Section 16-13-71, regardless of the amount, or any other harmful, hazardous, or illegal article or item which may be injurious to department personnel without the consent of the director of the institution providing care and supervision to the child shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one nor more than five years.

(e) Any child who shall knowingly possess a gun, pistol, or any other weapon, any intoxicating liquor, any controlled substance listed in Code Section 16-13-27 as a Schedule

III controlled substance, listed in Code Section 16-13-28 as a Schedule IV controlled substance, or listed in Code Section 16-13-29 as a Schedule V controlled substance, or an immediate precursor of any such controlled substance, or any dangerous drug as defined by Code Section 16-13-71, regardless of the amount, or any other harmful, hazardous, or illegal article or item which may be injurious to department personnel given to said child in violation of subsection (d) of this Code section while under the lawful custody or control of the department shall cause the department to file a delinquency petition in the court having jurisdiction; provided, however, if such person is 17 or older and is under the lawful custody or control of the department, such person shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one or more than five years."

SECTION 4.

This Act shall be effective July 1, 1996 and shall apply to offenses committed on or after that date.

SECTION 5.

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

Representative Chambless of the 163rd moved that the House agree to the Senate substitute to HB 1197.

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

Y Allen	Y Crews	Irvin	Y Parrish	Smith, W
N Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	N Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	N Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 155, nays 6.

The motion prevailed.

HB 1030. By Representatives Chambless of the 163rd, Reichert of the 126th, Baker of the 70th, Martin of the 47th, Hart of the 116th and others:

A bill to amend Title 29 of the Official Code of Georgia Annotated, relating to guardians and wards, so as to repeal a provision that certain sales of property of wards shall be made under the rules and restrictions prescribed for sales by administrators of estates; to provide rules for public sales by guardians and sale of perishable property, property that is liable to deteriorate from keeping, property that is expensive to keep, real property, wild lands, livestock.

The following Senate amendment was read:

Amend HB 1030 by striking in their entirety lines 17 through 24 of page 32 and inserting in lieu thereof the following:

“(1) If the decedent is survived by a spouse, the decedent’s heirs shall be determined as follows:

(A) The spouse is the sole heir unless the decedent is survived by any descendant who is not also a descendant of the surviving spouse; and

(B) If the decedent is survived by any descendant who is not also a descendant of the spouse, the estate shall be divided into as many equal shares as there are children and deceased children who are survived by one or more descendants, plus one, and there shall be distributed to the spouse one such equal share plus one such equal share for each of such children or deceased children who is or was his or her child; provided, however, that if there are more than two children and deceased children of the decedent, one share shall be increased to one-third of the estate and all other equal shares reduced pro rata with the increased share being distributed to the spouse in lieu of one equal share. The balance of the estate shall be divided, per stirpes, between the decedent’s descendants who are not descendants of the spouse;”

By striking in their entirety lines 36 through 40 of page 148 and lines 1 through 3 of page 149.

The following amendment was read and adopted:

Representative Chambless of the 163rd moves to amend the Senate amendment to HB 1030 by striking lines 3 through 25 of page 1.

By striking lines 26 and 27 of page 1 and inserting in lieu thereof the following:

“Amend HB 1030 by striking in their entirety lines 36 through 40 of page 148 and lines 1 through 2 of page 149 and inserting in lieu thereof the following:

‘Any standard forms adopted pursuant to the Uniform Probate Court Rules shall be issued subject to uniform rules concerning the use of any such forms. Said rules shall allow and facilitate the use of technology in document preparation such as by means of word processing. Further, no such forms or rules shall require the filing party to mark or identify any changes in said forms unless they are material. Further, changes in such forms which are grammatical, changes in gender, changes from singular to plural, omission of optional or alternative language, and the inclusion of variable information such as names and addresses shall not be deemed material; however, the format and sequence of the forms shall be preserved as far as practical.’”

Representative Chambless of the 163rd moved that the House agree to the Senate amendment, as amended by the House, to HB 1030.

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

Y Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 153, nays 4.

The motion prevailed.

HB 1788. By Representatives Hanner of the 159th and Baker of the 70th:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Water Quality Control Act," so as to provide the Board of Natural Resources with authority to promulgate regulations governing the discharge of pollutants into waters of the state.

The following Senate substitute was read:

A BILL

To amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Water Quality Control Act," so as to provide the Board of Natural Resources with authority to promulgate regulations governing the discharge of pollutants into waters of the state; to provide for the powers, duties, and authority of the director of the Environmental Protection Division pursuant to such regulations governing the discharge of pollutants into waters of the state; to reassign certain powers and duties of the Environmental Protections Division to the division's director; to provide an effective date; 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 12 of the Official Code of Georgia Annotated, relating to the control of water pollution, is amended by striking in its entirety Code Section 12-5-23,

relating to the powers and duties of the Environmental Protection Division, and inserting in lieu thereof the following:

“12-5-23 www.libtool.com.cn

(a) In the performance of its duties, the board shall have and may exercise the power to:

(1) Adopt, promulgate, modify, amend, and repeal rules and regulations to implement and enforce the provisions of this part as the board may deem necessary to provide for the control and management of water pollution and surface water use to protect the environment and the health of humans. Such rules and regulations may be applicable to this state as a whole, may vary from area to area, or may vary according to the characteristics of the water pollutants, as may be appropriate, to facilitate the accomplishment of the provisions, purposes, and policies of this part. The rules and regulations may include, but shall not be limited to, the following:

(A) Prescribing the procedure to be followed in applying for permits and requiring the submission of such plans, specifications, verifications, and other pertinent information deemed relevant in connection with the issuance of such permits;

(B) Establishing or revising standards of water purity for any of the waters of the state, specifying the maximum degree of pollution permissible in accordance with the public interest in water supply; the conservation of fish, game, and aquatic life; and agricultural, industrial, and recreational uses;

(C) Governing water use classifications and water quality standards;

(D) Governing any marine toilet, marine sanitation device, or other disposal unit located on or within a boat operated on waters of the state;

(E) Establishing procedures for dealing with emergency situations and spills which endanger the waters of the state;

(F) Providing minimum standards for treatment of discharges; providing uniform procedures and practices to be followed relating to the application for issuance, modification, revocation and reissuance, and termination of permits for the discharge of any pollutant into the waters of the state;

(G) Providing for permissible limits of surface water usage for both consumptive and nonconsumptive purposes and providing permits to withdraw, divert, or impound surface waters;

(H) Providing minimum standards for waste-water pretreatment required and the uniform procedures and practices to be followed relating to the application for and the issuance or revocation of pretreatment permits for the discharge of any pollutant into a publicly owned treatment works and then into the waters of the state, and providing requirements for approval and implementation of publicly owned treatment works pretreatment programs and for administration of pretreatment programs;

(I) Providing for uniform procedures and practices to be followed for the determination of categorization of industrial users and requests for variances for fundamentally different factors;

(J) Providing minimum standards of pollutant treatment required and uniform procedures and practices to be followed relating to the application for and the issuance, modification, amendment, or revocation of permits for the discharge of pollutants into land disposal or land treatment systems and then into the waters of the state;

(K) Establishing classifications for waste-water treatment plants;

(L) Providing uniform practices and procedures to be followed relating to the application for and the issuance, modification, amendment, or revocation of permits for the discharge of pollutants into underground injection wells;

(M) Providing for the administration and operation of the State Revolving Loan Fund;

(N) Providing standards for treatment of discharges; providing uniform procedures and practices to be followed relating to the application for issuance, modification, revocation, and reissuance, and termination of general permits for the discharge of any pollutant to the waters of the state;

(O) Providing for the uniform procedures and practices to be followed relating to the application for issuance, modification, revocation and reissuance, and termination of permits for the discharge of any stormwater into the waters of the state;

(P) Establishing requirements for the beneficial use of sewage sludge through land application, including pollutant limits, pathogen and vector attraction reduction requirements, operational standards, management practices, monitoring, recordkeeping, reporting, and permitting requirements;

(Q) Providing for rules and regulations for land disposal; and

(R) Providing for matters necessary to carry out the purposes and requirements of this article and relating to the state's participation in the National Pollutant Discharge Elimination System established under the federal Water Pollution Control Act;

(2) Within one year from the effective date of this Code section, the board shall by rule establish water quality standards for turbidity applicable to all waters of the state, taking into account the recommendations of the academic panel established under the Interim Report of the Senate Storm-water Study Committee created by Senate Resolution 252 (1993); and

(3) Take all necessary steps to insure the effective enforcement of this part.

(a)(b) In the performance of its his or her duties, the ~~division~~ director may:

(1) Conduct or cooperate in research for the purpose of developing economical and practicable methods of preventing and controlling pollution;

(2) Cooperate with agencies of the federal government and with other agencies of the state and political subdivisions thereof;

(3) Enter into agreements and compacts with other states, and with the United States, relative to the prevention and control of pollution in any state waters and on water quality matters, in accordance with the Constitution and statutes of Georgia;

(4) Receive, accept, hold, and use on behalf of the state, and for purposes provided for in this article, gifts, grants, donations, devises, and bequests of real, personal, and mixed property of every kind and description; and

(5) At the discretion of the director, give instruction and training to waste-water treatment plant operators and waste-water laboratory analysts; provide technical assistance for such instruction and training by others; collect fees for such training and assistance in accordance with Code Section 45-12-92; purchase the services of any person to render such instruction and training; and make available to any such person suitable space and facilities for the rendering of such instruction and training. The division may collect from the participants in any such instructional or training program a pro rata share of any actual out-of-pocket expenses incurred by the division in producing such program including, without limitation, the rental of nonagency facilities and the payment of nonagency instructors.

(b)(c) In the performance of its his or her duties, the ~~division~~ director shall:

(1) Exercise general supervision over the administration and enforcement of this article and all rules, regulations, and orders promulgated hereunder;

(2) Act in the interest of the people of the state to restore and maintain a reasonable degree of purity in the waters of the state;

(3) Encourage voluntary cooperation by all persons in the state in restoring and maintaining a reasonable degree of purity in the waters of the state;

(4) Survey the waters of the state to determine the extent, character, and effects of existing conditions of pollution;

(5) Prepare and develop a general comprehensive plan for the prevention of any further pollution and reduction of existing pollution after a thorough study of existing practices and available research;

(6) Administer and enforce the laws of the state relating to the prevention and control of pollution;

(7) Hold hearings to determine whether or not an alleged pollution is contrary to the public interest;

(8) Adopt rules and procedures for the conduct of meetings and hearings. In all hearings relative to violations, or for other procedures under this article, the rules of evidence shall be followed;

(9) Establish or revise standards of water purity for any of the waters of this state, which specify the maximum degree of pollution permissible in accordance with the public interest in water supply; the conservation of fish, game, and aquatic life; and agricultural, industrial, and recreational uses. Prior to establishing or revising the standards of water purity, the division shall consider the technical means available for the reduction of pollution and the economic factors involved;

(10) Require any marine toilet or other disposal unit located on or within any boat operated on waters of this state to have securely affixed to the interior discharge toilet or unit a suitable treatment device in operating condition, constructed and fastened in accordance with regulations of the division, or some other treatment or facility or method authorized by regulation of the division. All sewage passing into or through the marine toilet or units shall pass solely through such device. All boats located upon the waters of this state are subject to inspection by the division or its duly authorized agents at any time for the purpose of determining compliance with this paragraph, provided that this paragraph does not apply to ocean-going vessels of 20 tons displacement or more;

(11) Make investigations and inspections to ensure compliance with this article, the rules and regulations issued pursuant hereto, and any orders that the division may adopt or issue;

(12) Issue an order or orders directing any particular person or persons to secure within the time specified therein such operating results as are reasonable and practicable of attainment toward the control, abatement, and prevention of pollution of the waters of the state and the preservation of the necessary quality for the reasonable use thereof;

(13) Establish or revise through rules and regulations of the Board of Natural Resources or permit conditions, or both, effluent limitations based upon an assessment of technology and processes unrelated to the quality of the receiving waters of this state;

(14) Establish or revise through rules and regulations of the Board of Natural Resources or permit conditions, or both, permissible limits of surface-water usage for both consumptive and nonconsumptive purposes; and

(15) Perform any and all acts and exercise all incidental powers necessary to carry out the purposes and requirements of this article and of the Federal Water Pollution Control Act, as amended, relating to this state's participation in the National Pollutant Discharge Elimination System established under that act."

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.

The following amendment was read and adopted:

Representative Hanner of the 159th moves to amend the Senate substitute to HB 1788 as follows:

On page 4 line 10 after 1993 add "and interested parties"

Representative Hanner of the 159th moved that the House agree to the Senate substitute, as amended by the House, to HB 1788.

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

Y Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Barger	Y Bates	Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	E Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	E Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Hanner	Lucas	Y Roberts	Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	E McCall	Scoggins	Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	E Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Johnson, G	Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Smith, W	Woods
Y Dixon, S	Y Jones	Y Pinholster	Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Murphy, Spkr

On the motion, the ayes were 157, nays 0.

The motion prevailed.

HB 1589. By Representatives Dixon of the 150th, Mosley of the 171st, Johnson of the 84th, Purcell of the 147th, Reaves of the 178th and others:

A bill to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for an ad valorem property tax exemption for property used in or as a part of certain water conservation facilities; to provide for income tax credits for water conservation facilities and qualified water conservation investment property and for shifts from ground-water usage.

The following Senate substitute was read:

A BILL

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for income tax credits for water conservation facilities and qualified water conservation investment property and for reductions, transfers, and shifts from ground-water usage; to provide for definitions and the terms, conditions, and procedures relating to such credits; to provide for a sales and use tax exemption for the sale of certain machinery and equipment used for water conservation purposes or qualified water conservation facility purposes; to provide for effective dates; to provide for 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 adding immediately following Code Section 48-7-40.9, relating to certain income tax credits, new Code sections to read as follows:

“48-7-40.10.

(a) As used in this Code section, the term:

(1) ‘Machinery and equipment’ means all tangible personal property used directly in a ~~minimum 10 percent reduction~~ in permit by relinquishment or transfer of annual permitted water usage from existing permitted ground-water sources.

(2) ‘Qualified water conservation investment’ means all spending by a taxpayer for use in this state for the modification of existing manufacturing processes, for the construction of a new water conservation facility, or for the expansion of an existing water conservation facility provided that such modification, construction, or expansion results in a minimum 10 percent reduction in permit by relinquishment or transfer of annual permitted water usage from existing permitted ground-water sources and has been certified pursuant to rules and regulations promulgated by the Department of Natural Resources as necessary to promote its ground-water management efforts for areas with a multiyear record of consumption at, near, or above sustainable use signaled by declines in ground-water pressure, threats of salt-water intrusion, need to develop alternate sources to accommodate economic growth and development, or any other indication of growing inadequacy of the existing resource.

(3) ‘Water conservation’ means a minimum 10 percent reduction in permit by relinquishment or transfer of annual permitted water usage from existing permitted ground-water sources due to increased efficiencies or recycling of water which results in reduced ground-water usage, or a change from a ground-water source to a surface-water source or an alternate source.

(4) ‘Water conservation facility’ means any facility, buildings, and machinery and equipment used in the water conservation process resulting in a minimum 10 percent reduction in permit by relinquishment or transfer of annual permitted water usage from existing ground-water sources, provided that up to 10 percent of any building that is a component of a water conservation facility may be used for office space to house support staff for the operation.

(b) Any taxpayer who financially participates in qualified water conservation investment in this state shall be allowed a credit against the tax imposed under this article in the taxable year following that in which the modified manufacturing process or the new or expanded water conservation facility has been placed in service and in which the taxpayer has initiated a minimum 10 percent reduction in permit by relinquishment or transfer of annual permitted water usage from existing permitted ground-water sources. This credit shall have a maximum carry forward of ten years, provided that such property remains in service, that the reduction in permit is maintained, and that the property continues to be used by the taxpayer. The amount of the credit allowed under this Code section shall be a percentage of the taxpayer’s qualified water conservation investment. For projects of \$50,000.00 to \$499,999.00, the credit for such taxpayer shall be 10 percent; for projects of \$500,000.00 to \$799,999.00, the credit shall be 8 percent; for projects of \$800,000.00 to \$999,999.00, the credit shall be 6 percent; and for projects of \$1 million or more, the credit shall be 5 percent. The amount of the credit which may be used in any tax year shall not exceed 50 percent of that year’s tax liability as determined without regard to any other credits.

(c) The credit granted under subsection (b) of this Code section shall be subject to the following conditions and limitations:

(1) In order to qualify as a basis for the credit, the modified manufacturing process or the new or expanded water conservation facility must not be placed in service before January 1, 1997. The credit may be only taken with respect to qualified water conservation investment in a project costing \$50,000.00 or more. For every year in which the taxpayer claims the credit, the taxpayer shall attach a schedule to the taxpayer’s income tax return setting forth as a minimum the following information:

(A) The amounts, dates, and nature of the qualified water conservation investments which have allowed a modified manufacturing process or a new or expanded water conservation facility to be placed in service in the prior taxable year;

(B) The amount and date of reduction in permitted ground-water usage occurring as a result of this investment;

- (C) The amount of tax credit claimed for these investments for the current taxable year;
 - (D) The amounts of qualified water conservation investment reported for tax years preceding the prior taxable year;
 - (E) The amounts of tax credit which have been utilized in prior taxable years;
 - (F) The amounts of tax credit which has been carried over from prior years;
 - (G) The amounts of tax credit allowed under this Code section being utilized by the taxpayer in the current taxable year; and
 - (H) The amounts of tax credit to be carried over to subsequent years;
- (2) In the initial year in which the taxpayer claims the credit granted in subsection (b) of this Code section, the taxpayer shall include in the description of the project required by subparagraph (A) of paragraph (1) of this subsection information which demonstrates that the project completed with the qualified water conservation investment had an aggregate cost of \$50,000.00 or more. The taxpayer shall also include a copy of the certification by the Department of Natural Resources under paragraph (2) of this Code section;
- (3) Any lease for a period of five years or longer of any real or personal property resulting from qualified water conservation investment shall be treated as qualified water conservation investment by the lessee. The taxpayer may treat the full value of the leased property as qualified water conservation investment in the taxable year in which the lease becomes binding on the lessor and the taxpayer if all other conditions of this subsection have been met;
- (4) The utilization of the credit granted in this Code section shall have no effect on the taxpayer's ability to claim depreciation for tax purposes on assets acquired by the taxpayer, nor shall the credit have any effect on the taxpayer's basis in such assets for the purpose of depreciation; and
- (5) If, after receiving approval for the water conservation credit, the annual permit for water usage from the same ground-water source is increased, any unused credits will expire immediately.

48-7-40.11.

- (a) As used in this Code section, the term:
- (1) 'Qualified water conservation facility' means any facility including buildings, machinery, and equipment used in the water conservation process provided:
 - (A) The use of the facility results in reduced ground-water usage or utilizes a surface-water source; and
 - (B) The use of the facility has been certified by the Department of Natural Resources as necessary to promote its ground-water management efforts for areas with a multiyear record of consumption at, near, or above sustainable use signaled by declines in ground-water pressure, threats of salt-water intrusion, need to develop alternate sources to accommodate economic growth and development, or any other indication of growing inadequacy of the existing resource.
 - (2) 'Shift from ground-water usage' means a minimum 10 percent transfer of annual permitted ground-water usage from ground-water sources due to the purchase of water from a qualified water conservation facility.
- (b) In the case of a taxpayer which first shifts from ground-water usage during a taxable year, there shall be allowed an annual credit against the tax imposed under this article starting in the fourth taxable year following the taxable year in which the the shift from ground-water usage occurs. The amount of the credit shall be computed as follows:
- (1) The amount of the credit allowed under this Code section shall be \$.0001 per gallon of the total gallons of relinquished and transferred annual ground-water permit issued after July 1, 1996; and
 - (2) The amount of the credit which may be used in any tax year shall not exceed 50 percent of that year's tax liability as determined without regard to other credits.
- (c) The credit granted under this Code section shall be subject to the following conditions and limitations:
- (1) For every year in which the taxpayer claims the credit, the taxpayer shall attach a schedule to the taxpayer's income tax return setting forth as a minimum the following information:

- (A) The ground-water usage permitted the taxpayer in the first permit issued after July 1, 1996;
 - (B) The ground-water usage permitted the taxpayer in the tax year four years earlier than the current tax year;
 - (C) The ground-water usage permitted the taxpayer in the current year; and
 - (D) The credit utilized by the taxpayer in the current year;
- (2) In the initial year in which the taxpayer claims the credit granted in subsection (b) of this Code section, the taxpayer shall include a copy of the certification by the Department of Natural Resources under paragraph (2) of subsection (a) of this Code section; and
- (3) If, after receiving approval for the water conservation credit, the annual permit for water usage from the same ground-water source is increased, eligibility to use such credits shall expire immediately."

SECTION 2.

Said title is further amended by adding after paragraph (36) of Code Section 48-8-3, relating to sales and use tax exemptions, the following:

"(36.1)(A) The sale of machinery and equipment which is incorporated into any qualified water conservation facility and used for water conservation.

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

(i) 'Qualified water conservation facility' means any facility, including buildings, and any machinery and equipment used in the water conservation process resulting in a minimum 10 percent reduction in permit by relinquishment or transfer of annual permitted water usage from existing permitted ground-water sources. In addition, such facility shall have been certified pursuant to rules and regulations promulgated by the Department of Natural Resources as necessary to promote its ground-water management efforts for areas with a multiyear record of consumption at, near, or above sustainable use signaled by declines in ground-water pressure, threats of salt-water intrusion, need to develop alternate sources to accommodate economic growth and development, or any other indication of growing inadequacy of the existing resource.

(ii) 'Water conservation' means a minimum 10 percent reduction resulting in the relinquishment of transfer of annual permitted water usage from existing ground-water sources due to increased manufacturing process efficiencies or recycling of manufacturing process water which results in reduced ground-water usage, or a change from a ground-water source to a surface-water source or an alternate source.

(C) Any person making a sale of machinery and equipment for the purposes specified in this paragraph shall collect the tax imposed on this sale unless the purchaser furnishes such person with a certificate issued by the commissioner certifying that the purchaser is entitled to purchase the machinery and equipment without paying the tax;"

SECTION 3.

- (a) Except as otherwise provided in subsection (b) of this section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 1997.
- (b) Section 2 of this Act shall become effective on July 1, 1996.

SECTION 4.

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

Representative Dixon of the 150th moved that the House agree to the Senate substitute to HB 1589.

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

Y Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargeron	Y Bates	Y Bordeaux
Y Ashe	Y Bannister	Y Barnard	Benefield	Y Bostick

Y Breedlove	Ehrhart	E Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	E Greene	Lifsey	Y Reaves	Teague
Y Campbell	Y Grindley	Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Titus
Y Channell	Y Heard	Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	E McCall	Y Scoggins	Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	McKinney	Y Shaw	Y Walker, L
Connell	Y Holland	E Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Smith, W	Woods
Y Dixon, S	Y Jones	Y Pinholster	Smyre	Y Yates
Dobbs	Y Joyce	Y Polak	Y Snelling	Murphy, Spkr

On the motion, the ayes were 154, nays 0.

The motion prevailed.

HR 1017. By Representative Holland of the 157th:

A resolution compensating Mr. Nathaniel A. Blakney.

The following Senate amendment was read:

Amend HR 1017 by inserting on line 1 of page 1 after the word "Blakney" the words "and Mr. Robert Daniel Hughes"

By inserting between lines 13 and 14 of page 1 the following:

"WHEREAS, Mr. Robert Daniel Hughes was a student at Kennesaw State College located at 3455 Frey Lake Road, N.W., in Kennesaw, Georgia, at the time of the injury which is the subject of this resolution; and

WHEREAS, in the fall of 1994, Mr. Hughes was enrolled in a physical education course required for graduation from the college; and

WHEREAS, on October 27, 1994, Mr. Hughes injured his right knee during this physical education course, by lifting 297 pounds of weight, which was 24 pounds over the maximum indicated for his amount of body weight, which injury required corrective surgery; and

WHEREAS, a physical education instructor employed by Kennesaw State College directed and supervised the amount of weight lifted by Mr. Hughes during this course session; and

WHEREAS, Mr. Hughes suffered personal injury to his knee in the amount of \$2,826.46; and

WHEREAS, the loss occurred through no fault or negligence on the part of Mr. Hughes, and it is only fitting and proper that he be compensated for his loss."

By inserting on line 16 before the words "as compensation" the following "to Mr. Blakney"

By inserting after line 20 of page 1 the following:

"NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the Board of Regents of the University System of Georgia is authorized and directed to pay the sum of \$2,826.46 to Mr. Hughes as compensation as provided above. Said sum shall be paid from funds appropriated to or available to said board and shall be in full and complete satisfaction of all claims against the state arising out of said occurrence."

Representative Holland of the 157th moved that the House agree to the Senate amendment to HR 1017.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culhreth	Y James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dohhs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Roherts	Y Towerly
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chamhless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mohley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 152, nays 1.

The motion prevailed.

HB 1317. By Representatives Poston of the 3rd, McBee of the 88th, Heard of the 89th, Scoggins of the 24th and Teper of the 61st:

A bill to amend Article 3 of Chapter 7 of Title 2 of the Official Code of Georgia Annotated, known as the "Georgia Pesticide Use and Application Act of 1976," so as to provide definitions; to require the posting of notices by certain governmental agencies concerning the application or use of pesticides or hazardous chemicals in certain buildings or any public park, schoolyard, or playground.

The following Senate substitute was read:

A BILL

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To amend Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, so as to provide definitions; to require the posting of notices concerning the application or use of certain pesticides in certain public buildings; to provide for requirements concerning such notices; to provide for time limits; to provide for the inspection and copying of certain information and documents; to provide for the furnishing of notices and material safety data sheets; to provide for the retention of certain documents; to provide for penalties; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is amended by adding at the end thereof a new Chapter 7 to read as follows:

“CHAPTER 7

8-7-1.

(a) As used in this Code section, the term:

(1) ‘Agency’ means the State of Georgia and any branch, department, agency, division, board, bureau, entity, official, employee, or agent of the state and any county, municipality, school district, consolidated government, or authority created by or pursuant to the Constitution of the State of Georgia or any general or local law of this state and any official, employee, or agent of any such entity.

(2) ‘Building operator’ means the owner, the owner’s agent, or the building manager of any public building or, in the case of a public building which is leased to a tenant who is responsible for the operation of the building, the tenant or the tenant’s building manager.

(3) ‘Fumigant’ means any substance which by itself or in combination with any other substance emits or liberates a gas or gases, fumes, or vapors, which gas or gases, fumes, or vapors when liberated and used will destroy vermin, rodents, insects, and other pests, but are usually lethal, poisonous, noxious, or dangerous to human life.

(4) ‘Insecticides’ means substances, not fumigants, under whatever name known, used for the destruction or control of insects and similar pests.

(5) ‘Pesticide’ means attractants, fumigants, fungicides, insecticides, rodenticides, and repellants.

(6) ‘Public building’ means a building owned or leased by an agency, which is open to the public, including but not limited to the following:

(A) Any building which provides facilities or shelter for public use or assembly or which is used for educational, office, or institutional purposes; and

(B) Any library, museum, school, hospital, auditorium, dormitory, or university building.

(7) ‘Repellants’ means substances, not fumigants, under whatever name known, which may be toxic to insects and related pests, but generally employed because of their capacity for preventing the entrance or attack of pests.

(8) ‘Rodenticides’ means substances, not fumigants, under whatever name known, whether poisonous or otherwise, used for the destruction or control of rodents.

(b) The building operator of any public building who personally applies or uses or who contracts for or orders the application within the interior of any public building of any pesticide requiring the direct supervision of a certified operator as defined in Code Section 43-45-2 or any pesticide which is sold solely for commercial applicator use and is restricted to uses other than household use shall post a conspicuous notice in such public building to notify anyone entering such building that a pesticide is being applied. If such pesticide or pesticides are applied on a regular basis or according to a schedule, such notice may be permanently displayed and shall include the days or dates on which such pesticide or pesticides are usually applied. If the pesticide or pesticides are not

applied on a regular basis or according to a schedule or if the pesticides are applied on a day or date other than the day or date contained on a permanently displayed notice, such notice shall be posted before the application of any pesticide and shall remain posted for 24 hours following the application. Such notice shall include a notice of the location and hours during which any person may obtain information concerning the pesticides applied or to be applied and inspect and copy the material safety data sheet. Any such notice shall also include one or more telephone numbers for the building operator at which emergency information concerning the pesticides applied may be obtained at any time during the day or night and on any day of the year. It shall be the duty of the building operator to make available, upon request and within a reasonable period of time of said request, the name of any pesticide used and a copy of the appropriate material safety data sheet. If the pesticide is to be applied by a commercial applicator, a certified operator as defined in Code Section 43-45-2, or a pesticide contractor, it shall be the duty of such applicator or contractor to provide material safety data sheets to the building operator at the time the contract for service is entered or renewed. If any additional pesticides are used after the contract for service is entered, the additional material safety data sheets shall be provided to the building operator. A building operator shall retain for five years all material safety data sheets and other documents furnished pursuant to the preceding sentence. A building operator shall retain statements of information for two years as required by the rules and regulations required by Chapter 45 of Title 43, known as the 'Structural Pest Control Act.'

(c) Any person violating this Code section shall be guilty of a misdemeanor, provided that the penalty for a first offense shall be a fine not to exceed \$100.00."

SECTION 2.

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

Representative Holland of the 157th moved that the House agree to the Senate substitute to HB 1317.

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

Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Anderson	Y Culbreth	Y James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamonn	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towerly
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 152, nays 0.

The motion prevailed.

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HB 1632. By Representatives Skipper of the 137th and Watson of the 139th:

A bill to amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to fair business practices and known as the "Fair Business Practices Act of 1975," so as to change definitions and references relating to promotional giveaways; to eliminate the requirement that certain disclosures be made to winners of promotions.

The following Senate substitute was read:

A BILL

To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to fair business practices and known as the "Fair Business Practices Act of 1975," so as to change definitions and references; to provide for offenses relating to consumer reporting agencies; to eliminate the requirement that certain disclosures be made to winners of promotions; to provide that promotions shall not include a requirement that the winner pay additional money to receive the promotion; to provide consumers unlimited time to void a promotion contract; to make editorial revisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to fair business practices and known as the "Fair Business Practices Act of 1975," is amended by striking Code Sections 10-1-392 and 10-1-393, relating to definitions and intentional violations of the Act and examples of unfair or deceptive practices in consumer transactions, respectively, and inserting in lieu thereof new Code sections to read as follows:

"10-1-392.

(a) As used in this part, the term:

(1) 'Administrator' means the administrator appointed pursuant to subsection (a) of Code Section 10-1-395 or his or her delegate.

(1.1) 'Campground membership' means any arrangement under which a purchaser has the right to use, occupy, or enjoy a campground membership facility.

(1.2) 'Campground membership facility' means any campground facility at which the use, occupation, or enjoyment of the facility is primarily limited to those purchasers, along with their guests, who have purchased a right to make reservations at future times to use the facility or who have purchased the right periodically to use the facility at fixed times or intervals in the future, but shall not include any such arrangement which is regulated under Article 5 of Chapter 3 of Title 44.

(1.3) 'Career consulting firm' means any person providing services to an individual in conjunction with a career search and consulting program for the individual, including, but not limited to, counseling as to the individual's career potential, counseling as to interview techniques, and the identification of prospective employers. A 'career consulting firm' does not guarantee actual job placement as one of its services. A 'career consulting firm' shall not include any person who provides these services without charging a fee to applicants for those services or any employment agent or agency regulated under Chapter 10 of Title 34.

(2) 'Consumer' means a natural person.

(2.1) 'Consumer acts or practices' means acts or practices intended to encourage consumer transactions.

(2.2) 'Consumer report' means any written or other communication of any information by a consumer reporting agency bearing on a consumer's creditworthiness, credit standing, or credit capacity which is used or intended to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for:

(A) Credit or insurance to be used primarily for personal, family, or household purposes; or

(B) Employment consideration.

(2.3) 'Consumer reporting agency' or 'agency' means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties.

(3) 'Consumer transactions' means the sale, purchase, lease, or rental of goods, services, or property, real or personal, primarily for personal, family, or household purposes.

(4) 'Documentary material' means the original or a copy, whether printed, filmed, or otherwise preserved or reproduced, by whatever process, including electronic data storage and retrieval systems, of any book, record, report, memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription, or other tangible document or record wherever situate.

(5) 'Examination' of documentary material means inspection, study, or copying of any such material and the taking of testimony under oath or acknowledgment in respect of any such documentary material.

(5.1) 'File' means, when used in connection with information on any consumer, all of the information on that consumer recorded or retained by a consumer reporting agency regardless of how the information is stored.

(5.2) 'Going-out-of-business sale' means any offer to sell to the public or sale to the public of goods, wares, or merchandise on the implied or direct representation that such sale is in anticipation of the termination of a business at its present location or that the sale is being held other than in the ordinary course of business and includes, without being limited to, any sale advertised either specifically or in substance to be a sale because the person is going out of business, liquidating, selling his or her entire stock or 50 percent or more of his or her stock, selling out to the bare walls, selling because the person has lost his or her lease, selling out his or her interest in the business, or selling because everything in the business must be sold or that the sale is a trustee's sale, bankrupt sale, save us from bankruptcy sale, insolvent sale, assignee's sale, must vacate sale, quitting business sale, receiver's sale, loss of lease sale, forced out of business sale, removal sale, liquidation sale, executor's sale, administrator's sale, warehouse removal sale, branch store discontinuance sale, creditor's sale, adjustment sale, or defunct business sale.

(6) 'Health spa' means an establishment which provides, as one of its primary purposes, services or facilities which are purported to assist patrons to improve their physical condition or appearance through change in weight, weight control, treatment, dieting, or exercise. The term includes an establishment designated as a 'reducing salon,' 'health spa,' 'spa,' 'exercise gym,' 'health studio,' 'health club,' or by other terms of similar import. A health spa shall not include any of the following:

(A) Any nonprofit organization;

(B) Any facility wholly owned and operated by a licensed physician or physicians at which such physician or physicians are engaged in the actual practice of medicine; or

(C) Any such establishment operated by a health care facility, hospital, intermediate care facility, or skilled nursing care facility.

(6.1) 'Marine membership' means any arrangement under which a purchaser has a right to use, occupy, or enjoy a marine membership facility.

(6.2) 'Marine membership facility' means any boat, houseboat, yacht, ship, or other floating facility upon which the use, occupation, or enjoyment of the facility is primarily limited to those purchasers, along with their guests, who have purchased a right

to make reservations at future times to use the facility or who have purchased a right to use periodically, occupy, or enjoy the facility at fixed times or intervals in the future, but shall not include any such arrangement which is regulated under Article 5 of Chapter 3 of Title 44.

(6.3) 'Office' means any place where business is transacted, where any service is supplied by any person, or where any farm is operated.

(6.4) 'Office supplier' means any person who sells, rents, leases, or ships, or offers to sell, lease, rent, or ship, goods, services, or property to any person to be used in the operation of any office or of any farm.

(6.5) 'Office supply transactions' means the sale, lease, rental, or shipment of, or offer to sell, lease, rent, or ship, goods, services, or property to any person to be used in the operation of any office or of any farm but shall not include transactions in which the goods, services, or property are purchased, leased, or rented by the office or farm for purposes of reselling them to other persons.

(7) 'Person' means a natural person, corporation, trust, partnership, incorporated or unincorporated association, or any other legal entity.

(7.1) 'Prize' means a gift, award, or other item intended to be distributed or actually distributed in a promotion.

(8) ~~'Promotion' 'Promotional giveaway,' 'promotional contest,' or 'promotion'~~ means any scheme or procedure for the promotion of consumer transactions whereby one or more prizes, gifts, awards, or other items, including but not limited to items for which there is an attempt to charge a nominal amount, are distributed among persons who are required to be present at the place of business or are required to participate in a seminar, sales presentation, or any other presentation, by whatever name denominated, in order to receive the prize, gift, award, or other item or to determine which, if any, prize, gift, award, or other item they will receive. ~~Promotional giveaways and contests~~ Promotions shall not include any procedure where the receipt of the prize, gift, award, or other item is conditioned upon the purchase of the item which the seller is trying to promote if such condition is clearly and conspicuously disclosed in the promotional advertising and literature and the receipt of the prize, gift, award, or other item does not involve an element of chance. Any procedure where the receipt of the prize, gift, award, or other item is conditioned upon the purchase of the item which the seller is trying to promote or upon the payment of money and where the receipt of that prize, gift, award, or other item involves an element of chance shall be deemed to be a lottery under Code Section 16-12-20; provided, however, that nothing in this definition shall be construed to include a lottery operated by the State of Georgia or the Georgia Lottery Corporation as authorized by law; provided, further, that any deposit made in connection with an activity described by subparagraph (b)(22)(B) of Code Section 10-1-393 shall not constitute the payment of money.

(9) 'Trade' and 'commerce' mean the advertising, distribution, sale, lease, or offering for distribution, sale, or lease of any goods, services, or any property, tangible or intangible, real, personal, or mixed, or any other article, commodity, or thing of value wherever situate and shall include any trade or commerce directly or indirectly affecting the people of the state.

(b) An 'intentional violation' occurs when the person committing the act or practice knew that his or her conduct was in violation of this part. Maintenance of an act or practice specifically designated as unlawful in subsection (b) of Code Section 10-1-393 after the administrator gives notice that the act or practice is in violation of the part shall be prima-facie evidence of intentional violation. For the purposes of this subsection, the administrator gives notice that an act or practice is in violation of this part by the adoption of specific rules promulgated pursuant to subsection (a) of Code Section 10-1-394 and by notice in writing to the alleged violator of a violation, if such written notice may be reasonably given without substantially or materially altering the purposes of this part; provided, however, that no presumption of intention shall arise in the case of an alleged violator who maintains a place of business within the jurisdiction of this state with sufficient assets to respond to a judgment under this part, unless such alleged violator has received written notice. The burden of showing no reasonable opportunity to give written notice shall be upon the administrator.

10-1-393.

(a) Unfair or deceptive acts or practices in the conduct of consumer transactions and consumer acts or practices in trade or commerce are declared unlawful.

(b) By way of illustration only and without limiting the scope of subsection (a) of this Code section, the following practices are declared unlawful:

- (1) Passing off goods or services as those of another;
- (2) Causing actual confusion or actual misunderstanding as to the source, sponsorship, approval, or certification of goods or services;
- (3) Causing actual confusion or actual misunderstanding as to affiliation, connection, or association with or certification by another;

(4) Using deceptive representations or designations of geographic origin in connection with goods or services. Without limiting the generality of the foregoing, it is specifically declared to be unlawful for any nonlocal business to publish in any local telephone classified advertising directory any advertisement containing a local telephone number for the business unless the advertisement clearly states the nonlocal location of the business. For purposes of this paragraph, the term:

(A) 'Local' or 'local area' refers to the area in which any particular telephone classified advertising directory is distributed free of charge to some or all telephone service subscribers.

(B) 'Local telephone classified advertising directory' refers to any telephone classified advertising directory which is distributed free of charge to some or all telephone subscribers in any area of the state and includes such directories distributed by telephone service companies as well as such directories distributed by other parties.

(C) 'Local telephone number' refers to any telephone number which is not clearly identifiable as a long-distance telephone number and which has a three-number prefix typically used by the local telephone service company for telephones physically located within the local area.

(D) 'Nonlocal business' refers to any business which does not have within the local area a physical place of business providing the goods or services which are the subject of the advertisement in question;

- (5) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he or she does not have;
- (6) Representing that goods are original or new if they are deteriorated, reconditioned, reclaimed, used, or secondhand;
- (7) Representing that goods or services are of a particular standard, quality, or grade or that goods are of a particular style or model, if they are of another;
- (8) Disparaging goods, services, or business of another by false or misleading representation;
- (9) Advertising goods or services with intent not to sell them as advertised;
- (10) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;
- (11) Making false or misleading statements concerning the reasons for, existence of, or amounts of price reductions;
- (12) Failing to comply with the provisions of Code Section 10-1-393.2 concerning health spas;
- (13) Failure to comply with the following provisions concerning career consulting firms:

(A) A written contract shall be employed which shall constitute the entire agreement between the parties, a fully completed copy of which shall be furnished to the consumer at the time of its execution which shows the date of the transaction and the name and address of the career consulting firm;

(B) The contract or an attachment thereto shall contain a statement in boldface type which complies substantially with the following:

'The provisions of this agreement have been fully explained to me and I understand that the services to be provided under this agreement by the seller do not include actual job placement.'

The statement shall be signed by both the consumer and the authorized representative of the seller;

(C) Any advertising offering the services of a career consulting firm shall contain a statement which contains the following language: 'A career consulting firm does not guarantee actual job placement as one of its services.';

(14) Failure of a hospital or long-term care facility to deliver to an inpatient who has been discharged or to his or her legal representative, not later than six business days after the date of such discharge, an itemized statement of all charges for which the patient or third-party payor is being billed;

(15) Any violation of 49 U.S.C. Sections 32702 through 32704 and any violation of regulations prescribed under 49 U.S.C. Section 32705. Notwithstanding anything in this part to the contrary, all such actions in violation of such federal statutes or regulations shall be consumer transactions and consumer acts or practices in trade or commerce;

(16) Failure to comply with the following provisions concerning ~~promotional giveaways or contests~~ promotions:

(A) For purposes of this paragraph, the term:

(i) 'Conspicuously,' when referring to type size, means either a larger or bolder type than the adjacent and surrounding material.

(ii) 'In conjunction with and in immediate proximity to,' when referring to a listing of verifiable retail value and odds for each prize, means that such value and odds must be adjacent to that particular prize with no other printed or pictorial matter between the value and odds and that listed prize.

(iii) 'Notice' means a ~~written~~ communication ~~containing~~ all of the disclosures required by this paragraph to be ~~received by a participant given to a consumer that has been selected, or has purportedly been selected, to participate in a promotion. If the original notice is in writing, it shall include all of the disclosures required by this paragraph. If the original notice is oral, it shall include all of the disclosures required by this paragraph and shall be followed by a written notice to the consumer of the same disclosures. In all cases, written notice shall be received by the consumer before any agreement or other arrangement is entered into which obligates the consumer in any manner.~~

(iv) 'Participant' means a person who is offered an opportunity to participate in a promotion.

~~(v) 'Prize' means a gift, award, or other item to be distributed in a promotion.~~

~~(vi)~~(v) 'Promoter' means the person conducting the promotion.

~~(vii)~~(vi) 'Sponsor' means the person on whose behalf the promotion is conducted in order to promote or advertise the goods, services, or property of that person.

~~(viii)~~(vii) 'Verifiable retail value,' when referring to a prize, means:

(I) The price at which the promoter or sponsor can substantiate that a substantial number of those prizes have been sold at retail by someone other than the promoter or sponsor; or

(II) In the event that substantiation as described in subdivision (I) of this division is not readily available to the promoter or sponsor, no more than three times the amount which the promoter or sponsor has actually paid for the prize.

(A.1) Persons who are offered an opportunity to participate in a promotion must be given a notice as required by this paragraph. The written notice must be ~~in the hands of~~ given to the participant either prior to the person's traveling to the place of business or, if no travel by the participant is necessary, prior to any seminar, sales presentation, or other presentation, by whatever name denominated. ~~Notices~~ Written notices may be delivered by hand, by mail, by newspaper, or by periodical. Any offer to participate made through any other medium must be preceded by or followed by the required written notice at the required time. It is the intent of this paragraph that full, clear, and meaningful disclosure shall be made to the participant in a manner such that the participant can fully study and understand the disclosure prior to deciding whether to travel to the place of participation or whether to allow a presentation to be made in the participant's home; and that this paragraph be liberally construed to effect this purpose. The notice requirements of this

paragraph shall be applicable to any promotion offer made by any person in the State of Georgia or any promotion offer made to any person in the State of Georgia; (B) The ~~promotional giveaway or contest promotion~~ must be an advertising and promotional ~~undertaking~~ in good faith, solely for the purpose of advertising the goods, services, or property, real or personal, of the sponsor. The notice shall contain the name and address of the promoter and of the sponsor, as applicable. The promoter and the sponsor may be held liable for any failure to comply with the provisions of this paragraph;

(C) ~~A Notwithstanding that a promotion in which there is a nominal charge for a prize is subject to regulation under this paragraph,~~ that promotion shall be a violation of this paragraph if a person is required to pay any money or furnish any consideration for the prize, other than the consideration of traveling to the place of business or to the presentation or of allowing the presentation to be made in the participant's home, in order to receive any prize; provided, however, that the payment of any deposit made in connection with an activity described in subparagraph (B) of paragraph (22) of this subsection shall not constitute a requirement to pay any money under this subparagraph;

(D) Each notice must state the verifiable retail value of each prize which the participant has a chance of receiving. Each notice must state the odds of the participant's receiving each prize if there is an element of chance involved. The odds must be clearly identified as 'odds.' Odds must be stated as the total number of that particular prize which will be given and of the total number of notices. The total number of notices shall include all notices in which that prize may be given, regardless of whether it includes notices for other sponsors. If the odds of winning a particular prize would not be accurately stated on the basis of the number of notices, then the odds may be stated in another manner, but must be clearly stated in a manner which will not deceive or mislead the participant regarding the participant's chance of receiving the prize. The verifiable retail value and odds for each prize must be stated in conjunction and in immediate proximity with each listing of the prize in each place where it appears on the written notice and must be listed in the same size type and same boldness as the prize. Odds and verifiable retail values may not be listed in any manner which requires the participant to refer from one place in the written notice to another place in the written notice to determine the odds and verifiable retail value of the particular prize. Verifiable retail values shall be stated in Arabic numerals;

(E) Upon arriving at the place of business or upon allowing the sponsor to enter the participant's home, the participant must be immediately informed which, if any, prize the participant will receive prior to any seminar, sales presentation, or other presentation; and the prize, or any voucher, certificate, or other evidence of obligation in lieu of the prize, must be given to the participant at the time the participant is so informed;

(F) No participant shall be required or invited to view, hear, or attend any sales presentation, by whatever name denominated, unless such requirement or invitation has been conspicuously disclosed to the participant in the written notice in at least ten-point boldface type;

(G) ~~In the Except in relation to an activity described in subparagraph (B) of paragraph (22) of this subsection, in no event shall any prize be offered or given which will require the participant to purchase additional goods or services, including shipping fees, handling fees, or any other charge by whatever name denominated, from any person in order to make the prize conform to what it reasonably appears to be in the mailing or delivery, such requirement and the additional cost to the participant must be clearly disclosed in each place where the prize is listed in the notice; this disclosure shall be made by using the following appropriately completed statement: unless such requirement and the additional cost to the participant is clearly disclosed in each place where the prize is listed in the written notice using a statement in the same size type and boldness as the prize listed~~

~~'You must pay \$ _____ in order to receive this item.'~~

~~This statement shall be in the same size type and same boldness as the prize listed;~~
 (H) Any limitation on eligibility of participants must be clearly disclosed in the notice;

(I) ~~Substitutes of prizes~~ shall not be made. In the event the represented prize is unavailable, the participant shall be presented with a certificate which the sponsor shall honor within 30 days by shipping the prize, as represented in the notice, to the participant at no cost to the participant. In the event a certificate cannot be honored within 30 days, the sponsor shall mail to the participant a valid check or money order for the verifiable retail value which was represented in the notice;

(J) In the event the participant is presented with a voucher, certificate, or other evidence of obligation as the participant's prize, or in lieu of the participant's prize, it shall be the responsibility of the sponsor to honor the voucher, certificate, or other evidence of obligation, as represented in the notice, if the person who is named as being responsible for honoring the voucher, certificate, or other evidence of obligation fails to honor it as represented in the notice;

(K) The geographic area covered by the notice must be clearly stated. If any of the prizes may be awarded to persons outside of the listed geographical area or to participants in promotions for other sponsors, these facts must be clearly stated, with a corresponding explanation that every prize may not be given away by that particular sponsor. If prizes will not be awarded or given if the winning ticket, token, number, lot, or other device used to determine winners in that particular promotion is not presented to the promoter or sponsor, this fact must be clearly disclosed;

(L) Upon request of the administrator, the sponsor or promoter must within ten days furnish to the administrator the names, addresses, and telephone numbers of persons who have received any prize;

(M) A list of all winning tickets, tokens, numbers, lots, or other devices used to determine winners in ~~promotional contests~~ promotions involving an element of chance must be prominently posted at the place of business or distributed to all participants if the seminar, sales presentation, or other presentation is made at a place other than the place of business. A copy of such list shall be furnished to each participant who so requests;

(N) Any promotion involving an element of chance which does not conform with the provisions of this paragraph shall be considered an unlawful lottery as defined in Code Section 16-12-20. The administrator may seek and shall receive the assistance of the prosecuting attorneys of this state in the commencement and prosecution of persons who promote and sponsor promotions which constitute an unlawful lottery;

(O) Any person who participates in a ~~promotional giveaway or contest promotion~~ and does not receive an item which conforms with what that person, exercising ordinary diligence, reasonably believed that person should have received based upon the representations made to that person may bring the private action provided for in Code Section 10-1-399 and, if that person prevails, shall be awarded, in addition to any other recovery provided under this part, a sum which will allow that person to purchase an item at retail which reasonably conforms to the prize which that person, exercising ordinary diligence, reasonably believed that person would receive; and

(P) In addition to any other remedy provided under this part, where a contract is entered into while participating in a ~~promotional giveaway or contest promotion~~ which does not conform with this paragraph, the contract shall be voidable by the participant for ~~seven~~ ten business days following the date of the ~~contract~~ participant's receipt of the prize. In order to void the contract, the participant must notify the sponsor in writing within ~~seven~~ ten business days following the ~~signing of the contract~~ participant's receipt of the prize;

(17) Failure to furnish to the buyer of any campground membership or marine membership at the time of purchase a notice to the buyer allowing the buyer seven days to cancel the purchase. The notice shall be on a separate sheet of paper with no other written or pictorial material, in at least ten-point boldface type, double spaced, and shall read as follows:

'Notice to the Buyer

Please read this form completely and carefully. It contains valuable cancellation rights.

The ~~buyer or buyers may~~ cancel this transaction at any time prior to 5:00 P.M. of the seventh day following receipt of this notice.

This cancellation right cannot be waived in any manner by the buyer or buyers.

Any money paid by the buyer or buyers must be returned by the seller within 30 days of cancellation.

To cancel, sign this form, and mail by certified mail, return receipt requested, by 5:00 P.M. of the seventh day following the transaction. Be sure to keep a photocopy of the signed form and your post office receipt.

Seller's Name

Address to which cancellation is to be mailed

I (we) hereby cancel this transaction.

Buyer's Signature

Buyer's Signature

Date

Printed Name(s) of Buyer(s)

Street Address

City, State, ZIP Code'

(18) Failure of the seller of a campground membership or marine membership to fill in the seller's name and the address to which cancellation notices should be mailed on the form specified in paragraph (17) of this subsection;

(19) Failure of the seller of a campground membership or marine membership to cancel according to the terms specified in the form described in paragraph (17) of this subsection;

(20)(A) Representing that moneys provided to or on behalf of a debtor, as defined in Code Section 44-14-162.1 in connection with property used as a dwelling place by said debtor, are a loan if in fact they are used to purchase said property and any such misrepresentation upon which is based the execution of a quitclaim deed or warranty deed by that debtor shall authorize that debtor to bring an action to reform such deed into a deed to secure debt in addition to any other right such debtor may have to cancel the deed pursuant to Code Section 23-2-2, 23-2-60, or any other applicable provision of law.

(B) Advertising to assist debtors whose loan for property the debtors use as a dwelling place is in default with intent not to assist them as advertised or making false or misleading representations to such a debtor about assisting the debtor in connection with said property.

(C) Failing to comply with the following provisions in connection with the purchase of property used as a dwelling place by a debtor whose loan for said property is in default and who remains in possession of this property after said purchase:

(i) A written contract shall be employed by the buyer which shall summarize and incorporate the entire agreement between the parties, a fully completed copy of

which shall be furnished to the debtor at the time of its execution. Said contract shall show the date of the transaction and the name and address of the parties; shall state, in plain and bold language, that the subject transaction is a sale; and shall indicate the amount of cash proceeds and the amount of any other financial benefits that the debtor will receive;

(ii) This contract shall contain a statement in boldface type which complies substantially with the following:

‘The provisions of this agreement have been fully explained to me. I understand that under this agreement I am selling my house to the other undersigned party.’

This statement shall be signed by the debtor and the buyer;

(iii) If a lease or rental agreement is executed in connection with said sale, it shall set forth the amount of monthly rent and shall state, in plain and bold language, that the debtor may be evicted for failure to pay said rent. Should an option to purchase be included in this lease, it shall state, in plain and bold language, the conditions that must be fulfilled in order to exercise it; and

(iv) The buyer shall furnish to the seller at the time of closing a notice to the seller allowing the seller ten days to cancel the purchase. This right to cancel shall not limit or otherwise affect the seller’s right to cancel pursuant to Code Section 23-2-2, 23-2-60, or any other applicable provision of law. The notice shall serve as the cover sheet to the closing documents. It shall be on a separate sheet of paper with no other written or pictorial material, in at least ten-point boldface type, double spaced, and shall read as follows:

‘Notice to the Seller

Please read this form completely and carefully. It contains valuable cancellation rights.

The seller or sellers may cancel this transaction at any time prior to 5:00 P.M. of the tenth day following receipt of this notice.

This cancellation right cannot be waived in any manner by the seller or sellers.

Any money paid to the seller or sellers must be returned by the seller within 30 days of cancellation.

To cancel, sign this form, and return it to the buyer by 5:00 P.M. of the tenth day following the transaction. It is best to mail it by certified mail, return receipt requested, and to keep a photocopy of the signed form and your post office receipt.

Buyer’s Name

Address to which cancellation

is to be returned
I (we) hereby cancel this transaction.

Seller’s Signature

Seller’s Signature

Date

Printed Name(s) of Seller(s)

Street Address

City, State, ZIP Code'

(D) The provisions of subparagraph (C) of this paragraph shall only apply where all three of the following conditions are present:

- (i) A loan on the property used as a dwelling place is in default;
- (ii) The debtor transfers the title to the property by quitclaim deed, limited warranty deed, or general warranty deed; and
- (iii) The debtor remains in possession of the property under a lease or as a tenant at will;

(21) Advertising a telephone number the prefix of which is 976 and which when called automatically imposes a per-call charge or cost to the consumer, other than a regular charge imposed for long-distance telephone service, unless the advertisement contains the name, address, and telephone number of the person responsible for the advertisement and unless the person's telephone number and the per-call charge is printed in type of the same size as that of the number being advertised;

(22) Representing, in connection with a vacation, holiday, or an item described by terms of similar meaning, or implying that:

(A) A person is a winner, has been selected or approved, or is in any other manner involved in a select or special group for receipt of an opportunity or prize, or that a person is entering a contest, sweepstakes, drawing, or other competitive enterprise from which a winner or select group will receive an opportunity or prize, when in fact the enterprise is a promotional scheme designed to make contact with prospective customers, or in which all or a substantial number of those entering such competitive enterprise receive the same prize or opportunity; or

(B) In connection with the types of representations referred to in subparagraph (A) of this paragraph, representing that a vacation, holiday, or an item described by other terms of similar meaning, is being offered, given, awarded, or otherwise distributed unless:

- (i) The item represented includes all transportation, meals, and lodging; or
- (ii) The representation specifically describes any transportation, meals, or lodging which are not included; or
- (iii) The representation discloses that a deposit is required to secure a reservation, if that is the case.

The provisions of this paragraph shall not apply where the party making the representations is in compliance with paragraph (16) of this subsection;

(23) ~~Except as provided in paragraph (16) of this subsection, no participant shall be required to purchase any additional goods or services in order to qualify for the prize offered in the promotional giveaway or contest. Any promotion which requires a participant to purchase additional goods or services to claim a prize which is purported to have been awarded to such person shall be unlawful. Except in relation to an activity which is in compliance with paragraphs (16) or (22) of this subsection, stating, in writing or by telephone, that a person has won, is the winner of, or will win or receive anything of value, unless the person will receive the prize without obligation;~~

(24)(A) Conducting a going-out-of-business sale for more than 90 days.

(B) After the 90 day time limit in subparagraph (A) of this paragraph has expired, continuing to do business in any manner contrary to any representations which were made regarding the nature of the going-out-of-business sale.

(C) The prohibitions of this paragraph shall not extend to any of the following:

- (i) Sales for the estate of a decedent by the personal representative or ~~his the personal representative's~~ agent, according to law or by the provisions of the will;
- (ii) Sales of property conveyed by security deed, deed of trust, mortgage, or judgment or ordered to be sold according to the deed, mortgage, judgment, or order;
- (iii) Sales of all agricultural produce and livestock arising from the labor of the seller or other labor under ~~his the seller's~~ control on or belonging to ~~his the seller's~~ real or personal estate and not purchased or sold for speculation;
- (iv) All sales under legal process;

- (v) Sales by a pawnbroker or loan company which is selling or offering for sale unredeemed pledges of chattels as provided by law; or
- (vi) Sales of automobiles by an auctioneer licensed under the laws of the State of Georgia;

(25) The issuance of a check or draft by a lender in connection with a real estate transaction in violation of Code Section 44-14-13;

(26) With respect to any individual or facility providing personal care services:

(A) Any person or entity not duly licensed or registered as a personal care home formally or informally offering, advertising to, or soliciting the public for residents or referrals;

(B) Any personal care home, as defined in subsection (a) of Code Section 31-7-12, offering, advertising, or soliciting the public to provide services:

(i) Which are outside the scope of personal care services; and

(ii) For which it has not been specifically authorized.

Nothing in this subparagraph prohibits advertising by a personal care home for services authorized by the Department of Human Resources under a waiver or variance pursuant to subsection (b) of Code Section 31-2-4;

(C) For purposes of this paragraph, 'personal care' means protective care and watchful oversight of a resident who needs a watchful environment but who does not have an illness, injury, or disability which requires chronic or convalescent care including medical and nursing services.

The provisions of this paragraph shall be enforced following consultation with the Department of Human Resources which shall retain primary responsibility for issues relating to licensure of any individual or facility providing personal care services;

(27) Mailing any notice, notification, or similar statement to any consumer regarding winning or receiving any prize, ~~award, or other item~~ in a promotion, and the envelope or other enclosure for the notice fails to conspicuously identify on its face that the contents of the envelope or other enclosure is a commercial solicitation and, if there is an element of chance in winning a prize, ~~award, or other item~~, the odds of winning as 'odds';

(28) Any violation of the rules and regulations promulgated by the Department of Human Resources pursuant to subsection (e) of Code Section 40-5-83 which relates to the consumer transactions and business practices of DUI Alcohol or Drug Use Risk Reduction Programs, except that the Department of Human Resources shall retain primary jurisdiction over such complaints;

or

(29) With respect to any consumer reporting agency:

(A) Any person who knowingly and willfully obtains information relative to a consumer from a consumer reporting agency under false pretenses shall be guilty of a misdemeanor;

(B) Any officer or employee of a consumer reporting agency who knowingly and willfully provides information concerning an individual from the agency's files to a person not authorized to receive that information shall be guilty of a misdemeanor; and

(C) Each consumer reporting agency which compiles and maintains files on consumers on a nation-wide basis shall furnish to any consumer who has provided appropriate verification of his or her identity two complete consumer reports per calendar year, upon request and without charge; or

~~(29)~~(30) With respect to any individual or facility providing home health services:

(A) For any person or entity not duly licensed by the Department of Human Resources as a home health agency to regularly hold itself out as a home health agency; or

(B) For any person or entity not duly licensed by the Department of Human Resources as a home health agency to utilize the words 'home health' or 'home health services' in any manner including but not limited to advertisements, brochures, or letters. Unless otherwise prohibited by law, nothing in this subparagraph shall be construed to prohibit persons or entities from using the words 'home health'

or 'home health services' in conjunction with the words 'equipment,' 'durable medical equipment,' 'pharmacy,' 'pharmaceutical services,' 'prescription medications,' 'infusion therapy,' or 'supplies' in any manner including but not limited to advertisements, brochures, or letters. An unlicensed person or entity may advertise under the category 'home health services' in any advertising publication which divides its advertisements into categories, provided that:

- (i) The advertisement is not placed in the category with the intent to mislead or deceive;
- (ii) The use of the advertisement in the category is not part of an unfair or deceptive practice; and
- (iii) The advertisement is not otherwise unfair, deceptive, or misleading.

For purposes of this paragraph, the term 'home health agency' shall have the same definition as contained in Code Section 31-7-150, as now or hereafter amended. The provisions of this paragraph shall be enforced by the administrator in consultation with the Department of Human Resources; provided, however, that the administrator shall not have any responsibility for matters or functions related to the licensure of home health agencies.

(c) A seller may not by contract, agreement, or otherwise limit the operation of this part notwithstanding any other provision of law.

(d) Notwithstanding any other provision of the law to the contrary, the names, addresses, telephone numbers, social security numbers, or any other information which could reasonably serve to identify any person making a complaint about unfair or deceptive acts or practices; shall be confidential. However, the complaining party may consent to public release of his or her identity by giving such consent expressly, affirmatively, and directly to the administrator or administrator's employees. Nothing contained in this subsection shall be construed to prevent the subject of the complaint, or any other person to whom disclosure to the complainant's identity may aid in resolution of the complaint, from being informed of the identity of the complainant, to prohibit any valid discovery under the relevant discovery rules, or to prohibit the lawful subpoena of such information."

SECTION 2.

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

The following amendment was read:

Representative Bannister of the 77th moves to amend the Senate substitute to HB 1632 by inserting between "revisions;" and "to" on line 11 of page 1 the following:

"to provide for the regulation of dating or introduction services; to provide for requirements regarding contracts; to provide for cancellation procedures;"

By inserting between lines 4 and 5 of page 3 the following:

"(3.1) 'Dating or introduction service' means an establishment which provides, as one of its primary purposes, a referral and dating service for its members. For a fee, the dating service purportedly refers compatible candidates to other members of the service after a detailed comparison of the member's physical characteristics, including but not limited to age, sex, or race; education; occupation; hobbies and certain specified preferences, including but not limited to smoker or nonsmoker, religious preference, or other preferences."

By inserting between lines 30 and 31 of page 23 the following:

"SECTION 1A.

Said part is further amended by adding a new Code section immediately following Code section 10-1-393.4, to be designated Code Section 10-1-393.5, to read as follows:

'10-1-393.5.

- (a) Dating or introduction services shall comply with the provisions of this Code section.
- (b) A written contract shall be employed which shall constitute the entire agreement between the parties. A fully completed copy of such contract shall be furnished to the consumer at the time of its execution and shall show the dates of the transaction and the name and address of the seller.
- (c) Such contract shall state clearly on its face the cancellation policies of the seller. Each such contract shall contain the following, appropriately filled out, in 14 point bold-face type at least as legible as Helvetica font and in bolder print than any other material in the contract:

“You (the buyer) have three business days to cancel this contract. To cancel, mail or hand deliver a letter to the following address:

Name of dating or introduction service

Address

City, State, ZIP Code

It is recommended that you send your cancellation notice by registered or certified mail, return receipt requested, or if hand delivered, you should obtain a dated, signed statement from a representative of the seller acknowledging receipt of your cancellation notice.”

- (d) Upon cancellation, the buyer shall be entitled to a refund of all moneys paid. If payment was made by credit card, the seller will immediately cause a credit to be issued to buyer’s credit account.
- (e) Upon cancellation or expiration of the buyer’s dating service contract, all personal information about the buyer including, but not limited to, forms, video tapes, and photographs shall be returned to the buyer.”

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

Allen	N Carter	N Godbee	E Kaye	N Parrish
N Anderson	N Chambless	Y Golden	N Kinnamon	N Parsons
Y Ashe	N Channell	Y Goodwin	Y Klein	N Pelote
N Bailey	N Childers	E Greene	Y Ladd	N Perry
N Baker	Coker	Y Grindley	Y Lakly	Y Pinholster
Y Bannister	Y Coleman, B	N Hanner	N Lane	Polak
Barfoot	Coleman, T	Y Harbin	Y Lawrence	N Ponder
Bargeron	N Connell	Y Harris	N Lee	Y Porter
Y Barnard	Y Crawford	N Heard	N Lewis	Poston
N Barnes	Y Crews	N Heckstall	Y Lifsey	N Powell
Bates	N Culbreth	N Hegstrom	Y Lord	Y Purcell, A
N Benefield	N Cummings	Y Hembree	N Lucas	N Purcell, B
N Birdsong	N Davis, G	N Henson	Y Maddox	N Randall
N Bordeaux	Y Davis, M	N Holland	Y Mann	N Randolph
N Bostick	Day	N Holmes	N Martin	N Ray
Y Breedlove	Y DeLoach, B	Howard	N McBee	N Reaves
Y Brooks, D	Y DeLoach, G	Y Hudson	E McCall	N Reichert
N Brooks, T	Dix	N Hugley	N McClinton	Roberts
Y Brown, J	N Dixon, H	Y Irvin	McKinney	N Rogers
Y Brush	N Dixon, S	N James	Y Mills	N Royal
N Buck	N Dobbs	N Jamieson	Mobley, B	Y Sanders
Y Buckner	Y Ehrhart	N Jenkins	Y Mobley, J	Y Sauder
Y Bunn	N Epps	Y Johnson, G	N Mosley	Y Scoggins
Y Burkhalter	Evans	Johnson, J	Y Mueller	N Shanahan
Y Byrd	Y Falls	Y Johnston	N O’Neal	N Shaw
Y Campbell	Y Felton	N Jones	N Orrock	N Sherrill
N Canty	Floyd	N Joyce	N Parham	Y Shipp

N Simpson	Y Smith, W	N Stephenson	Y Trense	Y Whitaker
N Sinkfield	Smyre	N Streat	Y Turnquest	N White
N Skipper	Y Snelling	N Taylor	Y Twiggs	Y Wiles
N Smith, C	N Snow	N Teague	N Walker, L	Y Williams, B
Y Smith, C.W.	N Stallings	Y Teper	Y Walker, R.L.	Y Williams, J
N Smith, L	N Stancil, F	N Thomas	N Wall	Y Williams, R
N Smith, P	Y Stancil, S	N Tillman	Watson	Y Woods
Y Smith, T	N Stanley, L	Y Titus	Watts	Y Yates
Y Smith, V	N Stanley, P	Towery	Y Westmoreland	Murphy, Spkr

On the adoption of the amendment, the ayes were 69, nays 86.

The amendment was lost.

Representative Bannister of the 77th moved that the House reconsider its action in failing to adopt the Bannister amendment.

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

Allen	Y Crews	Y Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	N James	Y Parsons	Smyre
Y Ashe	Y Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Day	Y Johnson, J	Polak	N Stancil, F
Barfoot	DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	N Jones	N Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	N Stanley, P
N Barnes	N Dixon, H	E Kaye	N Powell	N Stephenson
Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Y Klein	N Purcell, B	N Taylor
N Birdsong	Y Ehrhart	Y Ladd	N Randall	N Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	Evans	N Lane	Y Ray	N Thomas
Breedlove	Y Falls	Y Lawrence	N Reaves	N Tillman
Y Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
N Brooks, T	N Floyd	Y Lewis	Roberts	Towery
Y Brown, J	N Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L.
Y Burkhalter	N Hanner	N Martin	N Shanahan	N Wall
Y Byrd	Y Harbin	N McBee	N Shaw	N Watson
Y Campbell	Harris	E McCall	N Sherrill	Watts
N Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	Y Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	N White
N Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Y Williams, B
Y Coker	N Holland	Y Mosley	Y Smith, C.W.	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	N Smith, L	Y Williams, R
Coleman, T	Howard	N O'Neal	N Smith, P	Woods
N Connell	N Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 66, nays 87.

The motion was lost.

Representative Skipper of the 137th moved that the House agree to the Senate substitute to HB 1632.

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

Allen	Y Bannister	Y Bates	Y Breedlove	Y Buck
Y Anderson	Barfoot	Y Benefield	Y Brooks, D	Y Buckner
Y Ashe	Bargeron	Y Birdsong	Y Brooks, T	Y Bunn
Y Bailey	Y Barnard	Y Bordeaux	Y Brown, J	Y Burkhalter
Y Baker	Y Barnes	N Bostick	Brush	Y Byrd

Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	Y Stancil, F
Y Canty	E Greene	Y Lee	Y Purcell, B	Y Stancil, S
Y Carter	Y Grindley	Y Lewis	Y Randall	Y Stanley, L
Y Chambless	Y Hanner	Lifsey	Y Randolph	Y Stanley, P
Y Channell	Y Harbin	Y Lord	Y Ray	Y Stephenson
Y Childers	Y Harris	Y Lucas	Y Reaves	Y Streat
Y Coker	Y Heard	Maddox	Y Reichert	Y Taylor
Y Coleman, B	Y Heckstall	Y Mann	Y Roberts	Y Teague
Y Coleman, T	Y Hegstrom	Y Martin	Y Rogers	Y Teper
Y Connell	Y Hembree	Y McBee	Y Royal	Y Thomas
Y Crawford	Y Henson	E McCall	Y Sanders	Y Tillman
Y Crews	Y Holland	Y McClinton	Y Sauder	Y Titus
Y Culbreth	Y Holmes	McKinney	Y Scoggins	Towery
Y Cummings	Howard	Y Mills	Y Shanahan	Y Trense
Y Davis, G	Y Hudson	Y Mobley, B	Y Shaw	Y Turnquest
Y Davis, M	Hugley	Y Mobley, J	Y Sherrill	Y Twiggs
Y Day	Y Irvin	Y Mosley	Y Shipp	Y Walker, L
DeLoach, B	Y James	Y Mueller	Y Simpson	Y Walker, R.L
Y DeLoach, G	Y Jamieson	Y O'Neal	Y Sinkfield	Y Wall
Y Dix	Y Jenkins	Y Orrock	Y Skipper	Y Watson
Y Dixon, H	Johnson, G	Parham	Y Smith, C	Y Watts
Y Dixon, S	Y Johnson, J	Y Parrish	Y Smith, C.W	Y Westmoreland
Y Dobbs	Y Johnston	Y Parsons	Y Smith, L	Y Whitaker
Y Ehrhart	Y Jones	Y Pelote	Y Smith, P	Y White
Y Epps	Joyce	Y Perry	Y Smith, T	Y Wiles
Y Evans	E Kaye	Pinholster	Y Smith, V	Y Williams, B
Y Falls	Y Kinnamon	Y Polak	Smith, W	Y Williams, J
Y Felton	Y Klein	Y Ponder	Y Smyre	Y Williams, R
Y Floyd	Y Ladd	Y Porter	Y Snelling	Y Woods
Y Godbee	Y Lakly	Poston	Y Snow	Y Yates
Y Golden	Y Lane	Y Powell	Y Stallings	Murphy, Spkr

On the motion, the ayes were 157, nays 1.

The motion prevailed.

HB 1207. By Representative Connell of the 115th:

A bill to create the Augusta-Richmond Consolidated Government Coliseum Authority Act.

The following Senate substitute was read:

A BILL

To amend an Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, so as to change the name of the Augusta-Richmond County Coliseum Authority to the "Augusta-Richmond County Consolidated Government Coliseum Authority"; to change the short title of said Act; to change the provisions relating to the membership of the authority and the provisions relating to appointment, vacancies, qualifications, and terms of members of the authority; to provide for the powers and duties of the authority; to provide for officers of the authority, their terms, and their powers and duties; to provide for rules and regulations for the government of the authority; to provide for open and public meetings; to provide for compensation and expenses; to change the provisions relating to quorums and provide for the vote necessary to take action on certain matters; to provide for a code of ethics; to prohibit certain transactions; to provide for removal of members of the authority and the practices and procedures connected therewith; to change certain references to refer to the consolidated government and to the new name of the authority; to provide for definitions; to change the provisions providing for notification and reports; to change the provisions relating to contracting parties; to change the provisions relating to the credit of certain entities and governments not being pledged; to change the provisions relating to tort immunity; to provide that the change of the name of such authority and the change of the provisions relating to the membership of the authority shall not affect the rights of any bondholder or affect or impair the obligation of any contract; to provide for other matters relating to

he authority; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, is amended by striking Section 1 of said Act and inserting in lieu thereof a new Section 1 to read as follows:

"SECTION 1.

Short Title.

This Act shall be known and may be cited as the 'Augusta-Richmond County Consolidated Government Coliseum Authority Act.'"

SECTION 2.

Said Act is further amended by striking Section 2 of said Act and inserting in lieu thereof a new Section 2 to read as follows:

"SECTION 2.

Augusta-Richmond County Consolidated
Government Coliseum Authority.

(a) The body corporate and politic formerly known as the Augusta-Richmond County Coliseum Authority shall, on and after April 1, 1996, be known as the Augusta-Richmond County Consolidated Government Coliseum Authority and shall continue to operate as same as a political subdivision of the State of Georgia and a public corporation and by that name, style, and title said body may contract and be contracted with, sue and be sued, implead and be impleaded, and complain and defend in all courts of law and equity. The authority shall consist of 12 members appointed by the Augusta-Richmond County Commission-Council. The terms of the 12 members serving on the Augusta-Richmond County Coliseum Authority on April 1, 1996, shall terminate on April 1, 1996, and the Augusta-Richmond County Commission-Council shall appoint 12 persons to serve as members of the Augusta-Richmond County Consolidated Government Coliseum Authority for terms beginning on April 1, 1996. When the term of any member expires, his or her successor shall be appointed by the Augusta-Richmond County Commission-Council. Four members shall be appointed for initial terms of one year, four members shall be appointed for initial terms of two years, and four members shall be appointed for initial terms of three years. Following such initial terms, all members shall be appointed for terms of three years and until their respective successors are appointed and qualified. No member shall be authorized to serve more than two consecutive terms of office, except that a member who is appointed to fill a vacancy on the authority may serve for the remainder of such unexpired term plus two consecutive terms thereafter. All members of the authority, including members appointed to fill a vacancy, shall be residents of the area governed by the Augusta-Richmond County Commission-Council for a period of not less than one year immediately prior to their appointment. The Augusta-Richmond County Consolidated Government Coliseum Authority shall be a continuation of and a direct successor to the Augusta-Richmond County Coliseum Authority.

(b) The members of the authority shall elect one of their number as chairperson, shall elect another as vice chairperson, and may also elect a secretary and treasurer or a secretary-treasurer, who need not necessarily be a member of the authority.

(c) The chairperson, vice chairperson, secretary, and treasurer shall serve for a period of one year and until their successors are appointed and qualified. Seven members of the authority shall constitute a quorum, but the affirmative vote of seven members of the authority shall be necessary to authorize any official action of the authority.

(d) In the event of a vacancy by reason of death, disqualification, resignation, removal of a member from the authority as provided in this Act, or other reason, the Augusta-Richmond County Commission-Council shall appoint a person meeting the qualifications for membership to serve the remainder of the unexpired term of such member.

(e) No vacancy on the authority shall impair the right of the quorum to exercise all their rights and to perform all of the duties of the authority.

(f) The chairperson of the authority shall not be entitled to vote upon any issue, motion, ~~or resolution, except~~ in the case of a tie vote of the other members voting on said motion, resolution, or question. The chairperson shall appoint all members of committees of the authority and shall designate the chairperson of each such committee.

(g) The authority shall make and implement rules and regulations for its own government. The failure of the members of the authority to make and implement rules and regulations shall be grounds for the removal of all or any portion of the members of the authority by the governing body. The authority shall have perpetual existence.

(h) All members shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. All such expenses shall be paid from the funds of the authority.

(i) The Augusta-Richmond County Commission-Council and the legislative delegation shall be furnished by the authority with a quarterly financial report which shall include separate itemizations for tax revenue, revenue generated from performances, financial projections for the next two years, and any major renovation or upkeep project exceeding \$10,000.00.

(j) The authority shall only hire a general manager to perform such duties as shall be specified by the authority on the basis of a two-year contract. The performance of the general manager shall be reviewed annually and the general manager's salary shall be a fixed figure on an annual basis.

(k) The authority shall make any rules and regulations it deems necessary as to the issuance of discounted tickets for use by nonprofit organizations as defined in Section 501(c) of the Internal Revenue Code, as amended.

(l) All meetings of the authority shall be subject to Chapter 14 of Title 50 of the Official Code of Georgia Annotated, relating to open and public meetings, and shall be open to the public except as otherwise provided in such chapter.

(m)(1) As used in this subsection, the term:

(A) 'Business' means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, trust, or other legal entity.

(B) 'Family' means spouse and children.

(C) 'Person' means any person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or other legal entity.

(D) 'Substantial interest' means the direct or indirect ownership of more than 10 percent of the assets or stock of any business.

(E) 'Transact business' or 'transact any business' means to sell or lease any personal property, real property, or services on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative and means to purchase surplus real or personal property on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative. Such term does not include the renting of the authority's buildings for hire.

(2) No member of the authority shall, for such person or on behalf of any business in which such person or such person's immediate family has a substantial interest, transact any business with the authority.

(3) No person who has been elected to and who is serving in any elective office shall, for such person or on behalf of any business in which such person or such person's immediate family has a substantial interest, transact any business with the authority except on a sealed competitive bid basis.

(n) Each member of the authority shall:

(1) Uphold the Constitution, laws, and regulations of the United States, the State of Georgia, and all governments therein and never be a party to their evasion;

(2) Never discriminate by the dispensing of special favors or privileges to anyone, whether or not for remuneration;

(3) Never use any information coming to him or her confidentially in the performance of authority duties as a means for making private profit;

- (4) Never solicit, accept, or agree to accept gifts, loans, gratuities, discounts, favors, hospitality, or services from any person, association, or corporation under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the performance of the member's official duties;
- (5) Expose corruption wherever discovered;
- (6) Never accept any economic opportunity under circumstances where he or she knows or should know that there is a substantial possibility that the opportunity is being afforded him or her with intent to influence his or her conduct in the performance of his or her official duties; and
- (7) Never engage in other conduct which is unbecoming to a member or which constitutes a breach of public trust.
- (o) Any member of the authority may be removed from the authority for any of the following:
- (1) Inability or neglect to perform the duties of a member;
 - (2) Incompetence;
 - (3) Dishonest conduct;
 - (4) Conviction of a crime involving moral turpitude;
 - (5) Failure to attend three consecutive regular meetings of the authority without cause;
 - (6) Failure to maintain residency within the area governed by the Augusta-Richmond County Commission-Council;
 - (7) Any violation of subsection (m) of this section, relating to doing business with the authority; or
 - (8) Any violation of subsection (n) of this section, relating to the code of ethics for members of the authority.
- (p) A member of the authority may be removed from membership on the authority for any reason specified in subsection (o) of this section. The governing body shall initiate the removal of a member by serving the member with a written complaint directing the member to appear before a three-member panel convened by the governing body on a date certain and at a time specified in the complaint. The three-member panel shall be composed of three members appointed by the Augusta-Richmond County Commission-Council. The complaint shall specify the ground or grounds upon which removal is sought under this Act and the factual circumstances relating thereto. The hearing on the complaint shall be held not earlier than 15 days after the member whose removal is sought is served with such complaint. The member whose removal is sought may appear with legal counsel to answer the charges contained in the complaint. After considering the testimony of witnesses and any other evidence presented, the three-member panel, based on the evidence presented, shall determine whether the clear and convincing weight of the evidence shows that the member did violate one or more of the grounds specified in subsection (o) of this section. If the three-member panel determines that one or more grounds for removal exist, they shall enter a written order removing such member from membership on the authority. If no ground for removal is found to exist, the complaint shall be dismissed and the member shall remain a member of the authority for the remainder of his or her term."

SECTION 3.

Said Act is further amended by striking Section 3 of said Act and inserting in lieu thereof a new Section 3 to read as follows:

"SECTION 3.

Definitions.

(a) As used in this Act, the term:

- (1) 'Authority' means the Augusta-Richmond County Consolidated Government Coliseum Authority created by this Act.
- (2) 'Cost of the project' shall mean and embrace the cost of construction, the cost of all lands, properties, rights, easements, and franchises acquired, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for one year after completion of construction, cost of engineering, architectural, and

legal expenses and of plans and specifications, and other expenses necessary or incident to the financing authorized in this Act, or the construction of any project, the placing of the same in operation, and the condemnation of property necessary for such construction and operation. Any obligation or expense incurred for any of the foregoing purposes shall be regarded part of the cost of the project and may be paid or reimbursed as such out of the proceeds of revenue bonds issued under the provisions of this Act for such project.

(3) 'Governing body' means the Augusta-Richmond County Commission-Council.

(4) 'Legislative delegation' means the members of the General Assembly whose districts are located totally or partially within Richmond County.

(5) 'Project' shall be deemed to mean and include the acquisition, construction, equipping, maintenance, and operation of multiuse coliseum and civic center type facilities to be used for athletic contests, games, meetings, trade fairs, expositions, political conventions, agricultural events, theatrical and musical performances, conventions and other public entertainments, and the usual facilities related thereto, including, without limitation, refreshment stands and restaurants, and facilities for the purveying of foods, beverages, publications, souvenirs, novelties, and goods of all kinds, whether operated or purveyed directly, or indirectly through concessions, licenses, leases, or otherwise, parking facilities or parking areas in connection therewith, recreational centers and areas including, but not limited to, gymnasium and athletic facilities and related buildings, and the usual and convenient facilities appertaining to such undertakings and the extension and improvements of such facilities, acquiring the necessary property therefor, both real and personal, and the lease, sale, and licensing of any part or all of such facilities, including real and personal property, to any persons, firms, or corporations whether public or private so as to assure the efficient and proper development, maintenance, and operation of such facilities and areas, deemed by the authority to be necessary, convenient, or desirable. The authority shall have the right to acquire and construct more than one project and any combination of facilities may be constructed as a separate project.

(6) 'Revenue bonds,' 'bonds,' and 'obligations' mean revenue bonds issued under the provisions of Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the 'Revenue Bond Law,' and such type of obligations may be issued by the authority as authorized under said 'Revenue Bond Law' and, in addition, shall also mean obligations of the authority the issuance of which are specifically provided for in this Act.

(b) Any project shall be deemed 'self-liquidating' if in the judgment of the authority the revenues and earnings to be derived by the authority therefrom and all properties used, leased, and sold in connection therewith will be sufficient to pay the principal and interest of the revenue bonds which may be issued to finance, in whole or in part, the cost of such project or projects."

SECTION 4.

Said Act is further amended by striking Section 4A of said Act and inserting in lieu thereof a new Section 4A to read as follows:

"SECTION 4A.

Contracting parties.

The authority, in considering whether a contracting party for a project is responsible, may consider the contracting party's quality of work, general reputation in the community, financial responsibility, previous employment on public works, and compliance with a minority business enterprise participation plan or making a good faith effort to comply with the goals of such a plan. The members of the authority shall notify annually the Augusta-Richmond County Commission-Council and the legislative delegation of efforts to comply with the goals of such a plan."

SECTION 5.

Said Act is further amended by striking Section 14 of said Act and inserting in lieu thereof a new Section 14 to read as follows:

“SECTION 14.

Credit not pledged.

Revenue bonds issued under the provisions of this Act shall not be deemed to constitute a debt of the State of Georgia, the Consolidated Government of Augusta-Richmond County, Richmond County, the former City of Augusta, or any other political subdivision or a pledge of the faith and credit of said state, consolidated government, county, city, or political subdivision, but such bonds shall be payable solely from the funds provided for in this Act, and the issuance of such revenue bonds shall not directly, indirectly, or contingently obligate the state, the consolidated government, county, city, or other political subdivision to levy or to pledge any form of taxation whatever therefor, or to make any appropriation for the payment. All such bonds shall contain recitals on their face covering substantially the foregoing provisions of this section.”

SECTION 6.

Said Act is further amended by striking Section 27 of said Act and inserting in lieu thereof a new Section 27 to read as follows:

“SECTION 27.

Tort Immunity.

The authority shall have the same immunity and exemption from liability for torts and negligence as the Consolidated Government of Augusta-Richmond County and counties generally; and the officers, agents, and employees of the authority when in the performance of the work of the authority shall have the same immunity and exemption from liability for torts and negligence as the officers, agents, and employees of the Consolidated Government of Augusta-Richmond County and counties generally when in the performance of their public duties or work.”

SECTION 7

The change of the name of the Augusta-Richmond County Coliseum Authority to the Augusta-Richmond County Consolidated Government Coliseum Authority and the change in the membership of such authority by this Act is not intended, nor shall it be construed, to affect the rights of any bondholder or to otherwise affect or impair the obligation of any contract. On and after the effective date of this Act the Augusta-Richmond County Consolidated Government Coliseum Authority shall be substituted for and shall be a direct successor to and a continuation of the Augusta-Richmond County Coliseum Authority for all purposes.

SECTION 8.

This Act shall become effective for all purposes on April 1, 1996, provided that solely for the purpose of making appointments to the Augusta-Richmond County Consolidated Government Coliseum Authority, this Act shall become effective for such purpose upon its approval by the Governor or upon its becoming law without such approval.

SECTION 9.

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

Representative Connell of the 115th moved that the House disagree to the Senate substitute to HB 1207.

The motion prevailed.

HB 1740. By Representative Connell of the 115th:

A bill to amend an Act establishing the compensation of certain officials in Richmond County, so as to change the compensation of certain officials.

The following Senate substitute was read:

A BILL

To amend an Act establishing the compensation of certain officials in Richmond County, approved April 12, 1982 (Ga. L. 1982, p. 3941), as amended, particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6068), so as to change the compensation of certain officials; to provide for the payment of such compensation; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act establishing the compensation of certain officials in Richmond County, approved April 12, 1982 (Ga. L. 1982, p. 3941), as amended, particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6068), is amended by striking in its entirety Section 1 thereof and inserting in lieu thereof a new Section 1 to read as follows:

“SECTION 1.

(a) The following officials of Richmond County, Georgia, shall receive an annual salary, payable from the funds of Richmond County, Georgia, as follows:

(1) Clerk of superior court and state court.....	\$ 52,300.00
(2) Judge of the probate court.....	40,071.00
(3) Tax commissioner.....	58,600.00
(4) Judge of the state court.....	68,004.00
(5) Solicitor of the state court.....	32,000.00
(6) Coroner.....	46,000.00
(7) Judge of the civil court.....	51,267.00
(8) Associate judge of the civil court.....	51,852.00
(9) District attorney.....	14,904.00
(10) Judge of the superior court.....	17,981.00
(11) Sheriff.....	59,000.00

(b) The compensation provided for in subsection (a) of this section shall be paid in equal monthly installments. The compensation provided for in subsection (a) of this section may not be increased or supplemented by the governing authority of Richmond County.”

SECTION 2.

During calendar year 1996, the coroner shall receive in addition to his or her normal salary, the sum of \$6,000.00 to be paid in equal monthly installments beginning the month in which this Act becomes effective and paid through December, 1996.

SECTION 3.

Section 1 of this Act shall become effective on January 1, 1997. The remaining provisions of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

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

Representative Connell of the 115th moved that the House agree to the Senate substitute to HB 1740.

On the motion, the ayes were 110, nays 0.

The motion prevailed.

The following Resolution of the Senate was read:

SR 702. By Senators Ray of the 19th and Perdue of the 18th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at 12:00 Midnight on Friday, March 15, 1996, and shall reconvene on Monday, March 18, 1996.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on Monday, March 18, 1996, may be as ordered by the Senate; and the hour for convening the House on Monday, March 18, 1996, may be as ordered by the House.

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

Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	N DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Powell	Y Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	N Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	N Teper
Y Bostick	Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
N Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	N Lucas	Sanders	Y Twiggs
Y Buckner	E Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	N McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 146, nays 14.

The Resolution was adopted.

The Speaker Pro Tem assumed the Chair.

The following Bills of the House were taken up for the purpose of considering the Senate substitutes thereto:

HB 1682. By Representatives Orrock of the 56th, Irvin of the 45th, Baker of the 70th and Klein of the 39th:

A bill to amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions of local government law applicable to counties only, so as to provide procedures for a governing authority of a county with a population of 400,000 or more to appropriate money for and make grants or contributions to charitable organizations with activities in the county.

The following Senate substitute was read:

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A BILL

To amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions of local government law applicable to counties only, so as to provide procedures for a governing authority of a county with a population of 400,000 or more to appropriate money for and make grants or contributions to charitable organizations with activities in the county; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions of local government law applicable to counties only, is amended by striking Code Section 36-1-19, relating to appropriations for charitable grants or contributions in counties with more than 550,000 population, and inserting in lieu thereof the following:

“36-1-19.

Reserved.

~~(a) In all counties of this state having a population of more than 550,000 according to the United States decennial census of 1970 or any future such census, the governing authorities of such counties are authorized to provide by ordinance for the appropriation of money for and the making of grants or contributions to any corporation, association, institution, or individual for purely charitable purposes, provided that the activities funded by any such grants or contributions shall take place within the county making such grant or contribution.~~

~~(b) In connection with the appropriation of money for or the making of any grant or contribution for purely charitable purposes, the governing authority of any county within this state may establish such boards or councils as it may determine to establish the procedures by which such grants or contributions are made and to advise the governing authorities of such counties generally with respect to such grants or contributions.”~~

SECTION 2.

Said chapter is further amended by adding immediately preceding Code Section 36-1-20, relating to ordinances for governing and policing of unincorporated areas of a county, a new Code section to read as follows:

“36-1-19.1.

(a) In all counties of this state having a population of 400,000 or more according to the United States decennial census of 1990 or any future such census, the governing authorities of such counties are authorized to provide by ordinance for the appropriation of money for and the making of grants or contributions to any corporation, association, institution, or individual for purely charitable purposes, provided that the activities funded by any such grants or contributions shall take place within the county making such grant or contribution.

(b) In connection with the appropriation of money for or the making of any grant or contribution for purely charitable purposes, the governing authority of any county within this state may establish such boards or councils as it may determine to establish the procedures by which such grants or contributions are made and to advise the governing authorities of such counties generally with respect to such grants or contributions.

(c) Appropriations, grants, and contributions made pursuant to this Code section shall be in the form of contracts for services.

(d) For the purpose of this Code section, ‘purely charitable purposes’ shall mean charitable, benevolent, or philanthropic purposes for health, education, social welfare, arts and humanities, environmental or organizations.

(e) No funds may be appropriated, granted, or contributed hereunder for a purpose which is in violation of the laws of this state; provided, however, that this subsection shall not be interpreted to prohibit a good faith expenditure of funds for purposes authorized by law.

SECTION 3.

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

Representative Orrock of the 56th moved that the House agree to the Senate substitute to HB 1682.

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

Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
N Barnard	Y Dix	N Joyce	Poston	Y Stanley, P
N Barnes	Dixon, H	E Kaye	Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	N Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Tboimas
N Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	Towery
N Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
N Brusby	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	N Twiggs
Y Buckner	E Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	N Grindley	N Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	N Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Hegstrom	N Mills	Y Sinkfield	White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	N Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parbam	N Smith, V	Murphy, Spkr

On the motion, the ayes were 126, nays 27.

The motion prevailed.

Representative Crews of the 78th stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

HB 1243. By Representatives Snow of the 2nd, Murphy of the 18th, Streat of the 167th, Perry of the 11th, Watts of the 26th and others:

A bill to amend Part 1 of Article 5 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to commercial driveway access to the state highway system, so as to establish a maximum amount of money which may be charged by the Department of Transportation as a condition of obtaining a commercial driveway permit under certain circumstances.

The following Senate substitute was read:

A BILL

To amend Title 32 of the Official Code of Georgia Annotated, the "Georgia Code of Public Transportation," so as to change the height limitations for vehicles transporting motor vehicles on certain public roads; to authorize automobile carriers of a specific length and configuration to be used on certain highways; to define a certain term; to establish the maximum amount of money which may be charged by the Department of Transportation as a condition of obtaining a commercial driveway permit under certain circumstances; to provide that such limitations on the department shall be in effect only for a specific period of time; to provide for the applicability of such limitations on the department; to create the Georgia Transportation Oversight Committee of the General Assembly and provide for its powers, duties, and operation; 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 32 of the Official Code of Georgia Annotated, The "Georgia Code of Public Transportation," is amended by striking in its entirety Code Section 32-6-22, relating to height of vehicles and loads, and inserting in lieu thereof a new Code Section 32-6-22 to read as follows:

"32-6-22.

(a) Except as authorized in subsection (b) of this Code section and except when so authorized by a permit issued pursuant to Code Section 32-6-28, no vehicle unladen or with a load shall exceed a height of 13 feet, six inches.

(b) On highways which constitute a part of the National System of Interstate and Defense Highways as such term is used in 23 U.S.C. Section 127 and ramps or service streets which provide reasonable access thereto, no vehicle transporting motor vehicles (commonly known as automobile carriers) unladen or with a load shall exceed a height of 14 feet."

SECTION 2.

Said title is further amended by striking in its entirety paragraph (3) of subsection (b) of Code Section 32-6-24, relating to length of vehicles and loads, and inserting in lieu thereof a new paragraph (3) to read as follows:

"(3)(A) Except as provide in subparagraph (B) of this paragraph, vehicles ~~Vehicles~~ transporting motor vehicles (commonly known as automobile carriers) shall not exceed 65 feet in length and shall not carry a load exceeding 65 feet in length; provided, however, an automobile carrier with a stinger steered unit shall be allowed a maximum length of 75 feet exclusive of overhang. However, subsection (a) of this Code section, which provides that no trailer shall exceed 48 feet in length, shall not apply to automobile carriers.

(B)(i) As used in this subparagraph, the term 'designated highways' means any highways which are designated for use by oversized vehicles pursuant to the federal Surface Transportation Assistance Act of 1982 (Public Law 97-424), as amended, and commonly referred to as the 'National Network' and the state designated routes providing reasonable access to such highways as provided for in the federal Surface Transportation Assistance Act of 1982, as amended, and federal rules and regulations promulgated thereunder and which are within 60 driving miles of the point of manufacture or assembly of the motor vehicles which the load comprises.

(ii) On designated highways, vehicles transporting motor vehicles (commonly called automobile carriers) with a stinger steered unit shall not exceed an overall length of 100 feet including any overhang, and no unit of such vehicle shall exceed an overall length of 56 feet exclusive of any overhang. Subsection (a) of this Code section, which provides that no trailer shall exceed 48 feet in length, shall not apply to such automobile carriers."

SECTION 3.

Said title is further amended by striking in its entirety subsection (b) of Code Section 32-6-28, relating to permits for excess weight and dimensions, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b)Duration and limits of permits.

(1)Annual. The commissioner or an official of the department designated by the commissioner may, pursuant to this Code section, issue an annual permit which shall permit a vehicle to be operated on the public roads of this state for 12 months from the date the permit is issued even though the vehicle or its load exceeds the maximum limits specified in this article. However, except as specified in subsection (c) of this Code section, an annual permit shall not authorize the operation of a vehicle:

- (A) Whose total gross weight exceeds 100,000 pounds;
 - (B) Whose single axle weight exceeds 25,000 pounds;
 - (C) Whose total load length exceeds 75 feet;
 - (D) Whose total width exceeds 102 inches or whose load width exceeds 144 inches;
- or
- (E) Whose height exceeds 14 feet and six inches.

Furthermore, an annual permit to operate a vehicle which exceeds ~~a the height limitations set forth in Code Section 32-6-22 of 18 feet and six inches~~ shall be issued only on condition of payment of an indemnity bond or proof of insurance protection for \$300,000.00. Such bond or insurance protection, conditioned for payment to the department, shall be held in trust for the benefit of the owners of bridges and appurtenances thereto, traffic signals, signs, or other highway structures damaged by a vehicle operating under authority of such overheight permit. The liability under the bond or insurance certificate shall be absolute and shall not depend on proof of negligence or fault on the part of the permittee, his or her agents, or operators.

(2)Single trip. Pursuant to this Code section, the commissioner may issue a single-trip permit to any vehicle.”

SECTION 4.

Said title is further amended by striking in its entirety Code Section 32-6-133, relating to regulation of granting of commercial driveway permits, and inserting in its place a new Code Section 32-6-133 to read as follows:

“32-6-133.

(a) The department is granted the authority to promulgate uniform and reasonable regulations to carry out the provisions of this part. In making such regulations the department shall specify among other things the circumstances under which commercial driveway permits may be issued or revoked, provided that such regulations shall not deprive the landowner of reasonable access to the public road on the state highway system.

(b)(1) Where a person seeks a permit to construct, reconstruct, alter, or improve a commercial driveway and the commercial driveway will lie in whole or in part upon a parcel of land acquired for the state highway system from such person or the immediately preceding owner of such property from whom such person acquired title to such property, the total amount of money charged to such person as a condition of obtaining the permit shall not exceed the compensation received by such person or the immediately preceding owner of such property from whom such person acquired title to such property for such parcel of land upon its acquisition for the state highway system. This limitation shall apply to the total of all amounts of money of whatever character charged to such person as a condition of obtaining the permit, including without limitation any and all amounts charged for title to or use of land and any and all fees or other costs of any nature whatsoever. This subsection shall constitute only a maximum limitation upon the total amount of money charged under such circumstances and shall not in any manner be construed to establish a minimum amount of money to be charged under such circumstances.

(2) Except in the case of heirs and assigns, the limitation of the department to require a payment of more than the maximum amount received for such property as provided

in paragraph (1) of this subsection shall last for only a seven year period from the date of the initial acquisition of property by the department.

(3) This subsection shall apply with respect to land acquired for the state highway system ~~prior to its effective date~~ as well as land so acquired on or after the effective date of this subsection."

SECTION 5.

Said title is further amended by adding a new Chapter 11 to read as follows:

"CHAPTER 11

32-11-1.

The Georgia Transportation Oversight Committee is created to be composed of eight members. Four of such members shall be members of the Senate, consisting of the chairperson of the Senate Committee on Transportation, who shall cochair the oversight committee, the chairperson of the Senate Committee on Appropriations, the chairperson of the Transportation Subcommittee of the Senate Committee on Appropriations, and the chairperson of the Senate Committee on Rules. Four of such members shall be members of the House of Representatives, consisting of the chairperson of the House Committee on Transportation, who shall cochair the oversight committee, the chairperson of the House Committee on Appropriations, the chairperson of the Transportation Subcommittee of the House Committee on Appropriations, and the chairperson of the House Committee on Rules. Either cochairperson may call meetings of the committee. The members shall serve for terms as members of the committee concurrent with their terms of office as chairpersons of the above-referenced committees and subcommittees. Other than the cochairpersons provided for by this Code section, the committee shall provide for its own organization. In the event there is a duplication in the membership, the presiding officer will make the appointment.

32-11-2.

The committee shall undertake an annual review of transportation issues, area and state-wide transportation improvement plans, and the allocation of funds apportioned to Georgia under the Intermodal Surface Transportation Efficiency Act of 1991 and make recommendations to the State Transportation Board and the Department of Transportation concerning the plans, the allocation and expenditure of Intermodal Surface Transportation Efficiency Act funds, and any actions or legislation which the committee deems necessary or appropriate.

32-11-3.

The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this chapter. The members of the committee shall receive the same expenses and allowances for their services on the committee as are authorized by law for members of interim legislative study committees."

SECTION 6.

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

SECTION 7.

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

The following amendment was read and adopted:

Representatives Snow of the 2nd, Benefield of the 96th, Dixon of the 150th, Barnes of the 33rd and Connell of the 115th move to amend the Senate substitute to HB 1243 as follows:

By striking on page 5 line 5 through page 6 line 11.

By renumbering Section 6 and 7, "Section 5 & 6"

By striking the word "seven" on line 42 page 4, and adding the word "ten"

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Representative Snow of the 2nd moved that the House agree to the Senate substitute, as amended by the House, to HB 1243.

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

Allen	N Crews	Y Irvin	Y Parrish	Smith, W
Anderson	Y Culbreth	James	Y Parsons	Smyre
N Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Pinholster	Y Stallings
Y Bannister	N Day	Y Johnson, J	Y Polak	Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	N Stancil, S
Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	N Dixon, H	E Kaye	Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	N Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
N Bordeaux	Y Epps	Y Lakly	Y Randolph	N Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
N Breedlove	Y Falls	Y Lawrence	Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Walker, L
N Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	N McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 135, nays 12.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th, Holmes of the 53rd, Stanley of the 49th and others:

A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

Representative Stanley of the 50th moved that the House insist on its position in disagreeing to the Senate substitute to HB 1319 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Stanley of the 50th, Buck of the 135th and Royal of the 164th.

The following Bills and Resolution of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 1479. By Representative Randall of the 127th:

A bill to amend Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances, so as to change the provisions relating to surrender of principal by surety and forfeiture of bond; to provide conditions under which a surety shall be released of liability on a bond.

The following Senate amendments were read:

SENATE AMENDMENT NO. 1

Amend HB 1479 by striking from lines 3 through 5 on page 1 the following:

“to provide that provisions relating to the use of bail bond posted for a preliminary hearing for trial appearance shall not apply to a municipal court;”

SENATE AMENDMENT NO. 2

Amend HB 1479 by striking in its entirety line 20 of page 1 and inserting in lieu thereof the following:

“a remission of a portion of the amount of the bond; to amend Code Section 24-10-130 of the Official Code of Georgia Annotated, relating to when depositions for preservation of evidence in criminal proceedings may be taken, so as to provide for the preservation of evidence of nonresident aliens; to provide for repeal of such provision; to provide for effective dates; to”

By inserting between lines 26 and 27 of page 5 the following:

“SECTION 3.

Code Section 24-10-130 of the Official Code of Georgia Annotated, relating to when depositions for preservation of evidence in criminal proceedings may be taken, is amended by striking subsection (b) in its entirety, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) The court shall not order the taking of the witness’s testimony, except as provided in paragraph (2) of subsection (a) of this Code section, unless it appears to the satisfaction of the court that the testimony of the witness is material to the case and the witness:

- (1) Is in imminent danger of death;
- (2) Has been threatened with death or great bodily harm because of the witness’s status as a potential witness in a criminal trial or proceeding;
- (3) Is about to leave the state and there are reasonable grounds to believe that such witness will be unable to attend the trial;
- (4) Is so sick or infirm as to afford reasonable grounds to believe that such witness will be unable to attend the trial; or

(5) Is being detained as a material witness and there are reasonable grounds to believe that the witness will flee if released from detention; or

~~(6) Is a nonresident alien.'~~

SECTION 4.

Code Section 24-10-130 of the Official Code of Georgia Annotated, relating to when depositions for preservation of evidence in criminal proceedings may be taken, is amended by striking subsection (b) in its entirety, and inserting in lieu thereof a new subsection (b) to read as follows:

'(b) The court shall not order the taking of the witness's testimony, except as provided in paragraph (2) of subsection (a) of this Code section, unless it appears to the satisfaction of the court that the testimony of the witness is material to the case and the witness:

(1) Is in imminent danger of death;

(2) Has been threatened with death or great bodily harm because of the witness's status as a potential witness in a criminal trial or proceeding;

(3) Is about to leave the state and there are reasonable grounds to believe that such witness will be unable to attend the trial;

(4) Is so sick or infirm as to afford reasonable grounds to believe that such witness will be unable to attend the trial; or

(5) Is being detained as a material witness and there are reasonable grounds to believe that the witness will flee if released from detention; ~~or~~

~~(6) Is a nonresident alien.'~~

SECTION 5.

Sections 1 and 2 of this Act shall become effective July 1, 1996. Section 3 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. Section 4 of this Act shall become effective July 1, 1997."

By renumbering Section 3 as Section 6.

The following amendment was read and adopted:

Representatives Jenkins of the 110th and Randall of the 127th move to amend the Senate amendment No. 1 to HB 1479 by adding below line 7 of page 1 the following:

"and inserting in lieu thereof the following:

'to change the provisions relating to which offenses are bailable before a judge of the superior court; to amend Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to pretrial proceedings, so as to change the provisions relating to the right of a person who is refused bail to have the charges against him or her heard by a grand jury within 90 days; to provide that in cases where the person is arrested for a crime for which the death penalty may be imposed, the superior court may, upon a motion of the district attorney and after a hearing and good cause shown, grant one extension not exceeding 90 days to the 90 day period before the arrested person is entitled to such right to have the charges heard by a grand jury; to change the provisions relating to when the accused shall have bail set upon application to the court when the grand jury has not considered the charges against the accused;'

By adding between lines 23 and 24 on page 1 the following:

'Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances, is amended by striking in its entirety paragraph (9) of subsection (a) of Code Section 17-6-1, relating to where offenses are bailable and schedule of bails, and inserting in lieu thereof a new paragraph (9) to read as follows:

"(9) Manufacturing, distributing, delivering, dispensing, administering, or selling; or possessing with intent to distribute any controlled substance classified under Code Section 16-13-25 as Schedule I or under Code Section 16-13-26 as Schedule II;"

SECTION 2.'

By striking from line 22 of page 2 the following:

'SECTION 2.'

and inserting in lieu thereof the following:

'SECTION 3.'

By renumbering Section 3 on page 5 as Section 5 and by adding between lines 26 and 27 on page 5 the following:

'SECTION 4.

Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to pretrial proceedings, is amended by striking in its entirety Code Section 17-7-50, relating to the right to a grand jury hearing within 90 days where bail is refused, and inserting in lieu thereof a new Code Section 17-7-50 to read as follows:

"17-7-50.

Any person who is arrested for a crime and who is refused bail shall, within 90 days after the date of confinement, be entitled to have the charge against him or her heard by a grand jury having jurisdiction over the accused person; provided, however, that if the person is arrested for a crime for which the death penalty is being sought, the superior court may, upon motion of the district attorney for an extension and after a hearing and good cause shown, grant one extension to the 90 day period not to exceed 90 additional days; and, provided, further, that if such extension is granted by the court, the person shall not be entitled to have the charge against him or her heard by the grand jury until the expiration of such extended period. In the event no grand jury considers the charges against the accused person within the 90 day period of confinement or within the extended period of confinement where such an extension is granted by the court, the accused shall have a bail set upon application to the court."'"

Representative Jenkins of the 110th moved that the House agree to Senate amendment No. 1, as amended by the House, and agree to Senate amendment No. 2, to HB 1479.

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

Allen	Y Bostick	Y Chambless	Y DeLoach, B	Y Goodwin
Y Anderson	Y Breedlove	Y Channell	DeLoach, G	E Greene
Y Ashe	Y Brooks, D	Y Childers	Y Dix	Y Grindley
Y Bailey	Y Brooks, T	Y Coker	Dixon, H	Y Hanner
Y Baker	Y Brown, J	Y Coleman, B	Y Dixon, S	Y Harbin
Y Bannister	Y Brush	Y Coleman, T	Y Dobbs	Y Harris
Y Barfoot	Y Buck	Connell	Y Ehrhart	Y Heard
Bargeron	Y Buckner	Y Crawford	Y Epps	Y Heckstall
Y Barnard	Y Bunn	Y Crews	Y Evans	Y Hegstrom
Y Barnes	Y Burkhalter	Y Culbreth	Y Falls	Y Hembree
Y Bates	Y Byrd	Y Cummings	Felton	Y Henson
Y Benefield	Y Campbell	Y Davis, G	Y Floyd	Y Holland
Y Birdsong	Canty	Davis, M	Y Godbee	Y Holmes
Bordeaux	Y Carter	Y Day	Y Golden	Howard

Y Hudson	Y Lucas	Y Ponder	Y Sinkfield	Y Thomas
Y Hugley	Y Maddox	Y Porter	Y Skipper	Y Tillman
Y Irvin	Mann	Poston	Y Smith, C	Y Titus
James	Martin	Y Powell	Y Smith, C.W	Y Towery
Y Jamieson	Y McBee	Y Purcell, A	Y Smith, L	Y Trense
Y Jenkins	E McCall	Y Purcell, B	Y Smith, P	Y Turnquest
Y Johnson, G	Y McClinton	Y Randall	Y Smith, T	Y Twiggs
Y Johnson, J	McKinney	Y Randolph	Y Smith, V	Y Walker, L
Y Johnston	Y Mills	Y Ray	Smith, W	Y Walker, R.L
Y Jones	Y Mobley, B	Reaves	Y Smyre	Y Wall
Joyce	Y Mobley, J	Y Reichert	Y Snelling	Y Watson
E Kaye	Y Mosley	Y Roberts	Y Snow	Y Watts
Kinnamon	Y Mueller	Y Rogers	Y Stallings	Y Westmoreland
Y Klein	Y O'Neal	Y Royal	Y Stancil, F	Y Whitaker
Y Ladd	Y Orrock	Sanders	Y Stancil, S	Y White
Y Lakly	Y Parham	Y Sauder	Y Stanley, L	Y Wiles
Y Lane	Y Parrish	Scoggins	Y Stanley, P	Williams, B
Y Lawrence	Parsons	Y Shanahan	Y Stephenson	Williams, J
Y Lee	Y Pelote	Y Shaw	Y Streat	Y Williams, R
Y Lewis	Y Perry	Y Sherrill	Y Taylor	Woods
Y Lifsey	Y Pinholster	Y Shipp	Y Teague	Y Yates
Lord	Y Polak	Y Simpson	Y Teper	Murphy, Spkr

On the motion, the ayes were 149, nays 0.

The motion prevailed.

HB 1366. By Representatives Irvin of the 45th, Walker of the 141st, Lee of the 94th, Ehrhart of the 36th and Evans of the 28th:

A bill to amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to state government in general, so as to provide that any state board, body, or committee may meet by teleconference or other similar means, unless specifically prohibited.

The following Senate amendment was read:

Amend HB 1366 by striking lines 31 through 33 on page 1 and inserting in lieu thereof the following:

“where it does not otherwise exist. The notice shall list each location where any member of the board, body, or committee plans to participate in the meeting if the meeting is otherwise open to the public; provided, however, it shall not be grounds to contest any actions of the board, body, or committee as provided in Code Section 50-14-1 if a member participates from a location other than the location listed in the notice. At a minimum, the notice shall list one specific location where the public can participate in the meeting if the meeting is otherwise open to the public. The notice shall further conform with the provisions of ‘due notice’ as provided in Code Section 50-14-1. Any”.

By adding at the end of line 1 of page 2 the following:

“listed in the notice or”

By striking from lines 33 and 34 on page 2 the following:

“the public, including specifically but without limitation”

Representative Irvin of the 45th moved that the House agree to the Senate amendment to HB 1366.

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

Allen	Y Bailey	Y Barfoot	Y Barnes	Birdsong
Y Anderson	Y Baker	Bargeron	Y Bates	Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	Y Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the motion, the ayes were 141, nays 0.

The motion prevailed.

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The following Senate substitute was read:

A BILL

To amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by clear and convincing evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error; to provide for individual actions only; to provide an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," is amended by adding at the end thereof two new subsections (e) and (f) to read as follows:

"(e) A seller or holder shall not be held liable in any action brought under this Code section for a violation of this article if the seller or holder shows by clear and convincing

evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

(f) The penalties under this Code section shall be the sole remedy for violations of this article and a claim of violation of this article may be asserted in an individual action only."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall apply to all violations of "The Retail Installment and Home Solicitation Sales Act" occurring on or after said effective date.

SECTION 3.

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

The following amendment was read and adopted:

Representative Barnes of the 33rd moves to amend the Senate substitute to HB 1647 as follows:

By striking lines 24 27 on page 1.

Representative Watson of the 139th moved that the House agree to the Senate substitute, as amended by the House, to HB 1647.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Johnson	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Falls	Y Lawrence	Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 151, nays 0.

The motion prevailed.

HB 1322. By Representatives Reichert of the 126th, Channell of the 111th and Jenkins of the 110th:

A bill, to amend Article 2 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to jurisdiction, power, and duties of probate courts, so as to provide concurrent jurisdiction for certain probate courts over cases charging possession of one ounce or less of marijuana and cases charging furnishing alcoholic beverages to persons under 21 or purchase or possession of alcoholic beverages by underage persons.

The following Senate substitute was read:

A BILL

To amend Article 2 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to jurisdiction, power, and duties of probate courts, and Article 4 of Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to accusations, so as to provide concurrent jurisdiction for certain probate courts over cases charging possession of one ounce or less of marijuana and cases charging furnishing alcoholic beverages to persons under 21 or purchase or possession of alcoholic beverages by underage persons; to provide for trial of such misdemeanor cases upon a summons or citation in lieu of accusation in probate courts which have jurisdiction over such misdemeanor offenses; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to jurisdiction, power, and duties of probate courts, is amended by inserting a new Code section to be designated Code Section 15-9-30.6 to read as follows:

“15-9-30.6.

(a) Subject to the provisions of subsection (c) of this Code section, in addition to any other jurisdiction vested in the probate courts, probate courts which have jurisdiction over misdemeanor traffic offenses in accordance with Code Section 40-13-21 shall have the right and power to conduct trials, receive pleas of guilty, and impose sentence upon defendants for the following offenses:

(1) Possession of one ounce or less of marijuana, in accordance with Code Sections 16-13-2 and 16-13-30; and

(2) Any violation of paragraph (2) of subsection (a) of Code Section 3-3-23 which is punishable as a misdemeanor, but not violations punishable as high and aggravated misdemeanors.

(b) The jurisdiction conferred by subsection (a) of this Code section shall be concurrent with other courts having jurisdiction over such violations.

(c) A probate court shall not have the power to dispose of misdemeanor cases as provided in subsection (a) of this Code section unless the defendant shall first waive in writing a trial by jury. If the defendant does not waive a trial by jury, the defendant shall notify the court and, if probable cause exists, the defendant shall be immediately bound over to a court in the county having jurisdiction to try the offense wherein a jury may be impaneled.”

SECTION 2.

Article 4 of Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to accusations, is amended by inserting a new Code section to be designated Code Section 17-7-72 to read as follows:

“17-7-72.

In probate courts which have jurisdiction over misdemeanor possession of marijuana in accordance with Code Sections 16-13-2 and 16-13-30 and certain misdemeanor violations of Code Section 3-3-23 pursuant to Code Section 15-9-30.6, the following offenses may be tried upon a summons or citation without an accusation:

- (1) Possession of one ounce or less of marijuana, in accordance with Code Sections 16-13-2 and 16-13-30; and
- (2) Any violation of paragraph (2) of subsection (a) of Code Section 3-3-23 which is punishable as a misdemeanor, but not violations punishable as high and aggravated misdemeanors."

SECTION 3.

This Act shall become effective on July 1, 1996, and shall apply to offenses which occurred or are alleged to have occurred on or after July 1, 1996.

SECTION 4.

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

Representative Reichert of the 126th moved that the House agree to the Senate substitute to HB 1322.

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

Y Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 154, nays 0.

The motion prevailed.

HB 1494. By Representatives Byrd of the 170th and Mosley of the 171st:

A bill to amend Article 4 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to insurance of workers' compensation liability generally, so as to create a merit rating plan for certain workers' compensation claims.

The following Senate amendment was read:

Amend HB 1494 by striking line 1 of page 2 and inserting in lieu thereof the following:

“(A) No lost-time claims for the most recent year, a 12 ½”

Representative Byrd of the 170th moved that the House agree to the Senate amendment to HB 1494.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Dixon, H	Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 158, nays 0.

The motion prevailed.

HR 973. By Representative Barnes of the 33rd:

A resolution compensating Mr. Terry Wanzer.

The following Senate amendment was read:

Amend HR 973 by striking on page 2 line, 13 in its entirety and adding in its place;

Georgia that the Department of Corrections is,

And by adding on page 2 line, 19 a new sentence to read as follows;

This sum shall be paid on or after July 1st 1996.

Representative Barnes of the 33rd moved that the House agree to the Senate amendment to HR 973.

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

Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Farham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 156, nays 0.

The motion prevailed.

HB 284. By Representative Martin of the 47th:

A bill to amend an Act providing for the appointment of magistrates in Fulton County, so as to provide for a change in the method of compensation of part-time magistrates.

The following Senate substitute was read:

A BILL

To amend an Act providing for the appointment of magistrates in Fulton County, approved March 18, 1983 (Ga. L. 1983, p. 4373), as amended, particularly by an Act approved March 28, 1984 (Ga. L. 1984, p. 4952), so as to provide for a change in the method of compensation of part-time magistrates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for the appointment of magistrates in Fulton County, approved March 18, 1983 (Ga. L. 1983, p. 4373), as amended, particularly by an Act approved March 28, 1984 (Ga. L. 1984, p. 4952), is amended by striking Section 2A thereof in its entirety and inserting in lieu thereof a new Section 2A to read as follows:

“SECTION 2A.

In addition to the full-time magistrates authorized by Sections 1 and 2 of this Act, the chief judge of the State Court of Fulton County may, upon the recommendation of the chief magistrate of the magistrate court, appoint part-time magistrates from time to time to serve under the direction of the chief magistrate. Said part-time magistrates shall, when serving, exercise all the functions of magistrate. Such part-time magistrates shall be compensated in the amount of \$125.00 per day. The chief judge of the State Court of Fulton County in accordance with the budget laws of Fulton County can at his or her discretion adjust such salary to a maximum of \$250.00 per day.”

SECTION 2.

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

Representative Martin of the 47th moved that the House agree to the Senate substitute to HB 284.

On the motion, the ayes were 110, nays 0.

The motion prevailed.

HB 1840. By Representative Martin of the 47th:

A bill to amend an Act fixing the compensation of the board of commissioners of counties having a population of 550,000 or more according to the United States decennial census of 1970 or any future such census, so as to change the provisions relating to the United States decennial census used for the population classifications of such counties.

The following Senate amendment was read:

Amend HB 1840 by adding immediately preceding the semicolon on line 8 of page 1 the following:

“and provide for inapplicability”

By striking lines 31 through 34 of page 1 and line 1 of page 2 and inserting in their places the following:

“annum. Said compensation shall be set within the limits of this section after a public hearing in a separate resolution adopted by a recorded vote and shall be included in the county’s budget after such adoption. The compensation”.

By adding before the quotation mark on line 4 of page 2 the following:

“This section shall not apply to any county which has an elected chief executive officer having any powers which may only be changed if approved in a special election.”

Representative Martin of the 47th moved that the House agree to the Senate amendment to HB 1840.

On the motion the ayes were 110, nays 0.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate’s insistence on its position in substituting the same:

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

Representative Simpson of the 101st moved that the House insist on its position in disagreeing to the Senate substitute to HB 1218 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Simpson of the 101st, Barnes of the 33rd and Chambless of the 163rd.

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

Mr. Speaker:

The Senate adheres to its amendment to the House substitute to SB 500 and has appointed a Committee of Conference on the following bill of the Senate:

SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and ground-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Langford of the 29th, Marable of the 52nd and Dean of the 31st.

The Speaker assumed the Chair.

By unanimous consent, the following Bill of the House was taken up for consideration and read the third time:

HB 1864. By Representatives Williams of the 114th, DeLoach of the 119th and Connell of the 115th:

A bill to amend an Act regulating public instruction in the County of Richmond, so as to provide for a board of education to be composed of 11 members.

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

On the passage of the Bill, the ayes were 91, nays 4.

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

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The following Bill of the Senate was taken up for the purpose of considering the Senate's insistence on its position in amending the House substitute thereto and appointing a Committee of Conference thereon:

SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and ground-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

Representative Watts of the 26th moved that the House adhere to its position in disagreeing to the Senate amendment to the House substitute to SB 500 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Watts of the 26th, Hanner of the 159th and Porter of the 143rd.

The following Resolution of the House was read and referred to the Committee on Rules:

HR 1314. By Representative Hudson of the 156th:

A resolution creating the House Study Committee on the Georgia Firemen's Pension Fund.

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:

SB 709. By Senators Taylor of the 12th, Ray of the 19th, Hooks of the 14th and others:

A bill to enact the "Education Reform Act of 1996"; to amend Chapter 2 of Title 2 of the Official Code of Georgia Annotated, relating to the Department of Agriculture, to provide that the Department of Agriculture shall carry out all functions and exercise all powers previously held by the Department of Education for school nutrition programs; to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to create a new Office of School Readiness and transfer to that office certain functions and duties previously performed by the Department of Education.

The following Committee substitute was read:

A BILL

To enact the "Education Reform Act of 1996"; to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to create a new Office of School Readiness and transfer to that office certain functions and duties previously performed by the Department of Education and Department of Human Resources; to define terms; to provide for the appointment of a director; to establish the duties, powers, and authority of the director; to provide for the promulgation of rules and regulations; to establish the powers and duties of the office; to transfer certain equipment, positions, and appropriations from other agencies; to provide for membership in retirement systems under certain circumstances; to provide for the continuation of applicable rules and regulations; to remove the State Board of Education's authority over county and regional libraries and to grant such authority to the Department of Technical and Adult Education; to transfer to the Department of Technical and Adult Education all functions and powers previously performed by the Department of Education relating to public libraries and public library services; to transfer certain equipment, positions, and appropriations from the Department of Education; to provide for membership in retirement systems under certain circumstances; to provide for the continuation of applicable rules and regulations; to amend Chapter 5 of Title 20 of the Official Code of Georgia Annotated, relating to libraries, so as to provide that the Department of Technical and Adult Education rather than the State Board of Education shall give advice and counsel to libraries and communities proposing to establish libraries and so that the functions previously performed by the State Library Commission be performed by the Department of Technical and Adult Education; to provide for the Department of Technical and Adult Education to receive funds for public libraries; to provide that annual reports be submitted to the Department of Technical and Adult Education; to provide that public library services be transferred to the Department of Technical and Adult Education; to amend the Interstate Library Compact, so as to change the definition of state library agency; to amend Chapter 24 of Title 43 of the Official Code of Georgia Annotated, relating to membership of the State Board for the Certification of Librarians, to provide that public library services is a division of the Department of Technical and Adult Education; 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.

This Act shall be known and may be cited as the "Education Reform Act of 1996."

SECTION 2.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by adding between Chapters 1 and 2 a new Chapter 1A to read as follows:

"CHAPTER 1A**20-1A-1.**

The Office of School Readiness is created as a department of the executive branch of state government, and said office shall have the duties, responsibilities, functions, powers, and authority set forth in this chapter and otherwise provided by law. The Office of School Readiness shall be assigned for administrative purposes only, as that term is defined in Code Section 50-4-3, to the Department of Education.

20-1A-2.

As used in this chapter, the term:

- (1) 'Director' means the Director of the Office of School Readiness.
- (2) 'Office' means the Office of School Readiness.

20-1A-3.

(a) The chief administrative and executive officer of the office shall be the director, who shall be appointed by and serve at the pleasure of the Governor. The director shall be responsible for the performance and exercise of the duties, responsibilities, functions,

powers, and authority imposed upon the director and the office by law. The director shall be in the unclassified service of the state merit system and shall receive a salary to be determined by the Governor.

(b) The director shall have the authority to employ all personnel of the office, subject to the provisions of this chapter and all applicable provisions of other laws governing public employment.

(c) The director shall promulgate rules and regulations and establish procedures to carry out the provisions of this chapter.

20-1A-4.

The Office of School Readiness shall have the following powers and duties:

(1) To administer such programs and services as may be necessary for the operation and management of voluntary pre-kindergarten;

(2) To administer such programs and services as may be necessary for the operation and management of preschool and child development programs, such as Even Start and child care regulation and food programs;

(3) To act as the agent of the federal government in conformity with this chapter and the administration of any federal funds granted to the state to aid in the furtherance of any functions of the office; and

(4) To assist local units of administration in this state so as to assure the proliferation of services under this chapter.

20-1A-5.

(a) Effective April 15, 1996, the Office of School Readiness shall carry out all of the functions and exercise all of the powers formerly held by the Department of Education for the operation and management of the pre-kindergarten, Even Start, and child care food programs. Subject to subsection (c) of this Code section, all persons employed by and positions authorized for the Department of Education to perform these functions on April 14, 1996, shall, on April 15, 1996, be transferred to the Office of School Readiness. All office equipment, furniture, and other assets in possession of the Department of Education which are used or held exclusively or principally by personnel transferred under this subsection shall be transferred to the Office of School Readiness on April 15, 1996.

(b) Effective April 15, 1996, the Office of School Readiness shall carry out all of the functions and exercise all of the powers formerly held by the Department of Human Resources for the operation and management of child care regulation services. Subject to subsection (c) of this Code section, all persons employed by and positions authorized for the Department of Human Resources to perform functions relating to the licensure and certification of pre-kindergarten programs on April 14, 1996, shall, on April 15, 1996, be transferred to the Office of School Readiness. All office equipment, furniture, and other assets in possession of the Department of Human Resources which are used or held exclusively or principally by personnel transferred under this subsection shall be transferred to the Office of School Readiness on April 15, 1996.

(c) All transfers of employees and assets provided for in subsections (a) and (b) of this Code section shall be subject to the approval of the director, and such personnel or assets shall not be transferred if the director determines that a specific employee or asset should remain with the transferring agency.

(d) Employees of the office shall serve in the unclassified service of the state merit system as defined by Code Section 45-20-6. Persons who have transferred to the office pursuant to subsections (a) or (b) of this Code section who are in the classified service of the state merit system at the time of the transfer may elect to remain in such classified service and be governed by the provisions thereof; provided, however, that if any such person accepts a promotion or transfers to another position, that person shall become an employee in the unclassified service.

(e) All employees of the Office of School Readiness who are employed after the effective date of this chapter shall become members of the Employees' Retirement System of Georgia consistent with the provisions of Code Section 47-2-70.1.

(f) Persons who are transferred to the Office of School Readiness pursuant to subsection (a) or (b) of this Code section who are members of the Employees' Retirement System of Georgia created in Chapter 2 of Title 47 or the Teachers Retirement System of Georgia created in Chapter 3 of Title 47 can elect to continue membership in the same retirement system in which such person already is a member in accordance with applicable laws, rules, and regulations. All rights, credits, and funds in any such retirement system which are possessed by state personnel transferred by provisions of this chapter to the Office of School Readiness, or otherwise held by persons at the time of employment with the Office of School Readiness, are continued and preserved, it being the intention of the General Assembly that such persons shall not lose any rights, credits, or funds to which they may be entitled prior to becoming employees of the Office of School Readiness, unless such persons fail to elect to continue membership in the same retirement system in which such persons already are members. Once such election is made by such personnel, the election is irrevocable during the tenure of employment with the Office of School Readiness. Except as provided in this subsection, no employment benefit of any employee transferring to the Office of School Readiness shall be impaired.

(g) Funding for functions and positions transferred to the Office of School Readiness under this chapter shall be transferred as provided in Code Section 45-12-90.

20-1A-6.

The Office of School Readiness shall succeed to all rules, regulations, policies, procedures, and administrative orders of the Department of Education or Department of Human Resources, where applicable, which are in effect on April 15, 1996, and which relate to the functions transferred to the department. Such rules, regulations, policies, and procedures shall remain in effect until amended, repealed, superseded, or nullified by the director."

SECTION 3.

aid title is further amended by striking Code Section 20-2-305, relating to county and regional libraries, in its entirety and inserting in its place the following:

"20-2-305.

(a) The ~~State Board of Education~~ Department of Technical and Adult Education shall annually determine and request of the General Assembly the amount of funds needed for county and regional public libraries. This request shall include, but not be limited to, funds to provide library books and materials, salaries and travel for professional librarians, capital outlay for public library construction, and maintenance and operation. The amount for library books and materials shall be not less than ~~35~~ 35 cents per person. Funds for the purpose of paying the salaries of librarians allotted shall be in accordance with regulations established by the state board and the state minimum salary schedule for certificated professional personnel. Public library funds shall be apportioned to county and regional public libraries in proportion to the area and population to be served by such libraries in accordance with regulations and minimum public library requirements prescribed by the state board. All such funds shall be distributed directly to the regional or county library boards.

(b) The ~~State Board of Education~~ Department of Technical and Adult Education shall make adequate provisions for staff, supplies, services, and facilities to operate and maintain special media equipment to meet the library needs of the blind and disabled citizens of this state.

(c) The ~~State Board of Education~~ Department of Technical and Adult Education shall provide the staff, materials, equipment, and supplies to provide a book-lending and information service to all county and regional public libraries in the state and to coordinate interlibrary cooperation and interchange of materials and information among all types of libraries.

(d) The ~~State Board of Education~~ Department of Technical and Adult Education is authorized as the sole agency to receive federal funds allotted to this state for public libraries.

(e) The ~~State Board of Education~~ State Board of Technical and Adult Education shall adopt policies and regulations to implement this Code section."

SECTION 4.

Said title is further amended by adding between Code Sections 20-4-14 and 20-4-15 a new Code section to read as follows:

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“20-4-14.1.

(a) Effective July 1, 1996, the Department of Technical and Adult Education shall carry out all the functions and exercise all of the powers formerly held by the State Board of Education and the Department of Education for the operation and management of public library services and public libraries. Subject to subsection (c) of this Code section, all persons employed by and positions authorized for the Department of Education to perform these functions on June 30, 1996, shall, on July 1, 1996, be transferred to the Department of Technical and Adult Education. All office equipment, furniture, and other assets in possession of the Department of Education which are used or held exclusively or principally by personnel transferred under this subsection shall be transferred to the Department of Technical and Adult Education on July 1, 1996.

(b) All transfers of employees and assets provided for in subsection (a) of this Code section shall be subject to the approval of the commissioner of technical and adult education, and such personnel or assets shall not be transferred if the commissioner determines that a specific employee or asset should remain with the transferring agency.

(c) Persons who have transferred to the Department of Technical and Adult Education pursuant to subsection (a) of this Code section who are in the classified service of the state merit system at the time of the transfer may elect to remain in such classified service and be governed by the provisions thereof; provided, however, that if any such person accepts a promotion or transfers to another position, that person shall become an employee in the unclassified service.

(d) Persons who are transferred to the Department of Technical and Adult Education pursuant to subsection (a) of this Code section who are members of the Employees' Retirement System of Georgia created in Chapter 2 of Title 47 or the Teachers Retirement System of Georgia created in Chapter 3 of Title 47 can elect to continue membership in the same retirement system in which such person already is a member in accordance with applicable laws, rules, and regulations. All rights, credits, and funds in any such retirement system which are possessed by state personnel transferred by provisions of this chapter to the Department of Technical and Adult Education, or otherwise held by persons at the time of employment with the Department of Technical and Adult Education, are continued and preserved, it being the intention of the General Assembly that such persons shall not lose any rights, credits, or funds to which they may be entitled prior to becoming employees of the Department of Technical and Adult Education, unless such persons fail to elect to continue membership in the same retirement system in which such persons already are members. Once such election is made by such personnel, the election is irrevocable during the tenure of employment with the Department of Technical and Adult Education. Except as provided in this subsection, no employment benefit of any employee transferring to the Department of Technical and Adult Education shall be impaired.

(e) Newly hired employees of the Department of Technical and Adult Education who perform duties previously performed by the Department of Education in accordance with this Code section shall become members in a retirement system as provided in Code Section 20-4-25 or 20-4-26.

(f) Funding for functions and positions transferred to the Department of Technical and Adult Education under this Code section shall be transferred as provided in Code Section 45-12-90.

(g) The Department of Technical and Adult Education shall succeed to all rules, regulations, policies, procedures, and administrative orders of the Department of Education, where applicable, which are in effect on June 30, 1996, and which relate to the functions transferred to the department. Such rules, regulations, policies, and procedures shall remain in effect until amended, repealed, superseded, or nullified by the State Board or Department of Technical and Adult Education.”

SECTION 5.

Said title is further amended by striking Code Section 20-5-2, relating to the powers and duties of the State Board of Education regarding libraries, in its entirety and inserting in its place the following:

“20-5-2.

(a) The ~~State Board of Education~~ Department of Technical and Adult Education shall give aid, advice, and counsel to all libraries and to communities which may propose to establish libraries as to the best means of establishing and administering them, the selection of books, cataloging, and other details of library management and shall exercise supervision over all public libraries and endeavor to improve libraries already established. The ~~state board~~ Department of Technical and Adult Education may also conduct a book-lending and information service for the benefit of the citizens of the state, free of cost except postage. The ~~state board~~ Department of Technical and Adult Education is also authorized to purchase books, periodicals, and other instructional materials for such purposes. The ~~state board~~ Department of Technical and Adult Education may also employ the necessary professional and clerical staff ~~upon the recommendation of the State School Superintendent~~ to carry on the work as stated in this Code section and may pay their necessary traveling expenses while engaged in such work.

(b) The ~~state board~~ Department of Technical and Adult Education shall have authority to accept gifts of books, money, or other property from any public or private source, including the federal government; and shall have authority to perform any and all functions necessary to carry out the intention and purposes of this article.

(c) The State Library Commission is abolished, and the functions and services exercised and performed by it shall be exercised and performed by the ~~State Board of Education~~ Department of Technical and Adult Education.

(d) The collection of books, periodicals, documents, and other library materials held by the ~~state board~~ Department of Technical and Adult Education is designated as the State Library.

(e) Each department and institution within the executive branch of state government shall make a report to the director of the University of Georgia Libraries on or before December 1 of each year containing a list by title of all public documents published or issued by such department or institution during the preceding state fiscal year. The report shall also contain a statement noting the frequency of publication of each such public document. The director of the University of Georgia Libraries may disseminate copies of the lists, or such parts thereof, in such form as the director of University of Georgia Libraries, in his or her discretion, deems shall best serve the public interest. For purposes of this article, ‘public documents’ shall mean the books, magazines, journals, pamphlets, reports, bulletins, and other publications of any agency, department, board, bureau, commission, or other institution of the executive branch of state government but specifically shall not include the reports of the Supreme Court and the Court of Appeals, the journals of the House and the Senate, or the session laws enacted by the General Assembly and shall not include forms published by any agency, department, board, bureau, commission, or other institution of the executive branch of state government.

(f) Each department and institution within the executive branch of state government shall submit to the director of the University of Georgia Libraries at least five copies of each of the public documents which such departments and institutions publish, within one month of its date of publication, unless the director of the University of Georgia Libraries requests additional copies of any such public documents, up to a maximum of 60 copies, in which case the number of copies requested shall be submitted.

(g) The Governor and all of the officers who are or may be required to make reports to the General Assembly shall furnish the director of the University of Georgia Libraries with at least five copies of each of such reports and additional copies upon request of the director of the University of Georgia Libraries.

(h) The Department of Administrative Services, the Georgia Correctional Industries Administration, the Board of Regents of the University System of Georgia, and any other agency of state government which prints public documents shall furnish to the

director of the University of Georgia Libraries on a monthly basis a record of all public documents which have been printed or scheduled for printing by that agency during the preceding month.

(i) ~~The director of the University of Georgia Libraries~~ shall have the authority to supply copies of public documents to any state institution, public library, or public school in this state or to any other institution of learning which maintains a library, if such copies are available. Such copies may be furnished for a reasonable cost or free of charge or for the cost of postage or shipping, as the director of the University of Georgia Libraries deems appropriate.

(j) The director of the University of Georgia Libraries shall have the authority to act as the exchange agent of this state for the purpose of a regular exchange between this state and other states of public documents. The several state departments and institutions are required to deposit with the director of the University of Georgia Libraries for that purpose up to 50 copies of each of their public documents, as may be specified by the director of the University of Georgia Libraries.

(k) The director of the University of Georgia Libraries may transfer books and other library holdings to the Department of Archives and History, the Board of Regents of the University System of Georgia, the State Law Library, or other public libraries. Books and other library holdings which are obsolete, defective, ~~worn-out~~ worn out, or surplus, or otherwise in the discretion of the director of the University of Georgia Libraries are not required, may be sold, destroyed, or otherwise disposed of by the director of the University of Georgia Libraries, without the need to comply with the provisions of Article 5 of Chapter 13 of Title 45 relating to the disposition of surplus state books.

(l) The director of the University of Georgia Libraries shall have the authority to employ the necessary personnel, including documents librarians and other professional personnel, to carry out the powers and duties set forth in this Code section."

SECTION 6.

Said title is further amended by striking Code Section 20-5-3, relating to disbursement of funds for libraries, in its entirety and inserting in its place the following:

"20-5-3.

In order to effectuate the purposes of this article there shall be made available to the ~~State Board of Education~~ Department of Technical and Adult Education whatever funds may be duly allocated to it by the proper authority, either by specific appropriation or otherwise as now provided by law, and the ~~state board~~ Department of Technical and Adult Education shall be authorized to disburse such funds to public libraries serving persons of all ages through legally constituted municipal library boards or to the other legally constituted local library boards as may now or hereafter be established by law. The ~~state board~~ Department of Technical and Adult Education shall use such funds for the purpose of aiding and supplementing the establishment and development of public library services."

SECTION 7.

Said title is further amended by striking Code Section 20-5-4, relating to annual reports by public libraries, in its entirety and inserting in its place the following:

"20-5-4.

All public libraries in the state shall submit reports annually to the ~~State Board of Education~~ Department of Technical and Adult Education."

SECTION 8.

Said title is further amended by striking Code Section 20-5-45, relating to the duties and responsibilities of directors of public libraries, in its entirety and inserting in its place the following:

"20-5-45.

Every public library system shall have a director. Any person appointed as director of a public library system must hold at least a Grade 5(b) Librarian's Professional Graduate Certificate, as defined by the State Board for the Certification of Librarians; provided, however, that any person who ~~is~~ was serving as acting director of a public library

system ~~on~~ ^{as} of July 1, 1984, shall be authorized to continue to serve as director. The director shall be appointed by the board of trustees and shall be the administrative head of the library system under the direction and review of the board. The director of a library system shall have duties and responsibilities which include but are not limited to the following:

- (1) To recommend for employment or termination other staff members, as necessary, in compliance with applicable laws and the availability of funds and to employ or terminate other staff members if so authorized by the library board;
- (2) To attend all meetings called by the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education or send a substitute authorized by the division director;
- (3) To prepare any local, state, or federal annual budgets;
- (4) To notify the board of trustees and the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education of any failure to comply with:
 - (A) Policies of the board;
 - (B) Criteria for state aid;
 - (C) State and federal rules and regulations; and
 - (D) All applicable local, state, or federal laws;
- (5) To administer the total library program, including all affiliated libraries, in accordance with policies adopted by the system board of trustees; and
- (6) To attend all meetings of the system board of trustees and affiliated boards of trustees or to designate a person to attend in his or her place."

SECTION 9.

Said title is further amended by striking subsection (c) of Code Section 20-5-47, relating to a written constitution for library boards of trustees, in its entirety and inserting in its place the following:

"(c) All current constitutions and bylaws must be on file in the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education, and all amendments must be filed with the division immediately upon adoption."

SECTION 10.

Said title is further amended by striking Code Section 20-5-48, relating to ownership of library property, in its entirety and inserting in its place the following:

"20-5-48.

(a) A clear title in fee simple to an approved site on which a library facility is to be located shall be held by either the library board of trustees or the county or municipality. Title to property used for library purposes shall be vested in the library board of trustees or in that local agency which makes the major financial contribution toward construction costs. Notwithstanding any provision in this part to the contrary, any facility, the title to which currently is held by a nonprofit organization and which is now being operated by a public library board of trustees, may continue to be operated by that library board of trustees if the operation of that facility by the board of trustees meets the standards of the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education; and the title to that facility may remain in the hands of that nonprofit organization. When the composition of a library system is changed or when the library system is dissolved and the title is vested in the library board of trustees, the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education shall serve as mediator in determining ownership of property.

(b) Other property including, but not limited to, equipment and materials that were purchased with state, federal, or contract funds coming through the system budget shall be owned by the system board of trustees and shall be placed or transferred where it is most useful. Upon dissolution or significant structural change within the system, such property shall be divided on a pro rata basis according to the proportion of financial

costs of property borne by the involved parties. The library system board of trustees shall furnish the financial and statistical information considered by the parties attempting to reach agreement. If the parties are unable to reach a mutually agreeable solution, the final decision of property ownership shall be made by the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education or its designee."

SECTION 11.

Said title is further amended by striking Code Section 20-5-51, relating to dissolution of or withdrawal from a library system, in its entirety and inserting in its place the following:

"20-5-51.

(a) A library system shall be dissolved by a reversal of procedures followed in its original organization. A majority of the board members in a majority of the counties must agree to the dissolution of the system. One county in a multicounty system may withdraw by a reversal of the procedure by which the county became a member.

(b) If the local constitution and bylaws or participating agreement does not specify a notification period for withdrawal, the proper notice shall be sent six months prior to the end of the state fiscal year. This notice must include reasons for the withdrawal and the method by which the decision was reached and must be sent to the chairman of the system board of trustees and the system library director. The ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education must be notified of the receipt of this letter of intent within five working days.

(c) Upon dissolution or withdrawal, no further state or federal grant funds shall be paid for or to the dissolving or withdrawing unit or units until such time as the unit or units reestablish the library or libraries pursuant to this part and meet eligibility requirements for such grant funds.

(d) A multicounty regional system may elect to expel a member county upon the following conditions:

- (1) Failure of the county to maintain the agreed level of support to the regional system as in the most recent system-participating agreement; or
- (2) Failure of the county to meet criteria which may jeopardize the system's eligibility for state or federal funds.

(e) If the system's constitution and bylaws or participating agreement fails to describe a notice period for expulsion, the proper notice shall be sent not less than six months prior to the end of the state fiscal year. This notice must be sent to the ~~chairman~~ chairperson of the county board of trustees, all funding agencies party to the participating agreement, the system library director, and the ~~Division Office~~ of Public Library Services of the ~~Department of Education~~ Department of Technical and Adult Education.

(f) Upon total dissolution of a library system, all property shall be disposed of as provided in this part."

SECTION 12.

Said title is further amended by striking Code Section 20-5-60, relating to the definition of state library agency as used in the interstate library compact, in its entirety and inserting in its place the following:

"20-5-60.

As used in the Interstate Library Compact, 'state library agency,' with reference to this state, means the Public Library Service ~~Unit Office~~ of the ~~Department of Education~~ Department of Technical and Adult Education of Georgia."

SECTION 13.

Chapter 24 of Title 43 of the Official Code of Georgia Annotated, relating to librarians, is amended by striking Code Section 43-24-2, relating to membership of the State Board for the Certification of Librarians, in its entirety and inserting in its place the following:

"43-24-2.

(a) The State Board for the Certification of Librarians is created, to consist of six persons as follows:

(1) Three librarians certified under this chapter, including one public librarian, one special librarian, and one other currently practicing librarian, and one person who shall be a trustee of a public library;

(2) A member to be appointed from the public at large who shall have no connection whatsoever with the library profession; and

(3) The director of public library services of the ~~Department of Education~~ Department of Technical and Adult Education.

(b) The members referred to in paragraphs (1) and (2) of subsection (a) of this Code section shall be appointed by the Governor and shall be confirmed by the Senate.

(c) The terms of the five members appointed pursuant to paragraphs (1) and (2) of subsection (a) of this Code section shall be five years. The term of the director of public library services of the ~~Department of Education~~ Department of Technical and Adult Education shall be coextensive with the term of office of this position.

(d) Members of the board shall be reimbursed as provided for in subsection (f) of Code Section 43-1-2.

(e) If there is a vacancy on the board, the Governor shall appoint a member to serve the unexpired term."

SECTION 14.

(a) Except as provided in subsection (b) of this section, this Act shall become effective on July 1, 1996.

(b) Section 2 of this Act shall become effective on April 15, 1996.

SECTION 15.

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

The following amendment was read:

Representative Williams of the 83rd moves to amend the Committee substitute to SB 709 as follows:

Page 1 lines 3 13 after "," delete

Line 14 delete "of applicable rules and regulations;"

Delete Section 2 page 2 5

Delete Section 14 page 17

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

N Allen	N Brush	N Cummings	E Greene	N Johnson, G
N Anderson	N Buck	Y Davis, G	N Grindley	N Johnson, J
Y Ashe	N Buckner	Y Davis, M	N Hanner	N Johnston
N Bailey	Y Bunn	Y Day	N Harbin	N Jones
N Baker	N Burkhalter	N DeLoach, B	Y Harris	Y Joyce
N Bannister	Y Byrd	DeLoach, G	N Heard	Y Kaye
N Barfoot	N Campbell	N Dix	N Heckstall	N Kinnamon
Bargeron	N Canty	N Dixon, H	N Hegstrom	Y Klein
N Barnard	N Carter	N Dixon, S	Y Hembree	Y Ladd
N Barnes	N Chambliss	N Dobbs	N Henson	N Lakly
Y Bates	N Channell	Y Ehrhart	N Holland	N Lane
N Benefield	Y Childers	N Epps	N Holmes	N Lawrence
N Birdsong	N Coker	Y Evans	Howard	N Lee
N Bordeaux	N Coleman, B	Y Falls	N Hudson	Y Lewis
N Bostick	Coleman, T	N Felton	N Hugley	Y Lifsey
N Breedlove	Y Connell	N Floyd	N Irvin	Lord
N Brooks, D	N Crawford	Godbee	N James	N Lucas
N Brooks, T	Y Crews	N Golden	N Jamieson	N Maddox
N Brown, J	Y Culbreth	Y Goodwin	N Jenkins	Y Mann

N Martin	N Pinholster	N Sauder	N Snelling	N Turnquest
N McBee	N Polak	N Scoggins	N Snow	N Twiggs
E McCall	N Ponder	N Shanahan	N Stallings	N Walker, L
N McClinton	N Porter	N Shaw	N Stancil, F	N Walker, R.L
McKinney	N Poston	N Sherrill	N Stancil, S	N Wall
E Mills	N Powell	N Shipp	N Stanley, L	N Watson
N Mobley, B	N Purcell, A	N Simpson	N Stanley, P	N Watts
N Mobley, J	N Purcell, B	N Sinkfield	N Stephenson	Y Westmoreland
Y Mosley	N Randall	N Skipper	N Streat	Y Whitaker
N Mueller	N Randolph	N Smith, C	N Taylor	N White
N O'Neal	N Ray	Y Smith, C.W	N Teague	N Wiles
N Orrock	N Reaves	N Smith, L	N Teper	N Williams, B
N Parham	N Reichert	N Smith, P	Thomas	Y Williams, J
N Parrish	N Roberts	Y Smith, T	N Tillman	N Williams, R
N Parsons	N Rogers	Y Smith, V	N Titus	Y Woods
N Pelote	N Royal	Smith, W	N Towery	N Yates
Y Perry	N Sanders	N Smyre	Y Trenee	Murphy, Spkr

On the adoption of the amendment, the ayes were 34, nays 132.

The amendment was lost.

Representative Mueller of the 152nd stated that she inadvertently voted "nay" on the preceding roll call. She wished to be recorded as voting "aye" thereon.

The following amendment was read:

Representatives Williams of the 114th, Irvin of the 45th, Towery of the 30th and Ehrhart of the 36th move to amend the Committee substitute to SB 709 by inserting on line 24 on page 1 immediately following the word and symbol "regulations;" the following:

"to provide the State School Superintendent with the authority to employ certain senior staff persons within the Department of Education and to enter into certain contracts;"

By inserting between lines 35 and 36 on page 5 a new Section 3 to read as follows:

"SECTION 3.

Said chapter is further amended by striking Code Section 20-2-241, relating to the State School Superintendent, in its entirety and inserting in its place the following:

'20-2-241.

(a) The State School Superintendent shall be the executive officer of the State Board of Education and the administrative chief executive officer of the Department of Education. The State School Superintendent is authorized to organize and reorganize the Department of Education and the various offices, divisions, sections, and units thereof and to prescribe the duties, functions, and operations of each at such times and in such manner as the State School Superintendent deems necessary or desirable for the more economical or effective organization, administration, or functioning of the department. He or she shall also be responsible for the administration and enforcement of this article and other school laws in accordance with such laws and with rules, regulations, policies, and standards adopted or prescribed by the state board for the implementation, administration, or enforcement of such laws.

(b) The State School Superintendent shall have the authority to employ persons to serve in the five senior positions within the Department of Education.

(c) The State School Superintendent shall have the authority to enter into contracts for the amount of \$50,000.00 or less on behalf of the Department of Education."

By renumbering Sections 3 through 15 as Sections 4 through 16, respectively.

The following amendment was read and adopted:

Representatives Irvin of the 45th and Baker of the 70th move to amend the Williams amendment to the Committee substitute to SB 709 as follows:

On line 36, page 1, delete "senior" and insert "staff"

The Williams amendment, as amended, was adopted.

The following amendment was read:

Representatives Shaw of the 176th, Golden of the 177th and Channell of the 111th move to amend the Committee substitute to SB 709 as follows:

Amend page 5 between lines 35 and 36, add a new Section 2-A which will contain the contents of LC 14 6688-EC page 3 line 2 thru Page 4 Line 32. "Attached hereto":

SECTION 2.

Chapter 2 of Title 2 of the Official Code of Georgia Annotated, relating to the Department of Agriculture, is amended by adding immediately following Code Section 2-2-12 a new Code section to read as follows:

"2-2-13.

(a) Effective July 1, 1996, the Department of Agriculture shall carry out all the functions and exercise all of the powers formerly held by the Department of Education for the operation and management of school nutrition programs, to include school breakfast, school lunch, special milk, commodity distribution, and nutrition education and training programs. Subject to subsection (c) of this Code section, all persons employed by and positions authorized for the Department of Education to perform these functions on June 30, 1996, shall, on July 1, 1996, be transferred to the Department of Agriculture.

(b) All transfers of employees and assets provided for in subsection (a) of this Code section shall be subject to the approval of the Commissioner of Agriculture, and such personnel or assets shall not be transferred if the Commissioner of Agriculture determines that a specific employee or asset should remain with the transferring agency.

(c) Persons who have transferred to the Department of Agriculture pursuant to subsection (a) of this Code section who are in the classified service of the state merit system at the time of the transfer may elect to remain in such classified service and be governed by the provisions thereof; provided, however, that if any such person accepts a promotion or transfers to another position, that person shall become an employee in the unclassified service.

(d) Persons who are transferred to the Department of Agriculture pursuant to subsection (a) of this Code section who are members of the Employees' Retirement System of Georgia created in Chapter 2 of Title 47 or the Teachers Retirement System of Georgia created in Chapter 3 of Title 47 can elect to continue membership in the same retirement system in which such person already is a member in accordance with applicable laws, rules, and regulations. All rights, credits, and funds in any such retirement system which are possessed by state personnel transferred by provisions of this chapter to the Department of Agriculture, or otherwise held by persons at the time of employment with the Department of Agriculture, are continued and preserved, it being the intention of the General Assembly that such persons shall not lose any rights, credits, or funds to which they may be entitled prior to becoming employees of the Department of Agriculture, unless such persons fail to elect to continue membership in the same retirement system in which such persons already are members. Once such election is made by such personnel, the election is irrevocable during the tenure of employment with the Department of Agriculture. Except as provided in this subsection, no employment benefit of any employee transferring to the Department of Agriculture shall be impaired.

(e) Newly hired employees of the Department of Agriculture who perform duties previously performed by the Department of Education in accordance with this Code section shall become members of the Employees' Retirement System of Georgia in accordance with Chapter 210 of Title 47.

(f) Funding for functions and positions transferred to the Department of Agriculture under this Code section shall be transferred as provided in Code Section 45-12-90.

(g) The Department of Agriculture shall succeed to all rules, regulations, policies, procedures, and administrative orders of the Department of Education, where applicable, which are in effect on June 30, 1996, and which relate to the functions transferred to the department. Such rules, regulations, policies, and procedures shall remain in effect until amended, repealed, superseded, or nullified by the Department of Agriculture."

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

N Allen	N Crews	N Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
N Baker	N Davis, M	Y Johnson, G	N Pinholster	N Stallings
N Bannister	N Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
Bargeron	DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	Y Dix	N Joyce	Y Poston	N Stanley, P
N Barnes	Y Dixon, H	N Kaye	N Powell	N Stepbenson
Y Bates	N Dixon, S	N Kinnaman	N Purcell, A	N Streat
N Benefield	N Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	N Ehrhart	N Ladd	N Randall	N Teague
N Bordeaux	N Epps	N Lakly	N Randolph	N Teper
Y Bostick	N Evans	N Lane	Y Ray	Thomas
Y Breedlove	N Falls	N Lawrence	N Reaves	N Tillman
Y Brooks, D	Y Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	Towery
N Brown, J	N Godbee	N Lifsey	Y Rogers	N Trense
N Brush	Y Golden	Lord	Y Royal	Turnquest
N Buck	N Goodwin	N Lucas	N Sanders	Y Twiggs
Y Buckner	E Greene	N Maddox	N Sauder	N Walker, L
Y Bunn	N Grindley	N Mann	Y Scoggins	N Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	N Wall
Y Byrd	N Harbin	N McBee	Y Shaw	N Watson
N Campbell	N Harris	E McCall	N Sberrill	N Watts
N Canty	N Heard	N McClinton	N Shipp	N Westmoreland
Y Carter	N Heckstall	McKinney	Y Simpson	N Whitaker
N Chambless	N Hegstrom	E Mills	N Sinkfield	N White
Y Channell	N Hembree	N Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Y Williams, B
N Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	N Holmes	N Mueller	Y Smith, L	N Williams, R
Coleman, T	N Howard	N O'Neal	N Smith, P	N Woods
N Connell	Y Hudson	N Orrock	Y Smith, T	N Yates
N Crawford	N Hugley	N Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 33, nays 134.

The amendment was lost.

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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	N Culbreth	Y James	Y Parsons	Y Smyre
N Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	N Jenkins	N Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	N Dixon, H	N Kaye	Y Powell	Y Stephenson
N Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	N Ladd	Y Randall	N Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	N Rogers	N Trense
Y Brusby	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	N Shaw	Y Watson
Y Campbell	N Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintock	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Cbannell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
N Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	N Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
N Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 139, nays 29.

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

By unanimous consent, SB 709 was ordered immediately transmitted to the Senate.

SB 735. By Senators Dean of the 31st, Marable of the 52nd and Ray of the 19th:

A bill to amend Article 5 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to regional jail authorities, so as to allow municipalities to form and participate in regional jail authorities; to provide for definitions; to provide for related matters.

The following Committee substitute was read and adopted:

A BILL

To amend Article 5 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to regional jail authorities, so as to allow municipalities within the same county to form and participate in regional jail authorities; to provide for definitions; 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 5 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to regional jail authorities, is amended by striking in its entirety subsection (b) of Code Section 42-4-91, relating to statement of authority and policy of state, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) It is the express policy of the State of Georgia that any authority created by this article shall be authorized to enter into agreements with any county or municipality within the same county as the regional jail authority for the purpose of building, owning, and operating a jail facility for the county or municipality.”

SECTION 2.

Said article is further amended by striking in its entirety Code Section 42-4-92, relating to definitions, and inserting in lieu thereof a new Code Section 42-4-92 to read as follows:

“42-4-92.

As used in this article, the term:

(1) ‘Authority’ means each public body corporate and politic created pursuant to this article.

(2) ‘Cost of project’ means all costs of site preparation and other start-up costs; all costs of construction; all costs of real and personal property required for the purposes of the jail facilities related thereto, including land and any rights or undivided interest therein, easements, franchises, fees, permits, approvals, licenses, and certificates and the securing of such permits, approvals, licenses, and certificates and all machinery and equipment, including motor vehicles which are used for jail functions; financing charges and interest prior to and during construction and during such additional period as the authority may reasonably determine to be necessary for the placing of the jail in operation; costs of engineering, architectural, and legal services; cost of plans and specifications and all expenses necessary or incident to determining the feasibility or practicability of the jail; administrative expenses; and such other expenses as may be necessary or incidental to the financing authorized in this article. The costs of any jail may also include funds for the creation of a debt service reserve, a renewal and replacement reserve, and such other reserves as may be reasonably required by the authority for the operation of any jail and as may be authorized by any bond resolution or trust agreement or indenture pursuant to the provisions of which the issuance of any such bonds may be authorized. Any obligation or expense incurred for any of the foregoing purposes shall be regarded as a part of the costs of the jail and may be paid or reimbursed as such out of the proceeds of user fees, or revenue bonds or notes issued under this article for such jail, or from other revenues obtained by the authority.

(3) ‘County’ means any county of this state or governmental entity formed by the consolidation of a county and one or more municipal corporations.

(4) ‘County regional jail authority’ means a regional jail authority formed by counties pursuant to this article.

(4)(5) ‘Governing body’ means the elected or duly appointed officials constituting the governing body of each county in the state.

(5)(6) ‘Management committee’ means a regional jail authority management committee created pursuant to Code Section 42-4-95.

(7) ‘Municipality’ means any municipal corporation of this state.

(8) ‘Municipal regional jail authority’ means a regional jail authority formed by municipalities within the same county pursuant to this article.

(6)(9) ‘Project’ means a jail and all other structures including electric, gas, water, and other utilities and facilities, equipment, personal property, and vehicles which are deemed by the authority as necessary and convenient for the operation of the jail.”

SECTION 3.

Said article is further amended by striking in its entirety subsection (a) of Code Section 42-4-93, relating to creation of authorities and exemption of securities, and inserting in lieu thereof a new subsection (a) to read as follows:

“(a) Any two or more counties may jointly form an authority, to be known as the county regional jail authority for such counties. Any two or more municipalities within the same county may jointly form an authority, to be known as the municipal regional jail authority for such municipalities. Municipalities located in more than one county may participate in municipal regional jail authorities in each county in which the municipality is

located. No authority shall transact any business or exercise any powers under this article until the governing authorities of the counties or municipalities involved declare, by ordinance or resolution, that there is a need for an authority to function and until the governing ~~authorities~~ authorize the chief elected official of each county or municipality to enter into an agreement with the other ~~county or counties~~ or municipalities participating in the authority for the activation of an authority and such agreement is executed. Such authorities shall be public bodies, corporate and politic, and instrumentalities of the State of Georgia. A copy of the ordinance or resolution and agreement among participant counties or participant municipalities shall be filed with the Secretary of State who shall maintain a record of all authority activities under this article."

SECTION 4.

Said article is further amended by striking in its entirety Code Section 42-4-94, relating to board of directors and addition of counties to authority, and inserting in lieu thereof a new Code Section 42-4-94 to read as follows:

"42-4-94.

(a) Control and management of the authority shall be vested in a board of directors. Each county participating in ~~the an~~ authority shall appoint the sheriff of the county for the term of such sheriff's office. One other member from each participating county shall be appointed for a four-year term. Each municipality participating in an authority shall appoint two people to serve on the board of directors, each for a four-year term. For each county or municipal regional jail authority board of directors, an ~~An~~ additional member shall be appointed by the directors themselves. The directors shall elect one of their members as chairperson and another as vice chairperson and shall also elect a secretary and a treasurer or a secretary-treasurer, either of whom may, but need not be, a director. The directors shall receive no compensation for their services but shall be reimbursed for actual expenses incurred in the performance of their duties. The directors may make bylaws and regulations for the governing of the authority and may delegate to one or more of the officers, agents, and employees of the authority such powers and duties as may be deemed necessary and proper.

(b) It is the duty of the board of directors to erect or repair, when necessary, the jail and to furnish the jail with all the furniture necessary for the different rooms, offices, and cells. The jail shall be erected and kept in order and repaired at the expense of the authority under the direction of the board of directors which is authorized to make all necessary contracts for that purpose. The board of directors shall pass an annual budget sufficient for the efficient and effective operation of the jail.

(c) Members of the board of directors of an authority formed pursuant to this Code section may agree that additional counties, if a county regional jail authority, or additional municipalities, if a municipal regional jail authority, may become members of such authority subsequent to its formation upon an affirmative vote of two-thirds of the members of such board of directors under such terms as may be imposed by such two-thirds of the members of such board of directors."

SECTION 5.

Said article is further amended by striking in its entirety Code Section 42-4-95, relating to management committee and election of officers, and inserting in lieu thereof a new Code Section 42-4-95 to read as follows:

"42-4-95.

(a) The jail of a county regional jail authority shall be managed and operated by a regional jail authority management committee composed of all of the sheriffs from the participant counties. The county regional jail authority management committee shall have all of the responsibilities provided in Code Section 15-16-24 and this chapter, including the employment and supervision of all personnel employed to operate the jail. The sheriffs shall elect one of their members as chairperson and another as vice chairperson and shall also elect a secretary who may or may not be a member of the committee. The committee shall receive no compensation for their services but shall be

reimbursed for actual expenses incurred in the performance of their duties. The committee may delegate to one or more of the officers, agents, and employees of the committee such powers and duties as may be deemed necessary and proper.

(b) ~~In the event that the county regional jail authority consists of an even number of counties, the sheriffs shall then elect one member, who may or may not be a member of the authority's board of directors, to serve on the management committee.~~

(c) The board of directors of a municipal regional jail authority shall hire or contract with a person, firm, corporation, or local government to manage and operate the regional jail. Such person, firm, corporation, or local government shall have all of the responsibilities provided in this chapter for municipal jails and jailers, including the employment and supervision of all personnel employed to operate the jail.

SECTION 6.

Said article is further amended by striking in its entirety paragraph (3) of Code Section 42-4-97, relating to powers of authority, and inserting in lieu thereof a new paragraph (3) to read as follows:

“(3) To acquire, construct, improve, or modify, to place into operation, or to operate or cause to be placed in operation and operated, a jail or jails within the counties in which the authority is activated and subject to execution of agreements with appropriate political subdivisions affected within other counties or municipalities and to pay all or part of the cost of any such jail or jails from the proceeds of revenue bonds of the authority or from any ~~combination~~ contribution or loan by persons, firms, or corporations or from any other contribution or use fees, all of which the authority is authorized to receive, accept, and use;”

SECTION 7.

Said article is further amended by striking in its entirety subsection (b) of Code Section 42-4-102, relating to construction of article and powers of counties, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) A county or any number of counties or a municipality or any number of municipalities shall have the right to activate any authority under this article, notwithstanding the existence of any other authority having similar powers or purposes within the county or a municipal corporation created pursuant to any general law or amendment to the Constitution of this state. However, nothing in this article shall be construed as repealing, amending, superseding, or altering the organization of or abridging the powers of such authorities as are now in existence.”

SECTION 8.

Said article is further amended by striking in its entirety Code Section 42-4-103, relating to operation and finance agreements and withdrawal from authority, and inserting in lieu thereof a new Code Section 42-4-103 to read as follows:

“42-4-103.

(a) Failure of a participant county or participant municipality to execute an operation and finance agreement duly adopted by the authority at a regularly scheduled meeting or a meeting called for that purpose within 60 days after such agreement has been executed by two or more participant counties or participant municipalities shall constitute a withdrawal from the authority.

(b) Any participant county or participant municipality may withdraw from the authority subject to any contract, obligation, or agreement with the authority, but no participant county or participant municipality shall be permitted to withdraw from any authority after any obligation has been incurred by the authority. The governing body of the participant county or participant municipality wishing to withdraw from an existing authority shall signify its desire by resolution or ordinance.”

SECTION 9.

Said article is further amended by striking in its entirety Code Section 42-4-104, relating to authority of county to establish and maintain jail or jail-holding facility, and inserting in lieu thereof a new Code Section 42-4-104 to read as follows:

"42-4-104.

Notwithstanding anything contained in this article, no participant county or participant municipality shall be prohibited from establishing and maintaining any jail or jail-holding facility. ~~Notwithstanding any other provision in this chapter, sheriffs shall operate the county jail such jails shall be operated as provided in the laws of this state as if the county or municipality was not a participant in the regional jail authority."~~

SECTION 10.

Said article is further amended by striking in its entirety Code Section 42-4-105, relating to immunity of authorities from liability, and inserting in lieu thereof a new Code Section 42-4-105 to read as follows:

"42-4-105.

Regional jail authorities shall be carrying out an essential governmental function on behalf of participant counties or participant municipalities and are, therefore, given immunity from liability for carrying out their intended functions."

SECTION 11.

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 Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	N Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	E Mills	Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 165, nays 1.

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

Representative Dobbs of the 92nd stated that he inadvertently voted "nay" on the preceding roll call. He wished to be recorded as voting "aye" thereon.

HR 1014. www.libtool.com.cn By Representatives Heard of the 89th, Byrd of the 170th, Walker of the 141st, Smith of the 109th and Sherrill of the 62nd:

A resolution creating the House Citizens Come First Study Subcommittee and making it a part of the House Intragovernmental Coordination Committee.

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 Allen	Y Crews	Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Y Johnson, G	Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Stancil, S
Barger	DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	N Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	E Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambliss	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 154, nays 1.

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

SB 11. By Senators Newbill of the 56th, Clay of the 37th, McGuire of the 30th and others:

A bill to amend Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to assessments of educational programs, so as to provide for the availability of curriculum-based assessment results to students and their parents.

The following Committee substitute was read:

A BILL

To amend Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to assessments of educational programs, so as to change certain provisions regarding curriculum-based assessments; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to assessments of educational programs, is amended by striking said Code section in its entirety and inserting in its place a new Code section to read as follows:

"20-2-281.

(a) The State Board of Education shall adopt a student assessment program consisting of instruments, procedures, and policies necessary to ~~assess the effectiveness of the educational programs of the state~~ implement the program and shall fund all costs of providing and scoring such instruments, subject to appropriation by the General Assembly. ~~Curriculum-based assessments of the quality core curriculum and nationally~~ Nationally norm-referenced instruments in reading, and mathematics, science, and social studies shall be administered to students in grades three, five, and eight; and ~~11~~. The State Board of Education shall review, revise, and upgrade the quality core curriculum. Following the adoption of this revised curriculum, the State Board of Education shall contract for development of criterion-referenced tests to measure the quality core curriculum and such tests shall be administered to students in three grades not lower than grade three. This action shall be completed within two years. A curriculum-based assessment shall be administered in grade 11 for graduation purposes. ~~Only the curriculum-based assessments in grades three, five, and eight and the eleventh grade norm-referenced instrument may be administered by matrix sample.~~ Writing assessments shall be administered to students in grades three, five, eight, and 11. The writing assessments shall provide students and their parents with performance outcome measures resulting from the administration of such tests. ~~The curriculum-based assessments that the state board shall develop shall measure student performance relative to the uniformly sequenced core curriculum approved for grades three, five, eight, and 11 by the state board pursuant to Code Section 20-2-140.~~ The curriculum-based assessments shall place emphasis upon reading, writing, mathematics, science, and social studies. All such curriculum-based assessments shall include process and application skills as assessed in a range of academic content, shall exceed minimum and essential skills by extending the assessments' range of difficulty, and shall emphasize higher order thinking skills.

(b) The nationally normed assessments provided for in subsection (a) of this Code section shall provide students and their parents with grade equivalencies and percentile ranks which result from the administration of such tests. ~~Curriculum-based assessments~~ Criterion-referenced tests and the high school graduation test provided for in subsection (a) of this Code section shall provide for results that reflect student achievement at the individual student, classroom, school, system, and state levels. The State Board of Education shall participate in the National Assessment of Educational Progress (NAEP). The results of such testing shall be provided to the Governor, the General Assembly, and the State Board of Education and shall be reported to the citizens of Georgia. Further, the state board shall adopt a school readiness assessment for students entering first grade and shall administer such assessment pursuant to paragraph (2) of subsection (b) of Code Section 20-2-151. ~~The state board shall develop, subject to appropriation by the General Assembly, a comprehensive item bank which shall be representative of grade levels three, five, eight, and 11 and content areas contained within the uniformly sequenced core curriculum approved by the state board for those grades pursuant to Code Section 20-2-140; provided, however, that the items reflecting each subject area at designated grade levels shall range proportionally from minimal competency to higher level achievement competencies. This item bank shall be used to develop assessments which reflect student achievement at the classroom, school, and system levels. One of the components in both the comprehensive evaluation pursuant to Code Section~~

20-2-282 and the awarding of salary supplements as part of a pay for performance or related plan pursuant to Code Section 20-2-213 or other Code sections under this article may be assessments of student achievement.

(c) ~~The State Board of Education~~ shall have the authority to condition the ~~promotion of a student from one grade to the next or condition the~~ awarding of a high school diploma to a student upon achievement of satisfactory scores on instruments or tests adopted and administered by the state board pursuant to subsection (a) of this Code section. The state board is authorized and directed to adopt regulations providing that any handicapped child, as defined by the provisions of this article, shall be afforded opportunities to take any test adopted by the state board as a condition for the awarding of a high school diploma. Said regulations shall further provide for appropriate accommodations in the administration of such test. Said regulations shall further provide for the awarding of a special education diploma to any handicapped student who is lawfully assigned to a special education program and who does not achieve a passing score on said test or who has not completed all of the requirements for a high school diploma but who has nevertheless completed his or her Individualized Education Program.

(d) ~~Local school systems may not use state funds to purchase or administer assessments other than those specified in subsection (a) of this Code section. However, local systems participating in state funded programs which require, in part or whole, individual student assessment data to determine eligibility or evaluation of student success in such programs, or to meet mandated requirements under federally authorized funds allocated to state or local systems or both, are authorized to expend a portion of the allocated state program funds for such testing purposes. Subject to appropriations by the General Assembly, the State Board of Education, in addition to the assessment program provided for in subsection (a) of this Code section, shall provide each local school system funds to be used for additional assessment as deemed necessary and appropriate by the local school system. The additional funds shall be calculated based on the number of FTE student counts reported for the preceding school year.~~

(e) Teachers in grades three through 12 shall participate annually in a staff development program on the use of tests within the instructional program designed to improve students' academic achievement. This program shall instruct teachers on curriculum alignment related to tests, disaggregated student test data to identify student academic weaknesses by subtests, and other appropriate applications as determined by the State Board of Education.

SECTION 2.

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

The following amendment was read and adopted:

Representatives Streat of the 167th, Purcell of the 147th, Godbee of the 145th, Twiggs of the 8th and Parham of the 122nd move to amend the Committee substitute to SB 11 by striking lines 1 through 3 of page 1 and inserting in lieu thereof the following:

“To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary, secondary, and adult education, so as to provide that contractors, officials, agents, or other appropriate representatives of the Department of Public Safety may teach the alcohol and drug course; to change certain provisions regarding”

By striking lines 8 through 10 of page 1 and inserting in lieu thereof the following:

“Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary, secondary, and adult education, is amended in Code Section 20-2-142, relating to prescribed courses in public schools, by striking in its entirety paragraph (1) of subsection (b) and inserting in lieu thereof the following:

‘(b)(1) The State Board of Education and the Board of Public Safety shall jointly establish an alcohol and drug course for the purpose of informing the young people

of this state of the dangers involved in consuming alcohol or certain drugs in connection with the operation of a motor vehicle. The course shall be designed to generate greater interest in highway safety and accident prevention. The state board and the Board of Public Safety shall jointly, by rules or regulations, determine the contents of the course and its duration. The Board Commissioner of Public Safety shall make available officers, or employees, officials, agents, contractors, or other appropriate representatives as determined by the commissioner of the Department of Public Safety to teach the alcohol and drug course. The alcohol and drug course shall be offered periodically but not less than once annually in the public schools of this state to students in grades nine and above in the manner prescribed by the state board.'

SECTION 2.

Said chapter is further amended by striking in its entirety Code Section 20-2-281, relating to assessments of educational programs, and"

By renumbering Section 2 as Section 3.

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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 162, nays 0.

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

SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

The following Committee substitute was read and withdrawn:

A BILL

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for zero assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems; to eliminate certain exceptions to such mandatory use; to provide for penalties; 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 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended by striking subparagraph (c)(1)(A) of Code Section 40-5-57, relating to suspension of driver's licenses and the point system of operating records, and inserting in its place a new subparagraph to read as follows:

"(c)(1)(A) Except as provided in subparagraph (C) of this paragraph, the points to be assessed for each offense shall be as provided in the following schedule:

Reckless driving.....	4 points
Unlawful passing of a school bus.....	6 points
Improper passing on a hill or a curve.....	4 points
Exceeding the speed limit by more than 14 miles per hour but less than 19 miles per hour.....	2 points
Exceeding the speed limit by 19 miles per hour or more but less than 24 miles per hour.....	3 points
Exceeding the speed limit by 24 miles per hour or more but less than 34 miles per hour.....	4 points
Exceeding the speed limit by 34 miles per hour or more.....	6 points
Disobedience of any traffic-control device or traffic officer.....	3 points
Too fast for conditions.....	0 points
Possessing an open container of an alcoholic beverage while driving.....	2 points
Failure to adequately secure a load, except fresh farm produce, resulting in loss of such load onto the roadway which results in an accident..	2 points
<u>Violation of child safety restraint requirements.....</u>	<u>0 points</u>
All other moving traffic violations which are not speed limit violations.	3 points"

SECTION 2.

Said title is further amended by striking Code Section 40-8-76, relating to safety belts and child passenger restraining systems, and inserting in its place a new Code section to read as follows:

"40-8-76.

(a)(1) No new private passenger automobile manufactured after January 1, 1964, shall be sold to the general public in this state unless such automobile shall be equipped with two sets of safety belts for the front seat thereof. The safety belts may be installed by the manufacturer prior to delivery to the dealer, or they may be installed by the dealer.

~~(2) Any person violating paragraph (1) of this subsection shall be guilty of a misdemeanor.~~

(b)(1) On and after July 1, 1984, every driver who transports a child four years of age or younger in a passenger automobile, van, or pickup truck, ~~other than one operated for hire, which is registered in this state~~ shall, while such motor vehicle is in motion and operated on a public road, street, or highway of this state, provide for the protection of such child in a child passenger restraining system approved by the United States Department of Transportation under Federal Motor Vehicle Safety Standard 213 in effect on January 1, 1983. A driver shall not be deemed to be complying with the provisions of this subsection unless the child passenger restraining system is installed and being used in accordance with the manufacturer's directions for such system. However, if the child is three or four years of age, a seat belt shall be sufficient to meet the requirements of this subsection. The provisions of this subsection shall not apply when the child's personal needs are being attended to.

(2)(A) Upon a first conviction of an offense under this subsection, the defendant shall be punished by a fine of not more than \$25.00 \$200.00. Upon a second or subsequent conviction of an offense under this subsection, the defendant shall be punished by a fine of not more than \$500.00.

~~(B) The provisions of this subsection shall not apply to the driver of a car pool carrying children four years of age or younger to a church or public or private school, unless said church or public or private school is licensed as a day-care center by the Georgia Department of Human Resources and unless such children are being transported to said church or public or private school in a van operated by the church or public or private school.~~

(c) It shall be the duty of the Governor's Office of Highway Safety to implement and coordinate a program to inform parents and other citizens of Georgia of the reasons for the enactment of subsection (b) of this Code section. Such program shall be carried out prior to January 1, 1989. The Governor's Office of Highway Safety shall solicit the cooperation and assistance of the Georgia State Patrol, the Georgia Sheriffs Association, the Georgia Association of Chiefs of Police, Incorporated, the Peace Officers' Association of Georgia, the Medical College of Georgia, the Georgia Hospital Association, the Georgia Association of Educators, the Georgia Parent-Teacher Association, and other appropriate organizations in educating the citizens of the state and in implementing, coordinating, and carrying out the program provided for herein.

(d) Violation of this Code section shall not constitute negligence per se nor contributory negligence per se."

SECTION 3.

This Act shall become effective January 1, 1997, and shall apply with respect to offenses committed on or after that date. The provisions of this Act shall not apply to or affect offenses committed prior to that effective date.

SECTION 4.

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

The following substitute, offered by Representatives Parham of the 122nd and Porter of the 143rd, was read:

A BILL

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for zero assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems; to eliminate certain exceptions to such mandatory use; to provide for penalties; to change provisions relating to use of safety belts in passenger vehicles; to change provisions relating to penalties for violations; to provide for probable cause for violations; to provide that violations of seat belt requirements shall not constitute probable

cause for violations of any other Code sections; 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 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended by striking subparagraph (c)(1)(A) of Code Section 40-5-57, relating to suspension of driver's licenses and the point system of operating records, and inserting in its place a new subparagraph to read as follows:

"(c)(1)(A) Except as provided in subparagraph (C) of this paragraph, the points to be assessed for each offense shall be as provided in the following schedule:

Reckless driving.....	4 points
Unlawful passing of a school bus.....	6 points
Improper passing on a hill or a curve.....	4 points
Exceeding the speed limit by more than 14 miles per hour but less than 19 miles per hour.....	2 points
Exceeding the speed limit by 19 miles per hour or more but less than 24 miles per hour.....	3 points
Exceeding the speed limit by 24 miles per hour or more but less than 34 miles per hour.....	4 points
Exceeding the speed limit by 34 miles per hour or more.....	6 points
Disobedience of any traffic-control device or traffic officer.....	3 points
Too fast for conditions.....	0 points
Possessing an open container of an alcoholic beverage while driving.....	2 points
Failure to adequately secure a load, except fresh farm produce, resulting in loss of such load onto the roadway which results in an accident..	2 points
<u>Violation of child safety restraint requirements.....</u>	<u>0 points</u>
All other moving traffic violations which are not speed limit violations.	3 points"

SECTION 2.

Said title is further amended by striking Code Section 40-8-76, relating to safety belts and child passenger restraining systems, and inserting in its place a new Code section to read as follows:

"40-8-76.

(a)~~(1)~~ No new private passenger automobile manufactured after January 1, 1964, shall be sold to the general public in this state unless such automobile shall be equipped with two sets of safety belts for the front seat thereof. The safety belts may be installed by the manufacturer prior to delivery to the dealer, or they may be installed by the dealer.

~~(2) Any person violating paragraph (1) of this subsection shall be guilty of a misdemeanor.~~

(b)(1) On and after July 1, 1984, every driver who transports a child four years of age or younger in a passenger automobile, van, or pickup truck, other than ~~one operated for hire~~ a taxicab as defined by Code Section 40-9-101 or a public transit vehicle as defined by Code Section 16-5-20, which is registered in this state shall, while such motor vehicle is in motion and operated on a public road, street, or highway of this state, provide for the protection of such child in a child passenger restraining system approved by the United States Department of Transportation under Federal Motor Vehicle Safety Standard 213 in effect on January 1, 1983. A driver shall not be deemed to be complying with the provisions of this subsection unless the child passenger restraining system is installed and being used in accordance with the manufacturer's directions for such system. However, if the child is three or four years of age, a seat belt shall be sufficient to meet the requirements of this subsection. The provisions of this subsection shall not apply when the child's personal needs are being attended to.

(2)(A) Upon a first conviction of an offense under this subsection, the defendant shall be punished by a fine of not more than ~~\$25.00~~ \$200.00. Upon a second or subsequent conviction of an offense under this subsection, the defendant shall be punished by a fine of not more than \$500.00.

~~(B) The provisions of this subsection shall not apply to the driver of a car pool carrying children four years of age or younger to a church or public or private school, unless said church or public or private school is licensed as a day-care center by the Georgia Department of Human Resources and unless such children are being transported to said church or public or private school in a van operated by the church or public or private school.~~

(c) It shall be the duty of the Governor's Office of Highway Safety to implement and coordinate a program to inform parents and other citizens of Georgia of the reasons for the enactment of subsection (b) of this Code section. Such program shall be carried out prior to January 1, 1989. The Governor's Office of Highway Safety shall solicit the cooperation and assistance of the Georgia State Patrol, the Georgia Sheriffs Association, the Georgia Association of Chiefs of Police, Incorporated, the Peace Officers' Association of Georgia, the Medical College of Georgia, the Georgia Hospital Association, the Georgia Association of Educators, the Georgia Parent-Teacher Association, and other appropriate organizations in educating the citizens of the state and in implementing, coordinating, and carrying out the program provided for herein.

(d) Violation of this Code section shall not constitute negligence per se nor contributory negligence per se."

SECTION 3.

aid title is further amended by striking Code Section 40-8-76.1, relating to use of safety elts in passenger vehicles, and inserting in lieu thereof the following:

"40-8-76.1.

(a) As used in this Code section, the term 'passenger vehicle' means every motor vehicle designed to carry ten passengers or less and used for the transportation of persons but shall not mean pickup trucks, motorcycles, motor driven cycles, or vehicles equipped for off-road use, provided that the term 'passenger vehicle' includes pickup trucks for any occupant who is under 18 years of age.

(b) Each occupant of the front seat of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208.

(c) The requirement of subsection (b) of this Code section shall not apply to:

(1) A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour;

(2) A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt;

(3) A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt;

(4) A driver operating a passenger vehicle in reverse;

(5) A passenger vehicle with a model year prior to 1965;

(6) A passenger vehicle which is not required to be equipped with seat safety belts under federal law;

(7) A passenger vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier;

(8) A passenger vehicle from which a person is delivering newspapers; or

(9) A passenger vehicle performing an emergency service.

(d) Failure to wear a seat safety belt shall not be considered evidence of negligence, shall not be considered by the court on any question of liability of any person, corporation, or insurer, shall not be any basis for cancellation of coverage or increase in insurance rates, and shall not diminish any recovery for damages arising out of the ownership, maintenance, occupancy, or operation of a passenger vehicle.

(e)(1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, a person failing to comply with the requirements of subsection (b) of this Code section shall not be guilty of any criminal act and shall not be guilty of violating any ordinance and shall not be issued a citation for violation of any provision of this title or any ordinance enacted pursuant thereto. Such person shall be warned that the failure to use a seat safety belt is dangerous to the person's safety and such person shall be encouraged to comply with the provisions of this Code section. A violation of this Code section shall not be a moving traffic violation for purposes of Code Section 40-5-57.

(2) A person failing to comply with the requirements of subsection (b) of this Code section ~~who is also charged with violating Code Section 40-6-181, Code Section 40-6-186, Code Section 40-6-271, Code Section 40-6-390, Code Section 40-6-391, Code Section 40-6-393, Code Section 40-6-394, or Code Section 40-6-395~~ shall be guilty of the offense of failure to wear a seat safety belt and, upon conviction thereof, may be fined not more than \$15.00. The court imposing such fine shall ~~not~~ forward a record of the disposition of the case of failure to wear a seat safety belt to the Department of Public Safety.

(3) Each minor over four years of age who is an occupant of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208. In any case where a minor passenger over four years of age fails to comply with the requirements of this paragraph, the driver of the passenger vehicle shall be guilty of the offense of failure to secure a safety belt on a minor and, upon conviction thereof, may be fined not more than \$25.00. The court imposing such a fine shall not forward a record of the court disposition of the case of failure to secure a safety belt on a minor to the Department of Public Safety.

(f) Probable cause for violation of this Code section shall be based solely upon a law enforcement officer's clear and unobstructed view of a person not restrained as required by this Code section. Noncompliance with the restraint requirements of this Code section shall not constitute probable cause for violation of any other Code section.

SECTION 4.

This Act shall become effective January 1, 1997, and shall apply with respect to offenses committed on or after that date. The provisions of this Act shall not apply to or affect offenses committed prior to that effective date.

SECTION 5.

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

The following amendment was read:

Representative Barnes of the 33rd moves to amend the Floor substitute to SB 606 as follows:

Line 24 page 6

(g) Notwithstanding anything in the law to the contrary, no failure to wear a seatbelt shall be admissible in any civil action whatsoever.

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

N Allen	Y Barfoot	Y Birdsong	Y Brown, J	Y Byrd
N Anderson	Y Bargeron	Y Bordeaux	Brush	Y Campbell
Y Ashe	Y Barnard	Y Bostick	Y Buck	Y Canty
Y Bailey	Y Barnes	Y Breedlove	Y Buckner	Y Carter
Y Baker	N Bates	Y Brooks, D	Y Bunn	N Chambless
Y Bannister	Y Benefield	Y Brooks, T	N Burkhalter	Y Channell

Y Childers	Y Harbin	Y Lifsey	Y Randall	Y Stancil, S
Y Coker	Y Harris	Lord	Y Randolph	Y Stanley, L
Y Coleman, B	Y Heard	Y Lucas	Ray	Y Stanley, P
Y Coleman, T	Y Heckstall	Y Maddox	Y Reaves	Y Stephenson
Y Connell	Y Hegstrom	Y Mann	N Reichert	Y Streat
Y Crawford	Y Hembree	Y Martin	Y Roberts	Y Taylor
Y Crews	Y Henson	Y McBee	N Rogers	N Teague
Y Culbreth	Y Holland	E McCall	Y Royal	Y Teper
Y Cummings	N Holmes	Y McClinton	N Sanders	Y Thomas
Y Davis, G	Howard	McKinney	Y Sauder	Y Tillman
Y Davis, M	Y Hudson	E Mills	Y Scoggins	N Titus
Y Day	Y Hugley	Y Mobley, B	N Shanahan	Y Towery
Y DeLoach, B	Y Irvin	Y Mobley, J	N Shaw	N Trense
Y DeLoach, G	Y James	Y Mosley	N Sherrill	Y Turnquest
Y Dix	Y Jamieson	N Mueller	Y Shipp	Y Twiggs
N Dixon, H	Y Jenkins	Y O'Neal	Y Simpson	Y Walker, L
Y Dixon, S	Y Johnson, G	Orrock	Y Sinkfield	Y Walker, R.L
Y Dobbs	Y Johnson, J	Y Parham	Y Skipper	Y Wall
Y Ehrhart	Y Johnston	Y Parrish	N Smith, C	Y Watson
Y Epps	Y Jones	Y Parsons	Smith, C.W	Y Watts
Y Evans	Y Joyce	Y Pelote	Y Smith, L	Y Westmoreland
Y Falls	Y Kaye	Y Perry	Y Smith, P	Y Whitaker
N Felton	Y Kinnamon	Y Pinholster	N Smith, T	White
Y Floyd	Y Klein	Y Polak	N Smith, V	Y Wiles
Y Godbee	Y Ladd	Y Ponder	Smith, W	N Williams, B
Y Golden	Y Lakly	Y Porter	Y Smyre	Y Williams, J
Y Goodwin	Y Lane	Y Poston	Y Snelling	Y Williams, R
E Greene	Y Lawrence	Y Powell	Y Snow	Y Woods
Y Grindley	Y Lee	Y Purcell, A	Y Stallings	N Yates
Hanner	Y Lewis	E Purcell, B	Y Stancil, F	Murphy, Spkr

On the adoption of the amendment, the ayes were 140, nays 23.

The amendment was adopted.

The following amendment was read and adopted:

Representatives Powell of the 23rd and Hembree of the 98th move to amend the Floor substitute to SB 606 as follows:

On page 4, line 7, after " add,

Violation of child safety restraint requirements shall not be the basis for cancellation of coverage or increase in insurance rates.

The following amendment was read:

Representatives Powell of the 23rd and Brush of the 112th move to amend the Floor substitute to SB 606 by striking line 13 of page 1 and inserting in lieu thereof the following:

"exempt certain persons 15 years of age or over while taking instruction from a licensed driving instructor or an approved high school driver education instructor; to provide for conditions and limitations; to provide for eyesight examinations; to amend an Act approved March 29, 1994 (Ga. L. 1994, p. 478), providing for the exemption of certain drivers from the requirement for a learner's permit while taking instruction from a licensed driving instructor, so as to remove the automatic date of repeal or 'sunset' date of said Act; to provide for effective dates and applicability; to repeal"

By redesignating Sections 4 and 5 as Sections 6 and 7, respectively.

By inserting between lines 23 and 24 of page 6 the following:

"SECTION 4.

Said title is further amended by striking paragraph (11) of subsection (a) of Code Section 40-5-21, relating to exemptions from driver's license requirements, and inserting in lieu thereof a new paragraph (11) to read as follows:

'(11) Any resident who is ~~21~~ 15 years of age or over while taking actual in-car training in a training vehicle other than a commercial motor vehicle under the direct personal supervision of a driving instructor when such driving instructor and training vehicle are ~~licensed by the Department~~ of Public Safety in accordance with the provisions of Chapter 13 of Title 43, "The Driver Training School License Act," or when such driving instructor and vehicle are approved by the State Department of Education for a driver education program offered by a public high school, provided that the course is open only to students of such accredited school. As used in the previous sentence, the term "commercial motor vehicle" shall have the meaning specified in Code Section 40-5-142. All vehicles utilized for the in-car training authorized under this paragraph shall be equipped with dual controlled brakes and shall be marked with signs in accordance with the Department of Public Safety or Department of Education rules clearly identifying such vehicles as training cars belonging to a driving school or public high school. A driving instructor shall test the eyesight of any unlicensed person who will be receiving actual in-car training prior to commencement of such training, and no unlicensed driver shall receive in-car training unless such person has at least the visual acuity and horizontal field of vision as is required for issuance of a driver's license in subsection (c) of Code Section 40-5-27.'

SECTION 5.

An Act approved March 29, 1994 (Ga. L. 1994, p. 478), providing for the exemption of certain drivers from the requirement for a learner's permit while taking instruction from a licensed driving instructor, is amended by repealing Section 4, which reads as follows:

'SECTION 4.

This Act shall be repealed in its entirety July 1, 1996.'

By striking lines 25 through 28 of page 6 and inserting in lieu thereof the following:

"This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, except that Sections 1 and 2 of this Act shall become effective January 1, 1997, and shall apply with respect to offenses committed on or after that date and shall not apply to or affect offenses committed prior to January 1, 1997."

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

Y Allen	N Carter	N Godbee	Y Kaye	N Parrish
Anderson	N Chambless	N Golden	Y Kinnamon	N Parsons
N Ashe	N Channell	Y Goodwin	Y Klein	N Pelote
N Bailey	N Childers	E Greene	N Ladd	Y Perry
Baker	N Coker	Y Grindley	N Lakly	Y Pinholster
Y Bannister	N Coleman, B	N Hanner	N Lane	N Polak
N Barfoot	N Coleman, T	Y Harbin	Y Lawrence	Y Ponder
Bargeron	N Connell	Y Harris	N Lee	N Porter
Y Barnard	N Crawford	N Heard	Y Lewis	N Poston
N Barnes	N Crews	N Heckstall	Lifsey	Y Powell
N Bates	N Culbreth	Y Hegstrom	Y Lord	Purcell, A
Y Benefield	Cummings	Y Hembree	Y Lucas	E Purcell, B
N Birdsong	N Davis, G	Henson	Y Maddox	Y Randall
Y Bordeaux	Y Davis, M	Y Holland	Y Mann	Y Randolph
N Bostick	N Day	N Holmes	N Martin	Ray
Y Breedlove	Y DeLoach, B	N Howard	N McBee	Y Reaves
N Brooks, D	Y DeLoach, G	Y Hudson	E McCall	Y Reichert
Y Brooks, T	Y Dix	N Hugley	McClinton	Y Roberts
Y Brown, J	Y Dixon, H	N Irvin	Y McKinney	Y Rogers
Y Brush	N Dixon, S	James	E Mills	N Royal
N Buck	N Dobbs	N Jamieson	N Mobley, B	N Sanders
Y Buckner	Y Ehrhart	N Jenkins	Y Mobley, J	N Sauder
Bunn	N Epps	Y Johnson, G	N Mosley	N Scoggins
Y Burkhalter	Y Evans	Y Johnson, J	N Mueller	N Shanahan
N Byrd	Y Falls	N Johnston	N O'Neal	Y Shaw
N Campbell	Felton	Jones	N Orrock	N Sherrill
N Canty	Y Floyd	Y Joyce	N Parham	N Shipp

N Simpson	Smith, W	Y Stephenson	Y Trense	Y Whitaker
N Sinkfield	N Smyre	Y Streat	Y Turnquest	N White
N Skipper	Y Snelling	N Taylor	Y Twiggs	Y Wiles
N Smith, C	N Snow	Y Teague	N Walker, L	Y Williams, B
N Smith, C.W.	N Stallings	N Teper	N Walker, R.L	Y Williams, J
N Smith, L	N Stancil, F	Thomas	Y Wall	Y Williams, R
N Smith, P	N Stancil, S	N Tillman	Y Watson	Y Woods
Y Smith, T	N Stanley, L	N Titus	Y Watts	Y Yates
Y Smith, V	N Stanley, P	Towery	Y Westmoreland	Murphy, Spkr

On the adoption of the amendment, the ayes were 72, nays 85.

The amendment was lost.

The following amendment was read:

Representative Joyce of the 1st moves to amend the Floor substitute to SB 606 as follows:

Page 3 restore original language from line 19 through 33.

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

N Allen	Y Crews	N Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	N Pinholster	N Stallings
Y Bannister	N Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	N Stancil, S
Bargeron	Y DeLoach, G	Jones	N Porter	N Stanley, L
N Barnard	N Dix	Y Joyce	N Poston	N Stanley, P
N Barnes	Y Dixon, H	Y Kaye	Y Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Y Klein	E Purcell, B	N Taylor
N Birdsong	Y Ehrhart	N Ladd	N Randall	Y Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	Y Evans	Y Lane	Ray	Thomas
Y Breedlove	Y Falls	N Lawrence	N Reaves	Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	Towery
N Brown, J	N Godbee	Y Lifsey	Y Rogers	N Trense
Y Brush	N Golden	Lord	N Royal	N Turnquest
N Buck	N Goodwin	N Lucas	Y Sanders	Y Twiggs
N Buckner	E Greene	Y Maddox	N Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	N Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	Y Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	E McCall	N Sherrill	N Watts
Y Canty	N Heard	McClinton	N Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambliss	N Hegstrom	E Mills	N Sinkfield	N White
N Channell	N Hembree	N Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
N Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	N Holmes	Y Mueller	N Smith, L	Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
N Connell	Y Hudson	N Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 38, nays 126.

The amendment was lost.

The following amendment was read:

Representative Joyce of the 1st moves to amend the Floor substitute to SB 606 as follows:

Strike Section 3 in its entirety. Rename on page 6 "Section 4" to "Section 3" and "Section 5" to "Section 4".

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

Allen	Y Crews	N Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	N James	Y Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	N Pinholster	N Stallings
Y Bannister	N Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	N Stancil, S
Bargeron	Y DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	Y Dix	Y Joyce	N Poston	N Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	Streat
N Benefield	N Dobbs	N Klein	E Purcell, B	N Taylor
N Birdsong	Y Ehrhart	N Ladd	N Randall	Y Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	Y Evans	Y Lane	Ray	Thomas
Y Breedlove	Y Falls	N Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	Y Reichert	N Titus
N Brooks, T	N Floyd	Y Lewis	Y Roberts	Towery
N Brown, J	N Godbee	Y Lifsey	N Rogers	N Trense
Y Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	Twiggs
N Buckner	E Greene	Y Maddox	N Sauder	N Walker, L
Y Bunn	N Grindley	Y Mann	N Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	Y Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
Y Campbell	N Harris	E McCall	N Sherrill	N Watts
Y Canty	N Heard	N McClinton	N Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	E Mills	Sinkfield	N White
N Channell	Y Hembree	N Mobley, B	N Skipper	N Wiles
Y Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	N Holmes	Y Mueller	N Smith, L	N Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
N Connell	N Hudson	N Orrock	Y Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 43, nays 121.

The amendment was lost.

The following amendment was read:

Representative Lucas of the 124th moves to amend the Floor substitute to SB 606 as follows:

On page 3 line 21 by striking the figure \$200 and inserting \$25 and by striking on line 24 the figure \$500 and inserting \$50.

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

Y Allen	N Bates	Y Buck	Y Childers	Y Davis, M
Y Anderson	Y Benefield	N Buckner	N Coker	Y Day
N Ashe	Y Birdsong	Y Bunn	Y Coleman, B	Y DeLoach, B
Y Bailey	N Bordeaux	N Burkhalter	Y Coleman, T	Y DeLoach, G
Y Baker	N Bostick	Y Byrd	Y Connell	Y Dix
Y Bannister	Y Breedlove	N Campbell	Y Crawford	Y Dixon, H
N Barfoot	N Brooks, D	Y Canty	Y Crews	N Dixon, S
Bargeron	Y Brooks, T	N Carter	Y Culbreth	N Dobbs
N Barnard	N Brown, J	N Chambless	Y Cummings	N Ehrhart
Y Barnes	Y Brush	Y Channell	Y Davis, G	Y Epps

Y Evans	Y Johnson, G	Y Mobley, J	Y Sanders	Y Streat
Y Falls	Y Johnson, J	Y Mosley	N Sauder	Y Taylor
N Felton	Y Johnston	N Mueller	Y Scogins	Y Teague
Y Floyd	Jones	N O'Neal	N Shanahan	N Teper
N Godbee	Y Joyce	Y Orrock	Y Shaw	Y Thomas
N Golden	Y Kaye	N Parham	N Sherrill	Y Tillman
Y Goodwin	N Kinnamon	Y Parrish	Y Shipp	N Titus
E Greene	Y Klein	N Parsons	N Simpson	Y Towery
N Grindley	Y Ladd	Y Pelote	Y Sinkfield	N Trense
Hanner	Y Lakly	Y Perry	N Skipper	Y Turnquest
N Harhin	Y Lane	Y Pinholster	N Smith, C	Y Twiggs
N Harris	N Lawrence	N Polak	N Smith, C.W	Y Walker, L
N Heard	Lee	N Ponder	Y Smith, L	Y Walker, R.L
Y Heckstall	Y Lewis	N Porter	Y Smith, P	Y Wall
Y Hegstrom	Y Lifsey	N Poston	Y Smith, T	Y Watson
N Hembree	Y Lord	Y Powell	Y Smith, V	Watts
N Henson	Y Lucas	Y Purcell, A	Smith, W	Y Westmoreland
N Holland	N Maddox	E Purcell, B	Y Smyre	Y Whitaker
N Holmes	Y Mann	Y Randall	Y Snelling	Y White
Y Howard	Y Martin	Y Randolph	Y Snow	N Wiles
Y Hudson	N McBee	Ray	N Stallings	N Williams, B
Y Hugley	E McCall	Y Reaves	N Stancil, F	Y Williams, J
N Irvin	McClinton	Y Reichert	Y Stancil, S	N Williams, R
Y James	Y McKinney	Y Roherts	Y Stanley, L	N Woods
N Jamieson	E Mills	Y Rogers	Stanley, P	Y Yates
N Jenkins	Y Mobley, B	N Royal	N Stephenson	Murphy, Spkr

On the adoption of the amendment, the ayes were 106, nays 60.

The amendment was adopted.

The following amendment was read:

Representatives Benefield of the 96th and Parham of the 122nd move to amend the Floor substitute to SB 606 by adding immediately following the semicolon on line 4 of page 1 the following:

“to change the provisions relating to maximum lawful speed limits;”

By striking “an effective date” and inserting “effective dates” on line 13 of page 1.

By adding between lines 21 and 22 of page 2 the following:

“SECTION 1.1.

Said title is further amended by striking subsection (b) of Code Section 40-6-181, relating to maximum lawful vehicle speed limits, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) No person shall drive a vehicle at a speed in excess of the following maximum limits:

- (1) Thirty miles per hour in any urban or residential district;
- (2) ~~Sixty-five~~ Seventy miles per hour on a highway on the federal interstate system and on physically divided highways with full control of access which is are outside of an urbanized area of 50,000 population or more, provided that such speed limit is designated by appropriate signs; ~~and~~
- (3) Sixty-five miles per hour on a highway on the federal interstate system which is inside of an urbanized area of 50,000 population or more, provided that such speed limit is designated by appropriate signs;
- (4) Sixty-five miles per hour on those sections of physically divided highways without full access control on the state highway system, provided that such speed limit is designated by appropriate signs; and
- (5) Fifty-five miles per hour in other locations.”

By striking "This" from line 25 of page 6 and inserting in its place the following:

"Section 1.1 of this Act shall become effective July 1, 1996. The remaining provisions of this" www.libtool.com.cn

The following amendment was read and adopted:

Representatives Purcell of the 9th and Twiggs of the 8th move to amend the Benefield amendment to the Floor substitute to SB 606 by inserting between lines 19 and 20 of page 1 the following:

"(1.1) Thirty-five miles per hour on an unpaved county road unless designated otherwise by appropriate signs;"

The Benefield amendment, as amended, was adopted.

The following amendments were read and adopted:

Representatives Parham of the 122nd and Porter of the 143rd move to amend the Floor substitute to SB 606 by striking line 40 of page 5 and inserting in lieu thereof the following:

"than \$15.00. The court imposing such fine shall not"

Representatives Parham of the 122nd and Porter of the 143rd move to amend the Floor substitute to SB 606 by striking line 39 of page 3 and inserting in lieu thereof the following:

"January 1, ~~1989~~ 1997. The Governor's Office of Highway Safety"

The Floor substitute, as amended, was adopted.

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

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

Y Allen	Y Campbell	N Evans	Y Jenkins	E Mills
N Anderson	Y Canty	Y Falls	Y Johnson, G	Y Mobley, B
Y Ashe	Y Carter	Y Felton	Y Johnson, J	Y Mobley, J
Y Bailey	Y Chambless	Y Floyd	Y Johnston	Y Mosley
Y Baker	Y Channell	Y Godbee	Y Jones	Y Mueller
Y Bannister	N Childers	Y Golden	N Joyce	Y O'Neal
Y Barfoot	Y Coker	Y Goodwin	Y Kaye	Y Orrock
Bargeron	Y Coleman, B	E Greene	Y Kinnamon	Y Parham
Y Barnard	Y Coleman, T	Y Grindley	Y Klein	Y Parrish
Y Barnes	Y Connell	Hanner	Y Ladd	N Parsons
Y Bates	Y Crawford	Y Harbin	N Lakly	Y Pelote
Y Benefield	Y Crews	Y Harris	Y Lane	N Perry
Y Birdsong	Y Culbreth	Y Heard	Y Lawrence	Y Pinholster
Y Bordeaux	Y Cummings	Y Heckstall	Y Lee	Y Polak
Y Bostick	Y Davis, G	Y Hegstrom	N Lewis	Y Ponder
Y Breedlove	N Davis, M	Y Hembree	Y Lifsey	Y Porter
Y Brooks, D	Y Day	Y Henson	Y Lord	Y Poston
N Brooks, T	Y DeLoach, B	Y Holland	Y Lucas	Y Powell
Y Brown, J	Y DeLoach, G	Y Holmes	N Maddox	Y Purcell, A
N Brush	Y Dix	Y Howard	Y Mann	E Purcell, B
Y Buck	Y Dixon, H	Y Hudson	Y Martin	Y Randall
Y Buckner	Y Dixon, S	Y Hugley	Y McBee	Y Randolph
N Bunn	Y Dobbs	Y Irvin	E McCall	Y Ray
Y Burkhalter	Y Ehrhart	Y James	Y McClinton	Y Reaves
Y Byrd	Y Epps	Y Jamieson	Y McKinney	N Reichert

N Roberts	Y Sinkfield	N Snow	Thomas	Y Watts
N Rogers	Y Skipper	Y Stallings	Y Tillman	N Westmoreland
Y Royal	Y Smith, C	Y Stancil, F	Y Titus	Y Whitaker
N Sanders	N Smith, C.W	Y Stancil, S	Y Towery	Y White
Y Sauder	N Smith, L	Y Stanley, L	Y Trense	Y Wiles
Y Scoggins	Y Smith, P	Y Stanley, P	Y Turnquest	Y Williams, B
N Shanahan	N Smith, T	N Stephenson	Y Twiggs	Y Williams, J
Y Shaw	N Smith, V	Y Streat	Walker, L	Y Williams, R
Y Sherrill	Smith, W	Y Taylor	Y Walker, R.L	Y Woods
Y Shipp	Y Smyre	N Teague	Y Wall	Y Yates
N Simpson	Y Snelling	Y Teper	Y Watson	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 142, nays 27.

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

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

Mr. Speaker:

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

HB 1155. By Representatives Kinnamon of the 4th, Childers of the 13th, Perry of the 11th and others:

A bill to amend Chapter 12 of Title 43 of the Official Code of Georgia Annotated, relating to peddling, business operation, or professional practice by disabled veterans and blind persons, and Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupational taxes, so as to provide for an exemption from occupation taxes and regulatory fees of local governments for certain disabled veterans and blind persons.

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

HB 1442. By Representatives Reaves of the 178th, Floyd of the 138th and Purcell of the 147th:

A bill to amend Part 3 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to antifreeze, so as to provide that such part shall not apply to certain antifreeze that is recycled, reclaimed, or reprocessed.

The Senate insists on its substitute to the following bill of the House:

HB 1404. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

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

HB 1130. By Representatives Walker of the 87th, Ladd of the 59th, Williams of the 114th and others:

A bill to amend Chapter 8 of Title 33 of the Official Code of Georgia Annotated, relating to insurance related fees and taxes, so as to provide that certain insurance companies shall be exempt from certain fees and taxes.

HB 1272. By Representatives Skipper of the 137th and Smith of the 12th:

A bill to amend Chapter 47 of Title 43 of the Official Code of Georgia Annotated, known as the "Used Motor Vehicle Dealers' and Used Motor Vehicle Parts Dealers' Registration Act," so as to change the definition of a certain term; to change the provisions relating to the selection of the chairperson of the State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers and the selection of the chairpersons of the divisions of such board.

HB 1590. By Representatives Godbee of the 145th and Taylor of the 134th:

A bill to amend Code Section 20-4-14 of the Official Code of Georgia Annotated, relating to the establishment of the Department of Technical and Adult Education and the provision of its powers and duties, so as to change the powers of the Department of Technical and Adult Education relating to student live work projects.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th and others:

A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Scott of the 36th, Starr of the 44th and Perdue of the 18th.

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

SB 611. By Senators Oliver of the 42nd, Ray of the 19th and Perdue of the 18th:

A bill to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile court proceedings, so as to change provisions relating to provision of reunification services when a deprived child is removed from the home; to state legislative findings; to change the duration of and review of certain custody orders; to provide that reunification services are not required when efforts to reunify a child with the child's family are not reasonable.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 1404. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

Representative Williams of the 114th moved that the House insist on its position in disagreeing to the Senate substitute to HB 1404 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Lord of the 121st, Williams of the 114th and Harbin of the 113th.

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

SB 750. By Senator Oliver of the 42nd:

A bill to amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to numbers of judges of superior courts, so as to provide for a tenth judge of the superior courts of the Stone Mountain Judicial Circuit of Georgia; to provide for the appointment of the first such additional judge by the Governor; to provide for the election of successors to the judge initially appointed.

The following Committee substitute was read:

A BILL

To amend Chapter 3 of Title 15 of the Official Code of Georgia Annotated, relating to the Court of Appeals, so as to increase the membership of the Court of Appeals; to provide that the court shall sit in four divisions; to provide for the manner in which cases are heard; to provide for the manner in which decisions can be overruled; to specify what constitutes a quorum; to provide for election and term of office; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 3 of Title 15 of the Official Code of Georgia Annotated, relating to the Court of Appeals, is amended by striking in its entirety Code Section 15-3-1, relating to the composition and division of the Court of Appeals, and inserting in lieu thereof a new Code Section 15-3-1 to read as follows:

"15-3-1.

(a)Composition. The Court of Appeals shall consist of ~~nine~~ ten Judges who shall elect one of their number as Chief Judge, in such manner and for such time as may be prescribed by rule or order of the court.

(b)Divisions. The court shall sit in three divisions composed of three Judges in each division. Two Judges shall constitute a quorum of a division. The assignment of Judges

to each division shall be made by the Chief Judge, and the personnel of the divisions shall from time to time be changed in accordance with rules prescribed by the court. The Chief Judge shall designate the Presiding Judges of the three divisions and shall, under rules prescribed by the court, distribute the cases among the divisions in such manner as to equalize their work as far as practicable.

(c)How cases heard.

(1) Each division shall hear and determine, independently of the others, the cases assigned to it, except that ~~all members of the court, sitting as one court, shall pass on and determine the division next in line in rotation and a seventh Judge shall participate in the determination of each case in which there is a dissent in the division to which the case was originally assigned.~~

(2) In all cases which involve one or more questions which, in the opinion of the majority of the Judges of the division or of the two divisions plus a seventh Judge to which a case is assigned, should be passed upon by all the members of the court, ~~sitting as one court~~, the questions may be presented to all the members of the court; ~~sitting as one court~~; and if a majority of all the members of the court, ~~sitting as one court~~, decide that the question or questions involved should, in their judgment and discretion, be decided by all the members of the court, ~~sitting as one court~~, the case shall be passed upon by all the members of the court, ~~sitting as one court~~, provided that a majority of the Judges passing upon the case concur in the judgment.

(3) In neither class of cases referred to in this subsection shall there be oral argument except before the division to which the cases are originally assigned.

(d)How decision of ~~division~~ overruled. It being among the purposes of this Code section to avoid and reconcile conflicts among the decisions ~~of the three divisions made by less than all of the Judges on the court~~ and to secure more authoritative decisions, it is provided that when the two divisions plus a seventh Judge sit as one court ~~composed of all three divisions~~ the court may, by the concurrence of a majority, overrule any previous decision ~~by any division alone~~, in the same manner as prescribed for the Supreme Court. As precedent, a decision by such ~~entire~~ court with a majority concurring shall take precedence over a decision by any division or two divisions plus a seventh Judge. A decision concurred in by all the ~~judges~~ Judges shall not be overruled or materially modified except with the concurrence of all the ~~judges~~ Judges.

(e)Quorum. When all the members of the court are sitting together as one court, ~~five~~ six Judges shall be necessary to constitute a quorum. In all cases decided by such court as a whole by less than ~~nine~~ ten Judges, the concurrence of at least five shall be essential to the rendition of a judgment.

(f)Oral arguments. The Court of Appeals may hear oral arguments at places other than the seat of government. Reasonable notice shall be given of such hearings.

(g)Assistance of other judges; procedure. Whenever the court unanimously determines that the business of the court requires the temporary assistance of an additional judge or additional judges or one additional panel, the court may request the assistance of senior appellate judges as provided in Chapter 3A of this title or senior superior court judges as provided in Article 8 of Chapter 10 of Title 47. The ~~judge~~ Judge whose case assignment is transferred to the additional judge shall not vote on the case."

SECTION 2.

Said chapter is further amended by striking in its entirety Code Section 15-3-4, relating to the election and term of office of Judges of the Court of Appeals, and inserting in lieu thereof a new Code Section 15-3-4 to read as follows:

"15-3-4.

Two Judges of the Court of Appeals shall be elected at each general state election to be held on Tuesday after the first Monday in November of the even-numbered years in the manner in which Justices of the Supreme Court are elected; except that three Judges shall be elected at the general state election to be held in 1960 and thereafter at each six-year interval, ~~and~~ that four Judges shall be elected at the general state election to be held in 1962 and thereafter at each six-year interval, and that one Judge appointed by the Governor on or after July 1, 1996, shall serve until January 1, 1999,

and an initial successor to the Judge appointed by the Governor on or after July 1, 1996, shall be duly elected and qualified at the general state election to be held in 1998. Such successor shall serve until January 1, 2001, and a successor to that Judge shall be duly elected and qualified at the general state election to be held in 2000. Thereafter, successors to such Judge shall be elected and qualified at each six-year interval. The terms of the Judges shall begin on January 1 following their election and, except as provided above, shall continue for six years and until their successors are qualified. They shall be commissioned accordingly by the Governor."

SECTION 3.

This Act shall become effective on July 1, 1996.

SECTION 4.

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

The following amendment was read and adopted:

Representative Chambless of the 163rd moves to amend the Committee substitute to SB 750 by striking from lines 3 and 4 on page 1 the following:

"to provide that the court shall sit in four divisions;"

By adding on line 8 of page 1 immediately following the word and symbol "office;" the following:

"to amend Code Section 15-6-29 of the Official Code of Georgia Annotated, relating to compensation of superior court judges, so as to provide that when a new judgeship is created, the new judge shall receive the same local salary supplement paid to the incumbent judge or judges of the circuit; to provide that no publication of a notice of intention to introduce local legislation shall be required for any bill creating one or more new judgeships; to provide for related matters;"

By renumbering Sections 3 and 4 as Sections 4 and 5, respectively.

By inserting a new Section 3 to read as follows:

"SECTION 3.

Code Section 15-6-29 of the Official Code of Georgia Annotated, relating to compensation of superior court judges, is amended by adding at its end a new subsection (c) to read as follows:

'(c) When a new superior court judgeship is created by law for any judicial circuit, the new superior court judge shall upon taking office become entitled to and shall receive from the county or counties comprising the circuit the same county salary supplement, if any, then in effect for the other judge or judges of the judicial circuit. Such salary supplement for such new judge shall be authorized by this subsection and no other legislation or local legislation shall be required in order to authorize such salary supplement, but nothing in this Code section shall be construed to prohibit the enactment of local legislation relating to such salary supplements. A publication of notice of intention to introduce local legislation as provided for in Code Section 28-1-14 shall be required for any local legislation granting, changing the amount of, or removing a salary supplement; but no publication of notice of intention shall be required for a bill creating one or more new superior court judgeships."

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:

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Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinhoister	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	N Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	N Sanders	Y Twiggs
Y Buckner	E Greene	N Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	N Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambless	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	N Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 151, nays 11.

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

By unanimous consent, SB 544 was postponed until Monday, March 18, 1996.

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

The following amendments were read and adopted:

Representative Lakly of the 105th moves to amend SB 749 by adding on line 10 of page 1 between the semicolon and the word "to" the following:

"to provide that certain private waste water treatment companies shall be subject to the authority of any municipal or county development authority in the municipality or county wherein such private company is located; to define a certain term;"

By adding between lines 16 and 17 on page 1 the following:

“amended by adding between paragraphs (5) and (6) of Code Section 36-62-2, relating to definitions applicable under said chapter, a new paragraph (5.1) to read as follows:

“(5.1) “Private waste water treatment company” means any private entity which owns or operates a waste water treatment system which serves 1,000 or more customers.’

SECTION 2.

Said chapter is further”

By striking from line 25 on page 2 the following:

“SECTION 2.”,

and inserting in lieu thereof the following:

“SECTION 3.”

By renumbering former Sections 3 and 4 on page 3 as Sections 5 and 6, respectively, and adding between lines 27 and 28 on page 3 a new Section 4 to read as follows:

“SECTION 4.

Said chapter is further amended by adding at the end thereof a new Code Section 36-62-14 to read as follows:

‘36-62-14.

The authority and jurisdiction of any authority created under this chapter shall extend to private waste water treatment companies located in the jurisdiction of any such authority.”

Representatives Porter of the 143rd and Parham of the 122nd move to amend SB 749 by adding in the title on line 10 of page 1 between the semicolon and the word “to” the following:

“to provide that any such management contract may contain provisions allowing the authority to terminate the management contract under certain conditions;”

By striking the quotation marks at the end of line 27 of page 3 and adding at the end of said line the following:

“Any such management contract may contain provisions allowing the authority to terminate the management contract, but if the authority exercises any right to terminate a management contract, it must immediately enter into another management contract meeting the requirements of this Code section.”

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:

Y Allen	Y Birdsong	Y Byrd	Y Crews	Y Ehrhart
Y Anderson	Y Bordeaux	Y Campbell	Y Culbreth	Y Epps
Y Ashe	Y Bostick	Y Canty	Y Cummings	Y Evans
Y Bailey	Y Breedlove	Y Carter	Y Davis, G	Y Falls
Y Baker	Y Brooks, D	Y Chambliss	Y Davis, M	Y Felton
Y Bannister	Y Brooks, T	Y Channell	Y Day	Y Floyd
Y Barfoot	Y Brown, J	Y Childers	Y DeLoach, B	Y Godbee
Y Barger	Y Brush	Y Coker	Y DeLoach, G	Y Golden
Y Barnard	Y Buck	Y Coleman, B	Y Dix	Y Goodwin
Y Barnes	Y Buckner	Y Coleman, T	Y Dixon, H	Y Greene
Y Bates	Y Bunn	Y Connell	Y Dixon, S	Y Grindley
Y Benefield	Y Burkhalter	Y Crawford	Y Dobbs	Y Hanner

Y Harbin	Y Ladd	Y Parrish	Shaw	Teague
Y Harris	Y Lakly	Y Parsons	Y Sherrill	Y Teper
Y Heard	Y Lane	Y Pelote	Y Shipp	Thomas
Y Heckstall	Y Lawrence	Y Perry	Y Simpson	Y Tillman
Y Hegstrom	Y Lee	Y Pinholster	Y Sinkfield	Y Titus
Y Hembree	Y Lewis	Y Polak	Y Skipper	Y Towery
Y Henson	Y Lifsey	Y Ponder	Y Smith, C	Y Trense
Y Holland	Lord	Y Porter	Y Smith, C.W	Y Turnquest
Y Holmes	Lucas	Y Poston	Y Smith, L	Y Twiggs
Y Howard	Y Maddox	Y Powell	Y Smith, P	Walker, L
Hudson	Y Mann	Y Purcell, A	Smith, T	Y Walker, R.L
Y Hugley	Y Martin	Purcell, B	Smith, V	Y Wall
Y Irvin	Y McBee	Y Randall	Smith, W	Y Watson
Y James	E McCall	Y Randolph	Y Smyre	Y Watts
Y Jamieson	Y McClinton	Y Ray	Y Snelling	Y Westmoreland
Jenkins	McKinney	Y Reaves	Y Snow	Whitaker
Y Johnson, G	E Mills	Y Reichert	Y Stallings	Y White
Y Johnson, J	Y Mobley, B	Roberts	Stancil, F	Y Wiles
Y Johnston	Y Mobley, J	Y Rogers	Y Stancil, S	Y Williams, B
Jones	Y Mosley	Y Royal	Y Stanley, L	Y Williams, J
Y Joyce	Y Mueller	Y Sanders	Y Stanley, P	Y Williams, R
Y Kaye	Y O'Neal	Y Sauder	Stephenson	Y Woods
Y Kinnamon	Y Orrock	Scoggins	Streat	Y Yates
Y Klein	Y Parham	Y Shanahan	Y Taylor	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 147, nays 0.

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

The Speaker Pro Tem assumed the Chair.

SB 710. By Senators Marable of the 52nd, Dean of the 31st and Gillis of the 20th:

A bill to amend Article 11 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to public school property and facilities, so as to allow Crossroads Alternative School Program staff and students from local school systems to participate in staff development and youth leadership programs on the campus of the Georgia School for the Deaf.

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 Allen	Campbell	Y Evans	Jenkins	E Mills
Y Anderson	Y Canty	Y Falls	Y Johnson, G	Y Mobley, B
Y Ashe	Y Carter	Y Felton	Y Johnson, J	Y Mobley, J
Y Bailey	Y Chambliss	Y Floyd	Y Johnston	Y Mosley
Y Baker	Y Channell	Y Godbee	Y Jones	Y Mueller
Y Bannister	Y Childers	Y Golden	Y Joyce	Y O'Neal
Y Barfoot	Y Coker	Y Goodwin	Y Kaye	Y Orrock
Bargeron	Y Coleman, B	E Greene	Y Kinnamon	Parham
Y Barnard	Coleman, T	Y Grindley	Y Klein	Y Parrish
Y Barnes	Connell	Hanner	Y Ladd	Y Parsons
Y Bates	Crawford	Y Harbin	Y Lakly	Y Pelote
Y Benefield	Y Crews	Y Harris	Y Lane	Y Perry
Birdsong	Y Culbreth	Y Heard	Y Lawrence	Y Pinholster
Y Bordeaux	Y Cummings	Y Heckstall	Y Lee	Y Polak
Y Bostick	Y Davis, G	Y Hegstrom	Y Lewis	Y Ponder
Breedlove	Y Davis, M	Y Hembree	Y Lifsey	Y Porter
Y Brooks, D	Y Day	Y Henson	Y Lord	Y Poston
Brooks, T	Y DeLoach, B	Y Holland	Lucas	Y Powell
Y Brown, J	DeLoach, G	Y Holmes	Y Maddox	Y Purcell, A
Y Brusb	Y Dix	Y Howard	Y Mann	Purcell, B
Y Buck	Y Dixon, H	Hudson	Y Martin	Y Randall
Y Buckner	Y Dixon, S	Y Hugley	Y McBee	Y Randolph
Y Bunn	Y Dobbs	Irvin	E McCall	Y Ray
Y Burkhalter	Y Ehrhart	James	Y McClinton	Y Reaves
Y Byrd	Y Epps	Y Jamieson	McKinney	Y Reichert

Roberts	Y Sinkfield	Y Snow	Y Thomas	Watts
Y Rogers	Y Skipper	Y Stallings	Y Tillman	Y Westmoreland
Y Royal	Y Smith, C	Y Stancil, F	Y Titus	Y Whitaker
Y Sanders	Y Smith, C.W	Y Stancil, S	Y Towery	White
Y Sauder	Y Smith, L	Y Stanley, L	Y Trese	Y Wiles
Y Scoggins	Y Smith, P	Y Stanley, P	Y Turnquest	Y Williams, B
Y Shanahan	Y Smith, T	Y Stephenson	Y Twiggs	Y Williams, J
Y Shaw	Smith, V	Y Streat	Y Walker, L	Y Williams, R
Y Sherrill	Smith, W	Y Taylor	Y Walker, R.L	Y Woods
Y Shipp	Y Smyre	Y Teague	Y Wall	Yates
Y Simpson	Y Snelling	Y Teper	Y Watson	Murphy, Spkr

On the passage of the Bill, the ayes were 151, nays 0.

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

SR 540. By Senators Johnson of the 1st, Gillis of the 20th, Johnson of the 2nd and others:

A resolution creating the Joint Coastal Zone Management Study Committee.

The following Committee substitute was read and adopted:

A RESOLUTION

Creating the Joint Coastal Zone Management Study Committee; and for other purposes.

WHEREAS, Georgia's coastal economy such as tourism, industrial facilities, and fisheries are dependent upon the continued health and abundance of coastal resources, and the recent crush of human population along the coast has put a severe strain on both facilities and resources; and

WHEREAS, with a coastal zone management program, the state would gain additional legal authority through federal approval to review activities in border states that are injurious to Georgia's economy and coastal resources; and

WHEREAS, with a comprehensive coastal management program, the state bureaucracy may be reduced and consolidated to provide better, more efficient service, and Georgia would receive its share of federal funding for local projects.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that there is created the Joint Coastal Zone Management Study Committee to be composed of a total of ten members, consisting of four members of the Senate to be appointed by the President of the Senate, four members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and, as ex officio members, the chairperson of the Senate Natural Resources Committee and the chairperson of the House Committee on Natural Resources and the Environment who shall be cochairpersons of the committee. Either cochairperson may call meetings of the committee.

BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any actions or legislation which the committee deems necessary or appropriate. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution. The members of the committee shall receive the allowances authorized for legislative members of interim legislative committees but shall receive the same for not more than five days unless additional days are authorized. The funds necessary to carry out the provisions of this resolution shall come from the funds appropriated to the Senate and House of Representatives. In the event the committee makes a report of its findings and recommendations, with suggestions for proposed legislation, if any, such report shall be made on or before December 1, 1996. The committee shall stand abolished on December 1, 1996.

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 Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, by substitute, the ayes were 157, nays 0.

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

SB 7. By Senator Guhl of the 45th:

A bill to amend Code Section 15-1-4 of the Official Code of Georgia Annotated, relating to extent of contempt power and when jury trial required, so as to provide that when a person who is gainfully employed violates an order of the court granting temporary or permanent alimony or child support and the judge finds the person in contempt of court, the sentencing judge may sentence the respondent to a term of confinement in a diversion center and participation in a diversion program operated by the Department of Corrections, a sheriff, or a county.

The following Committee substitute was read:

A BILL

To amend Code Section 15-1-4 of the Official Code of Georgia Annotated, relating to extent of contempt power and when jury trial required, so as to provide that when a person who is gainfully employed violates an order of the court granting temporary or permanent alimony or child support and the judge finds the person in contempt of court, the

sentencing judge may sentence the respondent to a term of confinement in a diversion center and participation in a diversion program operated by a county; to amend Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to probation, so as to authorize any county to establish a diversion center and diversion program for certain persons who have been found in contempt of court for violation of orders granting temporary or permanent alimony or child support; to provide that while the respondent is in the diversion program, he or she shall continue to engage in his or her occupation and shall satisfy any obligations of alimony or child support; to provide that the respondent shall be confined to the diversion center during certain periods; to require the respondent to pay a certain fee to cover the costs of incarceration and the administration of the diversion program if funds remain after payment of alimony or child support; to authorize alternative methods of incarceration in certain circumstances; to provide for other features of the diversion program; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-1-4 of the Official Code of Georgia Annotated, relating to extent of contempt power and when jury trial required, is amended by adding at the end thereof a new subsection (c) to read as follows:

“(c)(1) When a person who is gainfully employed violates an order of the court granting temporary or permanent alimony or child support and the judge finds the person in contempt of court, the sentencing judge may sentence the respondent to a term of confinement in a diversion center and participation in a diversion program if such a program has been established by a county pursuant to the provisions of Article 8 of Chapter 8 of Title 42.”

SECTION 2.

Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to probation, is amended by adding at the end thereof a new Article 8 to read as follows:

“ARTICLE 8

42-8-130.

A county shall be authorized to establish a diversion center under the direction of the sheriff of the county in which the diversion center is located and a diversion program for the confinement of certain persons who have been found in contempt of court for violation of orders granting temporary or permanent alimony or child support and sentenced pursuant to subsection (c) of Code Section 15-1-4. While in such diversion program, the respondent shall be authorized to travel to and from his or her place of employment and to continue his or her occupation. The official in charge of the diversion program or his or her designee shall prescribe the routes, manner of travel, and periods of travel to be used by the respondent in attending to his or her occupation. If the respondent's occupation requires the respondent to travel away from his or her place of employment, the amount and conditions of such travel shall be approved by the official in charge of the diversion center or his or her designee. When the respondent is not traveling to or from his or her place of employment or engaging in his or her occupation, such person shall be confined in the diversion center during the term of the sentence. With the approval of the sheriff or his or her designee, the respondent may participate in educational or counseling programs offered at the diversion center. While participating in the diversion program, the respondent shall be liable for alimony or child support as previously ordered, including arrears, and his or her income shall be subject to the provisions of Code Sections 19-6-30 through 19-6-33 and Chapter 11 of Title 19. In addition, should any funds remain after payment of child support or alimony, the respondent may be charged and a fee payable to the county operating the diversion program to cover the costs of his or her incarceration and the administration of the diversion program which fee shall be not more than \$30.00 per day or the actual per diem cost of maintaining the respondent, whichever is less, for the entire period of time the person is confined to the center and participating in the program. If the

respondent fails to comply with any of the requirements imposed upon him or her in accordance with this Code section, nothing shall prevent the sentencing judge from revoking said assignment to a diversion program and providing for alternative methods of incarceration.”

SECTION 3.

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

The following amendment was read and adopted:

Representative Culbreth of the 132nd moves to amend the Committee substitute to SB 7 by striking line 1 of page 1 and inserting in lieu thereof the following:

“To amend Article 1 of Chapter 4 of Title 7 of the Official Code of Georgia Annotated, relating to general provisions relative to interest and usury, so as to provide for interest on arrearage on child support, whether or not such arrearages have been reduced to judgment; to provide for applicability; to amend Code Section 15-1-4 of the Official Code of Georgia”.

By inserting between lines 28 and 29 of page 1 the following:

“Article 1 of Chapter 4 of Title 7 of the Official Code of Georgia Annotated, relating to general provisions relative to interest and usury, is amended by inserting immediately following Code Section 7-4-12 the following:

“7-4-12.1.

All awards of child support expressed in monetary amounts shall accrue interest at the rate of 12 percent per annum commencing 30 days from the day such award or payment is due. This Code section shall apply to all awards, court orders, decrees, and judgments rendered pursuant to Title 19. It shall not be necessary for the party to whom the child support is due to reduce any such award to judgment in order to recover such interest.”

By renumbering Sections 2 and 3 as Sections 3 and 4, respectively.

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:

Y Allen	Buckner	Y DeLoach, B	Y Heckstall	Y Ladd
Y Anderson	Y Bunn	Y DeLoach, G	Y Hegstrom	Y Lakly
Y Ashe	Y Burkhalter	Y Dix	Y Hembree	Y Lane
Y Bailey	Y Byrd	Y Dixon, H	Henson	Y Lawrence
Y Baker	Y Campbell	Y Dixon, S	Y Holland	Y Lee
Y Bannister	Y Canty	Y Dobbs	Y Holmes	Y Lewis
Y Barfoot	Y Carter	Y Ehrhart	Howard	Y Lifsey
Y Bargeron	Y Chambless	Epps	Hudson	Y Lord
Y Barnard	Y Channell	Y Evans	Y Hugley	Lucas
Y Barnes	Y Childers	Falls	Y Irvin	Y Maddox
Y Bates	Y Coker	Y Felton	Y James	Y Mann
Y Benefield	Y Coleman, B	Y Floyd	Y Jamieson	Y Martin
Y Birdsong	Y Coleman, T	Y Godbee	Y Jenkins	Y McBee
Y Bordeaux	CConnell	Y Golden	Y Johnson, G	E McCall
Y Bostick	Y Crawford	Y Goodwin	Y Johnson, J	Y McClintony
Y Breedlove	Y Crews	E Greene	Y Johnston	McKinney
Y Brooks, D	Y Culbreth	Y Grindley	Y Jones	E Mills
Y Brooks, T	Y Cummings	Hanner	Y Joyce	Y Mobley, B
Y Brown, J	Davis, G	Y Harbin	Y Kaye	Y Mobley, J
Y Brush	Y Davis, M	Y Harris	Y Kinnamon	Y Mosley
Y Buck	Y Day	Y Heard	Y Klein	Y Mueller

Y O'Neal	Randall	Y Simpson	Y Stancil, S	Walker, L
Y Orrock	Y Randolph	Y Sinkfield	Y Stanley, L	Y Walker, R.L
Y Parham	Y Ray	Y Skipper	Y Stanley, P	Y Wall
Y Parrish	Y Reaves	Y Smith, C	Y Stephenson	Y Watson
Y Parsons	Y Reichert	Y Smith, C.W	Y Streat	Y Watts
Y Pelote	Y Roberts	Y Smith, L	Y Taylor	Y Westmoreland
Y Perry	Y Rogers	Y Smith, P	Y Teague	Y Whitaker
Y Pinholster	Y Royal	Y Smith, T	Y Teper	Y White
Y Polak	Y Sanders	Smith, V	Y Thomas	Wiles
Y Ponder	Y Sauder	Smith, W	Y Tillman	Y Williams, B
Y Porter	Y Scoggins	Y Smyre	Y Titus	Y Williams, J
Y Poston	Y Shanahan	Y Snelling	Y Towery	Y Williams, R
Y Powell	Y Shaw	Y Snow	Y Trense	Y Woods
Y Purcell, A	Y Sherrill	Y Stallings	Y Turnquest	Y Yates
Y Purcell, B	Y Shipp	Y Stancil, F	Y Twiggs	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 155, nays 0.

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

SB 280. By Senators Thompson of the 33rd, Cheeks of the 23rd, Perdue of the 18th and others:

A bill to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to provide for staggered motor vehicle registration over a 12 month period; to provide for four-month registration by local Act; to change certain licensing and registration deadlines; to amend Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, so as to change the method of evaluation of motor vehicles for ad valorem purposes.

The following Committee substitute was read and withdrawn:

A BILL

To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to change certain provisions relating to operation of unregistered vehicles; to change certain provisions relating to registration and licensing requirements; to provide for staggered motor vehicle registration over a 12 month period; to provide for four-month registration by local Act; to provide for staggered motor vehicle registration for vehicles owned by entities other than natural persons; to change certain licensing and registration deadlines; to change certain provisions relating to license plates and revalidation decals; to provide for penalties for late registration; to change certain provisions relating to display of license plates; to provide that license plates may be transferred between vehicles under certain circumstances; to amend Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, so as to provide for penalties for failure to make return or pay tax; to provide for related matters; to provide for an effective date; to provide for the repeal of certain local laws; to provide that certain local laws shall not be repealed; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, is amended by striking Code Section 40-2-6, relating to alteration of license plates or operation of a vehicle with altered or improperly transferred plates, in its entirety and inserting in lieu thereof the following:

“40-2-6.

Except as otherwise provided in this chapter, any person who shall willfully mutilate, obliterate, deface, alter, change, or conceal any numeral, letter, character, county designation, or other marking of any license plate issued under the motor vehicle registration laws of this state; who shall knowingly operate a vehicle bearing a license plate on which any numeral, letter, character, county designation, or other marking has been willfully mutilated, obliterated, defaced, altered, changed, or concealed; or who shall knowingly operate a vehicle bearing a license plate issued for another vehicle and not properly transferred as provided by law shall be guilty of a misdemeanor.”

SECTION 2.

Said chapter is further amended by striking subsection (b) of Code Section 40-2-8, relating to the operation of unregistered vehicles, in its entirety and inserting in lieu thereof the following:

“(b) Any vehicle operated in the State of Georgia ~~after May 1 of any year~~ which is required to be registered and which does not have attached to the rear thereof a numbered license plate and current revalidation decal affixed to ~~the upper right-hand~~ a corner or corners of the license plate as designated by the commissioner, if required, shall be stored at the owner’s risk and expense by any law enforcement officer of the State of Georgia. It shall be a misdemeanor to operate any vehicle required to be registered in the State of Georgia without a valid numbered license plate properly validated; provided, however, that the purchaser of a new vehicle or a vehicle which does not have a current and valid registration or a used vehicle may operate such vehicle on the public highways and streets of this state without a current valid license plate during the ~~21~~ 30 day period within which the purchaser is required by Code Section 40-2-20 to register or transfer the registration of such vehicle and provided, further, that the purchaser and operator of a vehicle shall not be subject to the penalties set forth in this Code section during the period allowed for the registration or transfer of registration. If the owner of such vehicle presents evidence that such owner has properly applied for the registration of such vehicle, but that the license plate or revalidation decal has not been delivered to such owner, then the owner shall not be subject to the above penalties.”

SECTION 3.

Said chapter is further amended by striking Code Section 40-2-20, relating to registration and licensing requirements, in its entirety and inserting in lieu thereof the following:

“40-2-20.

(a)(1) Except as provided in subsection (b) of this Code section, every owner of a motor vehicle, including a tractor or motorcycle, and every owner of a trailer shall, ~~on or before May 1~~ except as provided in paragraph (3) of this subsection, during the owner’s registration period in each year, ~~before operating such motor vehicle or trailer,~~ register such vehicle as provided in this chapter, ~~and~~ obtain a license to operate it for the ensuing year 12 month period until such person’s next registration period, and return such vehicle for taxation and remit the ad valorem taxes due on such vehicle. The purchaser of every new motor vehicle or other motor vehicle which does not have a current and valid Georgia registration, including tractors and motorcycles, or trailer shall, within ~~21~~ 30 days of the date of purchase of such vehicle, register such vehicle as provided in this chapter and obtain a license to operate it for the ensuing year period remaining until such person’s next registration period; provided, however, that if such vehicle is acquired after the owner’s registration period it shall not be subject to and no ad valorem taxes shall be collected until the owner’s next registration period and unless such vehicle is owned by such person during such owner’s next registration period. The purchaser of every used motor vehicle, including tractors and motorcycles, or trailer which is currently registered shall, within ~~21~~ 30 days of the purchase of such vehicle, transfer such registration as provided in Code Section 40-2-42. No person, company, or corporation, including, but not limited to, used motor vehicle dealers and auto auctions, shall sell or transfer a motor vehicle without providing to the purchaser or transferee of such motor vehicle the current Georgia certificate of registration on such vehicle at the time of such sale or transfer or, if such vehicle does not have a

current and valid Georgia certificate of registration, the last certificate of registration for such vehicle; provided, however, that in the case of a repossessed or leased motor vehicle, a court ordered sale or other involuntary transfer, a salvage motor vehicle, or a motor vehicle which is stolen but subsequently recovered by the insurance company after payment of a total loss claim, the lienholder or lessor, the transferor, the salvage dealer, or insurer, respectively, shall not be required to obtain and transfer the certificate of registration for such vehicle, but shall, prior to the sale of such vehicle, surrender the license plate of such vehicle to the commissioner or the county tag agent by personal delivery or by certified mail for cancellation; provided, further, that in those cases where there is no current and valid Georgia certificate of registration or in those situations where the person, company, or corporation selling or transferring the motor vehicle does not possess the certificate of registration, then the purchaser or transferee of such motor vehicle, if such purchaser or transferee is a licensed motor vehicle dealer, may apply to the appropriate county or state for a replacement certificate of registration.

(2) An application for the registration of a motor vehicle may not be submitted separately from the application for a certificate of title for such motor vehicle, unless a certificate of title has been issued in the owner's name, has been applied for in the owner's name, or the motor vehicle is not required to be titled. An ~~and~~ an application for a certificate of title for a motor vehicle may be submitted separately from the application for the registration of such motor vehicle.

(3) In calendar year 1997, motor vehicles registered in this state prior to January 1, 1997, shall:

(A) In those counties which, prior to January 1, 1996, have enacted a four-month staggered system of vehicle registration, be registered during the month established by such staggered registration system and shall obtain a registration which shall be valid until the owner's registration period in 1998, and shall return such vehicle for taxation and remit the ad valorem taxes due; or

(B) In those counties which, prior to January 1, 1996, do not have a four-month staggered system of vehicle registration, be registered on or before May 1, 1997, and shall obtain a registration which shall be valid until the owner's registration period in 1998, and shall return such vehicle for taxation and remit the ad valorem taxes due.

(b) Subsection (a) of this Code section shall not apply:

(1) To any motor vehicle or trailer owned by the state or any municipality or other political subdivision of this state and used exclusively for governmental functions except to the extent provided by Code Section 40-2-37;

(2) To any tractor or three-wheeled motorcycle used only for agricultural purposes;

(3) To any trailer which has no springs and which is being employed in hauling unprocessed farm products to their first market destination;

(4) To any trailer which has no springs, which is pulled from a tongue, and which is used primarily to transport fertilizer to a farm;

(5) To any motorized cart; or

(6) To any moped.

(c) Any person who fails to register a new or used motor vehicle within ~~21~~ 30 days of its purchase as required in subsection (a) of this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$100.00."

SECTION 4.

Said chapter is further amended by striking Code Section 40-2-21, relating to staggered registration periods, in its entirety and inserting in lieu thereof the following:

"40-2-21.

(a) As used in this chapter, the term:

(1) 'Name' means:

(A) For natural persons, the surname of the owner whose name appears first on the certificate of title or other record of ownership; or

(B) For entities other than natural persons, the first letter or word of the owner whose name appears first on the certificate of title or other record of ownership.

(2)(1) 'Registration period' means:

(A) ~~The month of January for an owner whose name begins with the letter A, B, C, or D;~~

(B) The month of February for an owner whose name begins with the letter E, F, G, H, I, J, or K;

(C) The month of March for an owner whose name begins with the letter L, M, N, O, P, Q, or R; or

(D) From April 1 until on or before May 1 for an owner whose name begins with the letter S, T, U, V, W, X, Y, or Z.

(A) In all counties except those for which a local Act has been enacted pursuant to this Code section:

(i) For natural persons, the 30 day period ending at midnight on the birthday of the owner whose surname appears first on the certificate of title or other record of ownership; or

(ii) For entities other than natural persons:

(I) The month of January for the owner whose name begins with the letter A or B;

(II) The month of February for the owner whose name begins with the letter C or D;

(III) The month of March for the owner whose name begins with the letter E or F;

(IV) The month of April for the owner whose name begins with the letter G or H;

(V) The month of May for the owner whose name begins with the letter I or J;

(VI) The month of June for the owner whose name begins with the letter K or L;

(VII) The month of July for the owner whose name begins with the letter M or N;

(VIII) The month of August for the owner whose name begins with the letter O or P;

(IX) The month of September for the owner whose name begins with the letter Q or R;

(X) The month of October for the owner whose name begins with the letter S or T;

(XI) The month of November for the owner whose name begins with the letter U, V, or W; and

(XII) The month of December for the owner whose name begins with the letter X, Y, or Z; or

(B) In those counties which are authorized by a local Act enacted pursuant to this Code section to have a four-month staggered registration period:

(i) For natural persons:

(I) The month of January for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of January, February, or March;

(II) The month of February for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of April, May, or June;

(III) The month of March for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of July, August, or September; and

(IV) The month of April for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of October, November, or December; or

(ii) For entities other than natural persons:

(I) The month of January for the owner whose name begins with the letter A, B, C, or D;

(II) The month of February for the owner whose name begins with the letter E, F, G, H, I, J, or K;

(III) The month of March for the owner whose name begins with the letter L, M, N, O, P, Q, or R; and

(IV) The month of April for the owner whose name begins with the letter S, T, U, V, W, X, Y, or Z; or

(C) In those counties which are authorized by a local Act enacted pursuant to this Code section not to have staggered registration periods, January 1 through April 30.

For purposes of determining the registration period of an owner which is an entity other than a natural person in subparagraphs (A) and (B) of this paragraph, the owner shall be deemed to be the owner whose name appears first on the certificate of title or other record of ownership.

(B)(2) 'Vehicle' means every motor vehicle, including a tractor or motorcycle, and every trailer required to be registered and licensed under Code Section 40-2-20.

(b) The Except as authorized in subsection (c) of this Code section, in each county to which the provisions of this Code section are made to apply as provided in subsection (f) of this Code section, the owner of every vehicle registered in the previous calendar year shall, between January 1 and May 1 of each year, register and obtain a license to operate such vehicle not later than the last day of the owner's registration period. The lessee of a vehicle being operated under a lease agreement may elect to must register and obtain a license to operate such vehicle not later than the last day of the registration period of either the lessee or the lessor.

(c) The owner of any vehicle registered in the previous calendar year who moves his or her residence between January 1 and May 1 from a county to which this Code section is not applicable to a county to which this Code section is applicable from a county which does not have staggered registration to a county which has a four-month or 12 month staggered registration period or who moves his or her residence from a county which has a 12 month staggered registration period to a county which has a four-month staggered registration period or to a county which does not have staggered registration or the new owner of a vehicle registered in the previous calendar year which was transferred to such new owner between January 1 and May 1 after the owner's registration period and who resides in a county to which this Code section is applicable which has a staggered registration period shall, unless such vehicle has been registered during the current calendar year a current registration, register and obtain a license to operate such vehicle prior to the last day of the owner's renewal registration period or, if such renewal registration period has passed at the time of the change of residence or at the time of transfer, on or before May 1 not later than 30 days following the date of the change of residence or the date of transfer.

(d) Any owner of a vehicle who does not register and obtain a license to operate such vehicle as provided in subsections (b) and (c) of this Code section shall, in addition to any other penalty which may be imposed if such vehicle is registered after May 1, be subject to a \$15.00 late registration penalty. Such penalty shall be paid prior to obtaining a registration and license and shall be in addition to the fee provided by law. The penalty provided for in this subsection shall be paid into the general fund of the county. The penalty provided for in this subsection shall be waived if the penalties provided for in Code Section 40-2-40 are waived or are determined not to be applicable under rules or regulations issued by the commissioner.

(e)(d) The transferee of a new or unregistered vehicle shall register and obtain a license to operate such vehicle as provided in subsection (a) of Code Section 40-2-20.

(f)(e) This Code section shall only apply to a county which has been brought under the provisions of this Code section pursuant to a local law enacted by the General Assembly and shall apply beginning January 1 of the calendar year specified in such local law. If such local law is conditioned upon approval in a referendum, the results of such referendum shall be certified to the Department of Revenue. Any local law enacted pursuant to this Code section shall specify either a staggered registration period of four months

or a nonstaggered registration period of four months. If such local law is conditioned upon approval in a referendum, the results of such referendum shall be verified to the Department of Revenue.

~~(g) Nothing in this Code section shall preclude the owner of any vehicle from registering and obtaining a license for such vehicle prior to his registration period."~~

SECTION 5.

Said chapter is further amended by striking Code Section 40-2-31, relating to license plates and revalidation decals, in its entirety and inserting in lieu thereof the following:

"40-2-31.

(a) If the applicant meets the requirements set forth in this chapter, the commissioner shall ~~assign to the vehicle~~ issue to the applicant a license plate bearing a distinctive number.

(b) Such license plates shall be of metal at least six inches wide and not less than 12 inches in length, and shall show in bold characters the year of registration, the serial number, and either the full name or the abbreviation of the name of the state, shall designate the county from which the license plate was issued, and shall show such other distinctive markings as in the judgment of the commissioner may be deemed advisable, so as to indicate the class of weight of the vehicle for which the license plate was issued. Such plates may also bear such figures, characters, letters, or combinations thereof as in the judgment of the commissioner will to the best advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' The metal shall be of such strength and quality that the plate shall provide a minimum service period of five years. Every five years a new metal license plate shall be provided by the commissioner for issuance; ~~except that license plates issued for vehicles in excess of 24,000 pounds shall be issued annually and no revalidation decal shall be issued for such plates. Metal license plates issued on or after January 1, 1982, may be used until December 31, 1989. Metal license plates issued on or after January 1, 1990 1997, shall be used for a period of five years: Bicentennial license plates issued in 1976 shall not be used after tag year 1989.~~

(c) The face of the license plate to be displayed shall be treated completely with a retroreflective material which will increase the nighttime visibility and legibility of the plate. The Office of Highway Safety shall prepare the specifications which such retroreflective material shall meet.

(d) In those years in which a metal plate is not issued, a revalidation decal with a distinctive serial number shall be issued and affixed in the space provided on the license plate assigned to the vehicle; which shall indicate the year and month through which the registration of the vehicle shall be valid; provided, however, that if the commissioner determines that it is necessary two revalidation decals shall be issued for each license plate to reflect the required information. When an applicant is issued a revalidation decal and such applicant registered the vehicle in another county the previous year, the applicant shall also be issued a new county decal which shall be properly affixed to the license plate and shall replace the other county decal.

(e) The commissioner shall furnish without cost to each tag agent reflective adhesive decals in sufficient number, upon which there shall be printed the name of the agent's county. Such a decal shall be issued with each metal license plate and shall be affixed in the space provided on the license plate without obscuring any number or other information required to be present on the plate; ~~A county decal shall be issued with each revalidation decal issued in 1982 and shall be properly affixed to the license plate.~~

(f) A county tag agent shall issue a county name decal for the agent's county only if:

(1) The applicant is a resident of or a business located in vehicle for which the decal is issued is currently registered in the county named on the decal;

(2) The applicant is registering a new vehicle in such county, is renewing a current vehicle registration, or is transferring registration of a vehicle to registration for the vehicle for which the decal is issued is being transferred to a resident of the county named on the decal; or and

(3) The An application for registration of the vehicle for which the decal is issued is being made in the county named on the decal."

SECTION 6.

Said chapter is further amended by striking subsection (a) of Code Section 40-2-40, relating to the registration of delinquent vehicles, in its entirety and inserting in lieu thereof the following: www.libtool.com.cn

"(a) ~~On and after May 2 in each year, the~~ The owner of a vehicle required to be registered under Code Section 40-2-20 which was registered for the previous year, who has failed to comply with Code Section 40-2-20 for the current year, shall be deemed and held to be a delinquent under this Code section; and the registration of such vehicle shall, ~~on May 2 and thereafter~~ after the expiration of the owner's registration period, be subject to a penalty of 25 percent of the registration fee for such vehicle in addition to the fee provided by law, provided that such penalty shall in no event be levied prior to ~~May 2~~ the expiration of the owner's registration period, notwithstanding that the owner failed to register such vehicle within ~~21~~ 30 days of its purchase."

SECTION 7.

Said chapter is further amended by striking Code Section 40-2-41, relating to the display of license plates, in its entirety and inserting in lieu thereof the following:

"40-2-41.

Every vehicle required to be registered under this chapter, which is in use upon the highways, shall at all times display the license plate ~~assigned to it~~ issued to the owner or operator of such vehicle, and the plate shall be fastened to the rear of the vehicle in a position so as not to swing and shall be at all times plainly visible. No person shall display on the rear of a motor vehicle any temporary or permanent plate or tag not issued by the State of Georgia which is intended to resemble a license plate which is issued by the State of Georgia. The commissioner is authorized to adopt rules and regulations so as to permit the display of a license plate on the front of certain vehicles. It shall be the duty of the operator of any vehicle to keep the license plate legible at all times. No license plate shall be covered with any material unless the material is colorless and transparent. No apparatus that obstructs or hinders the clear display and legibility of a license plate shall be attached to the rear of any motor vehicle required to be registered in the state. Any person who violates any provision of this Code section shall be guilty of a misdemeanor."

SECTION 8.

Said chapter is further amended by striking Code Section 40-2-42, relating to transfer of license plates and revalidation decals, in its entirety and inserting in lieu thereof the following:

"40-2-42.

(a) A license plate or revalidation decal, when issued, ~~shall not may~~ be transferred from one vehicle to another ~~and shall not be used by any other person or upon any vehicle other than the one to which it is assigned, except vehicle of the same class owned by the same person~~ as otherwise provided in this chapter. Any use of a license plate or revalidation decal by any other person or persons in any manner not provided for in this chapter shall be a violation of this chapter.

(b) The commissioner is authorized to provide by rules and regulations appropriate procedures whereby, upon the payment of a fee of \$5.00, and, upon preparation and filing of an appropriate application therefor, annual and five-year license plates and revalidation decals may be transferred from one ~~person to another vehicle to another vehicle of the same class owned by the same person~~. If a person acquires a vehicle of a different class, he or she shall submit the license plate currently issued to him or her for cancellation and, upon payment of any additional fee for registering such new vehicle, the commissioner shall issue a new license plate to such person for use on such vehicle. License plates and revalidation decals shall be transferred only during the ~~calendar~~ year registration period for which issued. A person acquiring a vehicle with an expired annual license plate or expired five-year license plate shall obtain a current year annual license plate or a current year revalidation decal as provided for by this chapter.

(c) At the time a license plate and revalidation decal are transferred, the transferee shall transfer the existing registration.”

www.libtool.com.cn **SECTION 9.**

Said chapter is further amended by striking Code Section 40-2-45, relating to issuance of a license plate or revalidation decal for salvage or rebuilt vehicles, in its entirety and inserting in lieu thereof the following:

“40-2-45.

No person shall transfer a license plate or decal from one vehicle to any other ~~The commissioner shall not issue a license plate or revalidation decal for any~~ motor vehicle which is a ‘salvage’ or ‘rebuilt’ motor vehicle as provided in Chapter 3 of this title unless the owner of such vehicle submits satisfactory proof to the commissioner that the motor vehicle inspection required by Code Section 40-3-37 has been performed and such vehicle has been determined to be in full compliance with the law.”

SECTION 10.

Said chapter is further amended by striking Code Section 40-2-62, relating to special license plates for members of the General Assembly, in its entirety and inserting in lieu thereof the following:

“40-2-62.

The commissioner shall mail special and distinctive license plates printed for members of the General Assembly to the local tag agent in the counties wherein such members reside on or before ~~December 31 of the owner’s registration period~~ each year. Such special and distinctive license plates shall be issued only upon applications made to the local tag agent and payment of a \$25.00 manufacturing fee. License plates may be issued by the local tag agent upon a proper application and in accordance with the terms of this chapter. License plates issued pursuant to this Code section need not contain a place for the county name decal, and no county name decal need be affixed to a license plate issued pursuant to this Code section. Special and distinctive license plates issued pursuant to this Code section shall be renewed annually, and revalidation decals shall be issued upon compliance with the laws relating to registration and licensing and upon payment of an additional registration fee of \$25.00 which shall be collected by the county tag agent at the time for collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The special license plates issued pursuant to this Code section may be transferred to another vehicle as provided in Code Section 40-2-80.”

SECTION 11.

Said chapter is further amended by striking Code Section 40-2-63, relating to special license plates issued to sheriffs, in its entirety and inserting in lieu thereof the following:

“40-2-63.

~~On or before December 31 of each year, the~~ The commissioner shall mail to the local tag agents special and distinctive license plates for the elected sheriffs in the counties of this state ~~on or before the owner’s registration period of each sheriff~~. The sheriffs shall make application with the local tag agent and shall pay a fee of \$25.00. Special ~~sheriff’s sheriffs’~~ license plates issued pursuant to this Code section shall be renewed annually, and revalidation decals shall be issued upon compliance with the laws relating to registration and licensing and upon payment of an additional registration fee of \$25.00 which shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. License plates shall be issued by the local tag agents upon proper application and in accordance with the terms of Article 2 of this chapter. Only one special and distinctive license plate shall be issued to each elected sheriff ~~for his personal motor vehicle~~; however, a sheriff may choose to use ~~his~~ the sheriff’s distinctive license plate ~~either on his~~ the law enforcement vehicle assigned to such sheriff or ~~his sheriff’s on his or her personal~~ vehicle.”

SECTION 12.

Said chapter is further amended by striking Code Section 40-2-65, relating to special license plates for active reserve components of the United States, in its entirety and inserting in lieu thereof the following:

"40-2-65.

(a) Motor vehicle owners who are assigned or attached members of troop program units of any branch of the active reserve components of the United States inside or outside the State of Georgia shall be eligible to receive free motor vehicle license plates for private passenger cars or trucks used for personal transportation. Motor vehicle owners who are members of any National Guard unit in a state adjoining the State of Georgia and for whom there is no National Guard unit in the county of their residence shall be eligible to receive free motor vehicle plates for private passenger cars or trucks used for personal transportation to identify such vehicle owner as a reservist. Such license plates shall be issued in compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of this chapter. No person shall be entitled to more than one free motor vehicle license plate for any calendar year; provided, however, that, upon payment of the regular license fee provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a reservist shall be entitled to receive one additional such license plate. For each additional license plate for which an initial \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. Additional words or symbols in addition to numbers and letters prescribed by law shall be inscribed upon such license plates so as to identify distinctively the owner as a member of the 'United States military reserve.' The major commanders of each active reserve component program shall furnish to the commissioner ~~each year prior to the date that license plates are issued~~ a list of the members of their command assigned or attached to troop program units who reside in Georgia. The adjutant general of each neighboring state shall furnish to the commissioner ~~each year prior to the date that license plates are issued~~ a list of the members of that state's National Guard unit who reside in Georgia. The lists of reservists and guardsmen required under this subsection shall be updated as necessary throughout the calendar year.

(b)(1) Upon transfer of the ownership of a private passenger vehicle upon which there is a license plate distinctively identifying the owner thereof as a member of the 'United States military reserve,' ~~such plate shall be removed and the authority to use the plate shall thereby be canceled; however, after such a transfer of ownership occurs, should the said reservist acquire and acquisition by the reservist of another motor vehicle, the license plate issued pursuant to this Code section may be placed on such newly acquired motor vehicle, and such reservist shall notify the commissioner of such transfer of the license plate to such newly acquired motor vehicle in such manner as the commissioner may prescribe by regulation. No transfer or cancellation fee shall be charged for the transfer of free reservist license plates. There shall be a transfer and cancellation fee of \$5.00 for the transfer of any other reservist license plate.~~

(2) Should an active reservist who has been issued a free license plate be discharged or otherwise separated from his or her reserve unit, the immediate commanding officer of such active reservist shall obtain the discharged member's free license plate at the time of the discharge and shall forward same to the commissioner along with a certificate to the effect that such person has been discharged, and thereupon the commissioner shall issue a regular license plate, at no additional charge, to such former reservist to replace the reservist plate. Should an active reservist enlist or be commissioned after ~~he has purchased~~ purchasing a regular license plate for ~~the his or her~~ his or her current year registration period, the commanding officer of the unit in which such person enlists or is commissioned shall likewise secure the regular license plate of such person and return same to the commissioner, along with a certificate to the effect that such person has been enlisted or commissioned in a troop program unit of the reserve components, and the effective date thereof, whereupon the commissioner shall issue a reservist license plate, at no extra charge, to such new member to replace the returned

regular plate. Upon such request for a change in plate for a discharged reservist or a newly enlisted reservist, the commanding officer shall furnish such member with a copy of ~~his the commanding officer's~~ letter to the commissioner requesting the appropriate ~~change in plate, which~~ copy of such letter may be used by such member pending the issuance of the new plate.

(c) The commissioner shall promulgate such rules and regulations as may be necessary to enforce compliance with all state license laws relating to the use and operation of private passenger cars and trucks before issuing these plates in lieu of the regular Georgia license plates, and all applications for such plates shall be made to the commissioner. The commissioner is specifically authorized to promulgate all rules and regulations necessary to ensure compliance in instances where such vehicles have been transferred or sold. Except as provided in subsection (b) of this Code section, such plates shall be non-transferable."

SECTION 13.

Said chapter is further amended by striking Code Section 40-2-66, relating to special license plates for members of the Georgia National Guard, in its entirety and inserting in lieu thereof the following:

"40-2-66.

(a)(1) Motor vehicle owners who are members of the Georgia National Guard, upon application for license plates and upon compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed under Article 2 of this chapter, shall be issued, free of charge, a license plate, as prescribed in that article for private passenger cars or trucks used for personal transportation. Each member of the Georgia National Guard shall be entitled to no more than one such free plate at a time; provided, however, that, upon payment of the regular license fee provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall be entitled to one additional such license plate. For each additional license plate for which an initial \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. Additional words or symbols, in addition to the numbers and letters prescribed by law, shall be inscribed upon such license plates so as to identify distinctively the owner as a member of the Georgia National Guard. The adjutant general of Georgia shall furnish to the commissioner ~~each year, prior to the date that license plates are issued,~~ a list of the members of the Georgia National Guard which list shall be updated throughout the year as necessary.

(2) Motor vehicle owners who are retired members of the Georgia National Guard, upon application for license plates and upon compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed under Article 2 of this chapter, shall be issued, free of charge, a license plate as prescribed in that article for private passenger cars or trucks used for personal transportation. Each retired member of the Georgia National Guard shall be entitled to no more than one such free plate at a time; provided, however, that, upon payment of the regular license fee provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall be entitled to one additional such license plate. For each additional license plate for which an initial \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The license plates issued pursuant to this paragraph shall, in addition to the numbers and letters prescribed by law, be identical to those issued pursuant to paragraph (1) of this subsection. The adjutant general of Georgia shall furnish to the commissioner ~~each year, prior to the date that license plates are issued,~~ a list of the retired members of the Georgia National Guard which list shall be updated as necessary throughout the year.

(b) Upon transfer of the ownership of a private passenger vehicle upon which there is a license plate bearing the words 'National Guard,' ~~such plate shall be removed and the~~

authority to use the same shall thereby be canceled; however, after such a transfer of ownership occurs, should the said member or retired member of the National Guard acquire and acquisition by the member or retired member of the National Guard of another motor vehicle, the license plate issued pursuant to this Code section may be placed on such newly acquired motor vehicle and such member or retired member shall notify the commissioner of such transfer of the license plate to such newly acquired motor vehicle in such manner as the commissioner may prescribe by regulation and shall pay a transfer and cancellation fee of \$5.00 and shall also pay license fees in an amount, if any, that the license fee for the newly acquired vehicle exceeds the license fee of the original vehicle. No transfer or cancellation fee shall be charged for the transfer of free National Guard license plates. There shall be a transfer and cancellation fee of \$5.00 for the transfer of any other National Guard license plate. Should a member of the National Guard who has been issued a National Guard license plate be discharged or otherwise separated except by retirement from the National Guard, the immediate commanding officer of such member shall obtain the discharged member's National Guard license plate at the time of the discharge and shall forward same to the commissioner along with a certificate to the effect that such member has been discharged, and thereupon the commissioner shall issue a regular license plate, at no additional charge, to such former National Guard member to replace the National Guard plate. Should a member of the National Guard enlist or be commissioned in the National Guard after he has purchased purchasing a regular license plate for the current year, the commanding officer of the unit in which such member enlists or is commissioned shall likewise secure the regular license plate of such new member and return same to the commissioner, along with a certificate to the effect that such new member has been enlisted or commissioned in the National Guard and the effective date thereof, whereupon the commissioner shall issue a National Guard license plate, at no extra charge, to such new member to replace the returned regular plate returned to him. Upon such request for a change in plate for a discharged member of the National Guard or a newly enlisted member of the National Guard, the commanding officer shall furnish such member with a copy of his the commanding officer's letter to the commissioner requesting the appropriate change in plate, which copy of such letter may be used by such member pending the issuance of the new plate.

(c) The commissioner shall, on or before March 1 in each year, furnish to the sheriff of each county in the state an alphabetical arrangement of the list of names, addresses, and license plate letters of each person to whom a license plate is issued under this Code section, and it shall be the duty of the sheriffs of the state to maintain and to keep current such lists for public information and inquiry.

(d) The commissioner shall make such rules and regulations as necessary to enforce compliance with all state license laws relating to the use and operation of a private passenger car before issuing National Guard plates in lieu of the regular Georgia license plates, and all applications for such plates shall be made to the commissioner. The commissioner is specifically authorized to make all rules and regulations necessary to make adequate provision for instances where such vehicles have been transferred or sold. Except as provided in subsection (b) of this Code section, such plates shall be nontransferable."

SECTION 14.

Said chapter is further amended by striking Code Section 40-2-67, relating to special license plates for state commanders of nationally chartered veterans' organizations, in its entirety and inserting in lieu thereof the following:

"40-2-67.

(a) The state commanders of nationally chartered veterans' organizations, upon application and compliance with the state motor vehicle laws relative to the registration and licensing of motor vehicles, upon payment of the regular license fees for license plates as provided by law, and upon the payment of an additional initial fee of \$25.00 and an additional annual registration fee of \$25.00 which fee shall be collected by the county

tag agent at the time of collection of other registration fees and shall be remitted as provided in Code Section 40-2-34, shall be issued license plates as prescribed in Code Section 40-2-31 for use on their official or private passenger automobiles, upon which, in lieu of ~~the numbers prescribed~~ by said Code section, shall be such figures or symbols indicative of the office held by such individuals as may be prescribed by the commissioner.

(b) License plates issued under this Code section may not be transferred so as to be used by any person other than the person to whom such plate was originally issued but may be transferred to any vehicle subsequently acquired by such person as provided in Code Section 40-2-80, except that; ~~and~~ such plates shall not be used by any person after ~~he has vacated~~ vacating the office of commander of any of the organizations enumerated in this Code section.”

SECTION 15.

Said chapter is further amended by striking subsection (a) of Code Section 40-2-68, relating to special license plates for Medal of Honor winners, in its entirety and inserting in lieu thereof the following:

“(a) Motor vehicle owners who have been awarded the Medal of Honor and who are residents of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued two distinctive personalized license plates free of charge. Such license plates shall be fastened to both the front and the rear of the vehicle. Such license plates may be transferred to any vehicle subsequently acquired by the Medal of Honor recipient as provided in Code Section 40-2-80.”

SECTION 16.

Said chapter is further amended by striking Code Section 40-2-70, relating to special license plates for certain disabled veterans, in its entirety and inserting in lieu thereof the following:

“40-2-70.

Any citizen and resident of the State of Georgia who has been discharged from the armed forces under conditions other than dishonorable, who is disabled to any degree specified and enumerated in Code Section 40-2-69, and who is the owner of a private passenger motor vehicle, but who cannot qualify under Code Section 40-2-69, shall be entitled to a special and distinctive automobile license plate. Such license plates may be transferred to any vehicle subsequently acquired by such veteran or jointly by such veteran and his or her spouse as provided in Code Section 40-2-80. Such veteran shall be entitled to such plate regardless of whether he or she is suffering from a service connected or nonservice connected disability. Such veteran must apply for such license plate and, upon compliance with the state motor vehicle laws for licensing of motor vehicles and payment of the regular license fee for plates as prescribed under Chapter 10 of Title 48, such veteran shall be issued similar license plates as prescribed in Code Section 40-2-71 for private passenger cars. There shall be no charge for the additional plate issued such veteran under this Code section. If a veteran has not been certified as disabled by the United States Department of Veterans Affairs, such veteran may submit to the Department of Veterans Service such veteran’s discharge papers and a certified statement from a physician, licensed under Chapter 34 of Title 43, certifying that in the opinion of such physician such veteran is disabled to a degree enumerated in Code Section 40-2-69. If the certificate from the physician indicates the qualifying disabilities which meet the standards of the United States Department of Veterans Affairs, the commissioner of veterans service shall submit a letter to the Department of Revenue indicating that the veteran meets the requirements of this Code section and qualifies for a special license plate as provided in this Code section.”

SECTION 17.

Said chapter is further amended by striking Code Section 40-2-71, relating to design of disabled veterans plates and restrictions on issuance and transfer, in its entirety and inserting in lieu thereof the following:

“40-2-71.

(a) The commissioner is directed to furnish the license plates provided for in Code Sections 40-2-69 and 40-2-70. Such plates shall be printed in three colors: red, white, and blue. ~~The commissioner is~~ authorized and directed to design the license plate. Each plate shall contain, in bold characters, the name of the state, or abbreviation thereof, the year, the serial number, and either the words ‘Handicapped Veteran’ or ‘Handicapped Vet.’

(b) Such license plates so issued ~~shall be nontransferable~~ may be transferred to any vehicle subsequently acquired by such disabled veteran as provided in Code Section 40-2-80.

(c) No disabled veteran shall be entitled to own or operate more than one vehicle with the free license plates provided by Code Sections 40-2-69, 40-2-70, and this Code section.”

SECTION 18.

Said chapter is further amended by striking subsection (b) of Code Section 40-2-73, relating to special license plates for former prisoners of war, in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) Owners of motor vehicles who are veterans of the armed forces of the United States, who have been prisoners of war, who were discharged under honorable conditions, and who are residents of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued one distinctive personalized license plate free of charge and, upon the payment of the appropriate taxes and registration fees, shall be issued additional distinctive personalized license plates. Such license plates may be transferred to any vehicle subsequently acquired by such person individually or jointly with his or her spouse as provided in Code Section 40-2-80. Such license plates shall be fastened to the rear of the vehicles.”

SECTION 19.

Said chapter is further amended by striking subsection (e) of Code Section 40-2-74, relating to special license plates for disabled persons, in its entirety and inserting in lieu thereof the following:

“(e) The commissioner may begin issuing disabled persons’ license plates with the year 1976. Any license plate issued pursuant to the provisions of this Code section may be transferred to any subsequent vehicle owned by such person as provided in Code Section 40-2-80.”

SECTION 20.

Said chapter is further amended by striking subsection (c) of Code Section 40-2-75, relating to special license plates for amateur radio operators, in its entirety and inserting in lieu thereof the following:

“(c) The commissioner shall make such rules and regulations as necessary to ascertain compliance with all state license laws relating to use and operation of a private passenger vehicle before issuing these plates in lieu of the regular Georgia license plate. Such plates shall be ~~nontransferable~~ transferrable to a vehicle subsequently acquired by such person as provided in Code Section 40-2-80.”

SECTION 21.

Said chapter is further amended by striking subsections (a) and (b) of Code Section 40-2-78, relating to special license plates for firefighters, in their entirety and inserting in lieu thereof the following:

“(a) Any resident motor vehicle owners who are firefighters certified pursuant to Article 1 of Chapter 4 of Title 25 and who are members of fire departments certified pursuant to Article 2 of Chapter 3 of Title 25 and motor vehicle owners who are certified firefighters of legally organized volunteer fire departments which have been certified pursuant to Article 2 of Chapter 3 of Title 25 may submit an application to the commissioner for a special and distinctive vehicle license plate identifying the owner as a certified firefighter for a private passenger car or truck used for personal transportation. The commissioner shall retain all applications for such special firefighters’ license plates until

a minimum of 500 applications have been received. If the commissioner does not receive the required minimum 500 applications no later than July 31 of the year preceding the initial year of issuance of such plates, no such special plates shall be issued and all fees shall be ~~refunded to applicants~~. Such license plates shall be issued in compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of this chapter. No firefighter shall be entitled to more than one special and distinctive motor vehicle license plate. Such license plate shall be inscribed with such letters, numbers, words, symbols, or a combination thereof as determined by the commissioner to identify the owner as a certified firefighter. The chiefs of the various fire departments shall furnish to the commissioner ~~each year prior to the date that license plates are issued~~ a list of the certified firefighters of their fire departments who reside in Georgia which list shall be updated as necessary.

(b)(1) Upon transfer of the ownership of a private passenger vehicle upon which there is a license plate distinctively identifying the owner thereof as a certified firefighter, ~~such plate shall be removed and the authority to use the plate shall thereby be canceled; however, after such a transfer of ownership occurs; should the said and acquisition by the certified firefighter acquire of another motor vehicle, the license plate issued pursuant to this Code section may be transferred between vehicles as provided in Code Section 40-2-80.~~

(2) Should a certified firefighter who has been issued a special and distinctive license plate be separated from such firefighter's department, the chief of such fire department shall obtain the separated member's license plate at the time of the separation and shall forward same to the commissioner along with a certificate to the effect that such person has been separated, and thereupon the commissioner shall reissue a regular license plate, at no additional charge, to such former certified firefighter to replace the special and distinctive plate. Should a certified firefighter return to service with the same or another fire department, the chief of such fire department shall likewise secure the regular license plate of such person and return same to the commissioner, along with a certificate to the effect that such person has become a member of the fire department, and the effective date thereof, whereupon the commissioner shall, upon application and upon the payment of a \$25.00 manufacturing fee and all other applicable registration and licensing fees at the time of registration, reissue a special and distinctive license plate to such new member to replace the returned regular plate. Upon such request for a change in plate for a certified firefighter who is separated from a fire department, the chief of the fire department shall furnish such member with a copy of the chief's letter to the commissioner requesting the appropriate change in plate, which copy of such letter may be used by such member pending the issuance of the new plate."

SECTION 22.

Said title is further amended by striking Code Section 40-2-80, relating to transfer of special license plates, in its entirety and inserting in lieu thereof the following:

"40-2-80.

The commissioner is authorized to provide by rules and regulations appropriate procedures whereby, except as specifically provided, upon the payment of the fee prescribed in Code Section 40-2-42 for transfer of license plates and revalidation decals, ~~the special and distinctive license plates and special personalized prestige license plates authorized by this article may be used upon and all license plates may be transferred to other vehicles subsequently acquired by the same person other than the vehicle for which such plate was originally issued.~~"

SECTION 23.

Said chapter is further amended by striking subsection (b) of Code Section 40-2-86, relating to special license plates for emergency medical technicians, in its entirety and inserting in lieu thereof the following:

"(b) Upon transfer of the ownership of a private passenger vehicle upon which there is a special license plate as provided in subsection (a) of this Code section, ~~such plate shall~~

be removed and the authority to use the plate shall thereby be canceled; however, after such a transfer of ownership occurs, should an and acquisition by the emergency medical technician acquire of another motor vehicle, the license plate issued pursuant to this Code section may be transferred between vehicles as provided in Code Section 40-2-80."

SECTION 24.

Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, is amended by striking Code Section 48-5-451, relating to the penalty for failure to make return or pay tax on motor vehicle or mobile home, in its entirety and inserting in lieu thereof a new Code Section 48-5-451 to read as follows:

"48-5-451.

Every owner of a motor vehicle or a mobile home, in addition to the ad valorem tax due on the motor vehicle or mobile home, shall be liable for a penalty of 10 percent of the tax due or ~~\$1.00~~ \$5.00, whichever is greater, for his the failure to make the return or pay the tax in accordance with this article; ~~provided that such penalty shall in no event be levied prior to May 2, notwithstanding that the owner failed to register such vehicle within 21 days of its purchase.~~"

SECTION 25.

This Act shall become effective on January 1, 1997.

SECTION 26.

Any local law enacted pursuant to Code Section 40-2-21 which is in conflict with the provisions of this Act shall stand repealed on the effective date of this Act; provided, however, that any local Act enacted in 1996 pursuant to the provisions of Code Section 40-2-21 as enacted by Act No. 385, Ga. L. 1995, which local Act provides for a four-month staggered registration period for a county, shall not be repealed by the provisions of this Act, but the registration period for such county shall be as provided by subparagraph (a)(1)(B) of Code Section 40-2-21 as enacted by this Act and not as provided in such local Act.

SECTION 27.

Those parts of Act No. 385, Ga. L. 1995, an Act amending Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, and amending Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, approved April 19, 1995, in conflict with this Act are repealed.

SECTION 28.

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

The following substitute, offered by Representatives Powell of the 23rd, Parham of the 122nd and Porter of the 143rd, was read:

A BILL

To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to change certain provisions relating to operation of unregistered vehicles; to change certain provisions relating to registration and licensing requirements; to provide for staggered motor vehicle registration over a 12 month period; to provide for four-month staggered or nonstaggered registration by local Act; to provide for staggered motor vehicle registration for certain vehicles owned by entities other than natural persons; to change certain licensing and registration deadlines; to change certain provisions relating to license plates and revalidation decals; to provide for penalties for late registration; to change certain provisions relating to special license plates for certain military personnel and veterans; to provide that certain license plates may be transferred between vehicles under certain circumstances; to amend Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of

motor vehicles and mobile homes, so as to change certain provisions relating to penalties for failure to make return or pay tax; to provide for related matters; to provide for an effective date; to provide for the repeal of certain local laws; to provide that certain local laws shall ~~not be repealed; to repeal~~ conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, is amended by striking subsection (b) of Code Section 40-2-8, relating to the operation of unregistered vehicles, in its entirety and inserting in lieu thereof the following:

“(b) Any vehicle operated in the State of Georgia ~~after May 1 of any year~~ which is required to be registered and which does not have attached to the rear thereof a numbered license plate and current revalidation decal affixed to ~~the upper right-hand~~ a corner ~~or corners~~ of the license plate as designated by the commissioner, if required, shall be stored at the owner’s risk and expense by any law enforcement officer of the State of Georgia. It shall be a misdemeanor to operate any vehicle required to be registered in the State of Georgia without a valid numbered license plate properly validated; provided, however, that the purchaser of a new vehicle or a vehicle which does not have a current and valid registration or a used vehicle may operate such vehicle on the public highways and streets of this state without a current valid license plate during the ~~21~~ 30 day period within which the purchaser is required by Code Section 40-2-20 to register or transfer the registration of such vehicle and provided, further, that the purchaser and operator of a vehicle shall not be subject to the penalties set forth in this Code section during the period allowed for the registration or transfer of registration. If the owner of such vehicle presents evidence that such owner has properly applied for the registration of such vehicle, but that the license plate or revalidation decal has not been delivered to such owner, then the owner shall not be subject to the above penalties.”

SECTION 2.

Said chapter is further amended by striking Code Section 40-2-20, relating to registration and licensing requirements, in its entirety and inserting in lieu thereof the following:

“40-2-20.

(a)(1) Except as provided in subsection (b) of this Code section, every owner of a motor vehicle, including a tractor or motorcycle, and every owner of a trailer shall, ~~on or before May 1~~ except as provided in paragraph (3) of this subsection, during the owner’s registration period in each year; ~~before operating such motor vehicle or trailer~~, register such vehicle as provided in this chapter and obtain a license to operate it for the ~~ensuing year~~ 12 month period until such person’s next registration period. The purchaser of every new motor vehicle or other motor vehicle which does not have a current and valid Georgia registration, including tractors and motorcycles, or trailer shall, within ~~21~~ 30 days of the date of purchase of such vehicle, register such vehicle as provided in this chapter and obtain a license to operate it for the ~~ensuing year period remaining until such person’s next registration period~~. The purchaser of every used motor vehicle, including tractors and motorcycles, or trailer which is currently registered shall, within ~~21~~ 30 days of the purchase of such vehicle, transfer such registration as provided in Code Section 40-2-42. No person, company, or corporation, including, but not limited to, used motor vehicle dealers and auto auctions, shall sell or transfer a motor vehicle without providing to the purchaser or transferee of such motor vehicle the current Georgia certificate of registration on such vehicle at the time of such sale or transfer or, if such vehicle does not have a current and valid Georgia certificate of registration, the last certificate of registration for such vehicle; provided, however, that in the case of a repossessed or leased motor vehicle, a court ordered sale or other involuntary transfer, a salvage motor vehicle, or a motor vehicle which is stolen but subsequently recovered by the insurance company after payment of a total loss claim, the lienholder or lessor, the transferor, the salvage dealer, or insurer, respectively, shall not be required to obtain and transfer the certificate of registration for such vehicle, but shall, prior to the sale of such vehicle, surrender

the license plate of such vehicle to the commissioner or the county tag agent by personal delivery or by certified mail for cancellation; provided, further, that in those cases where there is no current and valid Georgia certificate of registration or in those situations where ~~the person, company, or~~ corporation selling or transferring the motor vehicle does not possess the certificate of registration, then the purchaser or transferee of such motor vehicle, if such purchaser or transferee is a licensed motor vehicle dealer, may apply to the appropriate county or state for a replacement certificate of registration.

(2) An application for the registration of a motor vehicle may not be submitted separately from the application for a certificate of title for such motor vehicle, unless a certificate of title has been issued in the owner's name, has been applied for in the owner's name, or the motor vehicle is not required to be titled. ~~An and an~~ application for a certificate of title for a motor vehicle may be submitted separately from the application for the registration of such motor vehicle.

(3) In calendar year 1997, motor vehicles registered in this state prior to January 1, 1997, shall:

(A) In those counties which, prior to January 1, 1996, have enacted a four-month staggered system of vehicle registration, be registered during the month established by such staggered registration system and shall obtain a registration which shall be valid until the owner's registration period in 1998, and shall return such vehicle for taxation and remit the ad valorem taxes due; or

(B) In those counties which, prior to January 1, 1996, do not have a four-month staggered system of vehicle registration, be registered on or before May 1, 1997, and shall obtain a registration which shall be valid until the owner's registration period in 1998, and shall return such vehicle for taxation and remit the ad valorem taxes due.

(b) Subsection (a) of this Code section shall not apply:

(1) To any motor vehicle or trailer owned by the state or any municipality or other political subdivision of this state and used exclusively for governmental functions except to the extent provided by Code Section 40-2-37;

(2) To any tractor or three-wheeled motorcycle used only for agricultural purposes;

(3) To any trailer which has no springs and which is being employed in hauling unprocessed farm products to their first market destination;

(4) To any trailer which has no springs, which is pulled from a tongue, and which is used primarily to transport fertilizer to a farm;

(5) To any motorized cart; or

(6) To any moped.

(c) Any person who fails to register a new or used motor vehicle within ~~21~~ 30 days of its purchase as required in subsection (a) of this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$100.00."

SECTION 3.

Said chapter is further amended by striking Code Section 40-2-21, relating to staggered registration periods, in its entirety and inserting in lieu thereof the following:

"40-2-21.

(a) As used in this chapter, the term:

(1) 'Name' means:

~~(A) For natural persons, the surname of the owner whose name appears first on the certificate of title or other record of ownership; or~~

~~(B) For entities other than natural persons, the first letter or word of the owner whose name appears first on the certificate of title or other record of ownership.~~

(2)(1) 'Registration period' means:

~~(A) The month of January for an owner whose name begins with the letter A, B, C, or D;~~

~~(B) The month of February for an owner whose name begins with the letter E, F, G, H, I, J, or K;~~

~~(C) The month of March for an owner whose name begins with the letter L, M, N, O, P, Q, or R; or~~

~~(D) From April 1 until on or before May 1 for an owner whose name begins with the letter S, T, U, V, W, X, Y, or Z.~~

(A) In all counties except those for which a local Act has been enacted pursuant to this Code section:

(i) For natural persons, the 30 day period ending at midnight on the birthday of the owner whose surname appears first on the certificate of title or other record of ownership; or

(ii) For entities other than natural persons:

(I) The month of January for the owner whose name begins with the letter A or B;

(II) The month of February for the owner whose name begins with the letter C or D;

(III) The month of March for the owner whose name begins with the letter E or F;

(IV) The month of April for the owner whose name begins with the letter G or H;

(V) The month of May for the owner whose name begins with the letter I or J;

(VI) The month of June for the owner whose name begins with the letter K or L;

(VII) The month of July for the owner whose name begins with the letter M or N;

(VIII) The month of August for the owner whose name begins with the letter O or P;

(IX) The month of September for the owner whose name begins with the letter Q or R;

(X) The month of October for the owner whose name begins with the letter S or T;

(XI) The month of November for the owner whose name begins with the letter U, V, or W; and

(XII) The month of December for the owner whose name begins with the letter X, Y, or Z; or

(iii) The provisions of divisions (i) and (ii) of this subparagraph notwithstanding, January 1 through April 30 for vehicles in excess of 26,000 pounds which are owned by natural persons or entities other than natural persons; or

(B) In those counties which are authorized by a local Act enacted pursuant to this Code section to have a four-month staggered registration period:

(i) For natural persons:

(I) The month of January for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of January, February, or March;

(II) The month of February for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of April, May, or June;

(III) The month of March for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of July, August, or September; and

(IV) The month of April for the owner whose surname appears first on the certificate of title or other record of ownership and whose birthday is in the month of October, November, or December; or

(ii) For entities other than natural persons:

(I) The month of January for the owner whose name begins with the letter A, B, C, or D;

(II) The month of February for the owner whose name begins with the letter E, F, G, H, I, J, or K;

(III) The month of March for the owner whose name begins with the letter L, M, N, O, P, Q, or R; and

(IV) The month of April for the owner whose name begins with the letter S, T, U, V, W, X, Y, or Z; or

(iii) The provisions of divisions (i) and (ii) of this subparagraph notwithstanding, January 1 through April 30 for vehicles in excess of 26,000 pounds which are owned by natural persons or entities other than natural persons; or

(C) In those counties which are authorized by a local Act enacted pursuant to this Code section not to have staggered registration periods, January 1 through April 30. For purposes of determining the registration period of an owner which is an entity other than a natural person in subparagraphs (A) and (B) of this paragraph, the owner shall be deemed to be the owner whose name appears first on the certificate of title or other record of ownership. Any other provision of this paragraph notwithstanding, registration of vehicles under the International Registration Plan shall be as provided by Code Section 40-2-88.

(3)(2) 'Vehicle' means every motor vehicle, including a tractor or motorcycle, and every trailer required to be registered and licensed under Code Section 40-2-20.

(b) The Except as authorized in subsection (c) of this Code section, in each county to which the provisions of this Code section are made to apply as provided in subsection (f) of this Code section, the owner of every vehicle registered in the previous calendar year shall, between January 1 and May 1 of each year, register and obtain a license to operate such vehicle not later than the last day of the owner's registration period. The lessee of a vehicle being operated under a lease agreement may elect to must register and obtain a license to operate such vehicle not later than the last day of the registration period of either the lessee or the lessor.

(c) The owner of any vehicle registered in the previous calendar year who moves his or her residence between January 1 and May 1 from a county to which this Code section is not applicable to a county to which this Code section is applicable from a county which does not have staggered registration to a county which has a four-month or 12 month staggered registration period or who moves his or her residence from a county which has a 12 month staggered registration period to a county which has a four-month staggered registration period or to a county which does not have staggered registration or the new owner of a vehicle registered in the previous calendar year which was transferred to such new owner between January 1 and May 1 after the new owner's registration period who resides in a county to which this Code section is applicable which has a staggered registration period shall, unless such vehicle has been registered during the current calendar year a current registration, register and obtain a license to operate such vehicle prior to the last day of the such new owner's renewal registration period or, if such renewal registration period has passed for that year at the time of the change of residence or at the time of transfer, on or before May 1 not later than 30 days following the date of the change of residence or the date of transfer.

(d) Any owner of a vehicle who does not register and obtain a license to operate such vehicle as provided in subsections (b) and (c) of this Code section shall, in addition to any other penalty which may be imposed if such vehicle is registered after May 1, be subject to a \$15.00 late registration penalty. Such penalty shall be paid prior to obtaining a registration and license and shall be in addition to the fee provided by law. The penalty provided for in this subsection shall be paid into the general fund of the county. The penalty provided for in this subsection shall be waived if the penalties provided for in Code Section 40-2-40 are waived or are determined not to be applicable under rules or regulations issued by the commissioner.

(e)(d) The transferee of a new or unregistered vehicle shall register and obtain a license to operate such vehicle as provided in subsection (a) of Code Section 40-2-20.

(f)(e) This Code section shall only apply to a county which has been brought under the provisions of this Code section pursuant to a local law enacted by the General Assembly and shall apply beginning January 1 of the calendar year specified in such local law. If such local law is conditioned upon approval in a referendum, the results of such referendum shall be certified to the Department of Revenue. Any local law enacted pursuant

to this Code section shall specify either a staggered registration period of four months or a nonstaggered registration period of four months. If such local law is conditioned upon approval in a referendum, the results of such referendum shall be verified to the Department of Revenue on cn

~~(g) Nothing in this Code section shall preclude the owner of any vehicle from registering and obtaining a license for such vehicle prior to his registration period."~~

SECTION 4.

Said chapter is further amended by striking Code Section 40-2-31, relating to license plates and revalidation decals, in its entirety and inserting in lieu thereof the following:

"40-2-31.

(a) If the applicant meets the requirements set forth in this chapter, the commissioner shall assign to the vehicle a license plate bearing a distinctive number.

(b) Such license plates shall be of metal at least six inches wide and not less than 12 inches in length, and shall show in bold characters the year of registration, the serial number, and either the full name or the abbreviation of the name of the state, shall designate the county from which the license plate was issued, and shall show such other distinctive markings as in the judgment of the commissioner may be deemed advisable, so as to indicate the class of weight of the vehicle for which the license plate was issued. Such plates may also bear such figures, characters, letters, or combinations thereof as in the judgment of the commissioner will to the best advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' The metal shall be of such strength and quality that the plate shall provide a minimum service period of five years. Every five years a new metal license plate shall be provided by the commissioner for issuance; ~~except that license plates issued for vehicles in excess of 24,000 pounds shall be issued annually and no revalidation decal shall be issued for such plates. Metal license plates issued on or after January 1, 1983, may be used until December 31, 1989. Metal license plates issued on or after January 1, 1990 1997, shall be used for a period of five years. Bicentennial license plates issued in 1976 shall not be used after tag year 1989.~~

(c) The face of the license plate to be displayed shall be treated completely with a retroreflective material which will increase the nighttime visibility and legibility of the plate. The Office of Highway Safety shall prepare the specifications which such retroreflective material shall meet.

(d) In those years in which a metal plate is not issued, a revalidation decal with a distinctive serial number shall be issued and affixed in the space provided on the license plate assigned to the vehicle which shall indicate the year and month through which the registration of the vehicle shall be valid; provided, however, that if the commissioner determines that it is necessary, two revalidation decals shall be issued for each license plate to reflect the required information. When an applicant is issued a revalidation decal and such applicant registered the vehicle in another county the previous year, the applicant shall also be issued a new county decal which shall be properly affixed to the license plate and shall replace the other county decal.

(e) The commissioner shall furnish without cost to each tag agent reflective adhesive decals in sufficient number, upon which there shall be printed the name of the agent's county. Such a decal shall be issued with each metal license plate and shall be affixed in the space provided on the license plate without obscuring any number or other information required to be present on the plate: ~~A county decal shall be issued with each revalidation decal issued in 1982 and shall be properly affixed to the license plate.~~

(f) A county tag agent shall issue a county name decal for the agent's county only if:

(1) The applicant is a resident of or a business located in vehicle for which the decal is issued is currently registered in the county named on the decal;

(2) The applicant is registering a new vehicle in such county, is renewing a current vehicle registration, or is transferring registration of a vehicle to registration for the vehicle for which the decal is issued is being transferred to a resident of the county named on the decal; or and

(3) The An application for registration of the vehicle for which the decal is issued is being made in the county named on the decal."

SECTION 5.

Said chapter is further amended by striking Code Section 40-2-40, relating to the registration of delinquent vehicles, in its entirety and inserting in lieu thereof the following:

“40-2-40. www.libtool.com.cn

(a) ~~On and after May 2 in each year, the~~ The owner of a vehicle required to be registered under Code Section 40-2-20 which was registered for the previous year, who has failed to comply with Code Section 40-2-20 for the current year, shall be deemed and held to be a delinquent under this Code section; and the registration of such vehicle shall, ~~on May 2 and thereafter~~ after the expiration of the owner's registration period, be subject to a penalty of 25 percent of the registration fee for such vehicle in addition to the fee provided by law, provided that such penalty shall in no event be levied prior to ~~May 2 the expiration of the owner's registration period~~, notwithstanding that the owner failed to register such vehicle within ~~21~~ 30 days of its purchase.

(b) All applications for the registration of a delinquent vehicle shall, before being accepted by a tag agent, be first endorsed by a sheriff or a deputy sheriff, a chief of police or his designated representative, a state highway patrolman, a state revenue special agent or enforcement officer, a Department of Transportation enforcement officer, a tax commissioner, or a tax collector. The officer endorsing the delinquent application shall indicate, with his endorsement on the application, the total amount of the prescribed registration fee together with the 25 percent penalty provided in this Code section and the sum of \$1.00, and the full total of such amount shall be paid to the tag agent before any license plate or revalidation decal as provided for in this chapter shall be assigned to the applicant.

(c) All penalties assessed under this Code section shall be accredited in the office of the tag agent when received in the name of the officer making the endorsement, without regard to the residence of the applicant, whether such penalty is received through the exercise of such officer's authority as an arresting officer or through appearance of the applicant at his office for proper endorsement on an application.

(d) Between the first and fifth days of each calendar month, the tag agent shall remit to the respective fiscal authorities of the counties or cities employing the endorsing officers the full amount of such penalties accredited to such officers during and for the preceding calendar month. All sums accredited to state highway patrolmen, state revenue special agents or enforcement officers, or Department of Transportation enforcement officers shall be paid to the fiscal authorities of the county where the vehicle is registered.

(e) ~~The penalty levied and designated in this Code section shall be waived if the penalty provided for in Code Section 40-2-21 for delinquency in registration is waived or is determined not to be applicable under rules or regulations issued by the commissioner.”~~

SECTION 6.

Said chapter is further amended by striking Code Section 40-2-65, relating to special license plates for active reserve components of the United States, in its entirety and inserting in lieu thereof the following:

“40-2-65.

(a) Motor vehicle owners who are assigned or attached members of troop program units of any branch of the active reserve components of the United States inside or outside the State of Georgia shall be eligible to receive free motor vehicle license plates for private passenger cars or trucks used for personal transportation. Motor vehicle owners who are members of any National Guard unit in a state adjoining the State of Georgia and for whom there is no National Guard unit in the county of their residence shall be eligible to receive free motor vehicle plates for private passenger cars or trucks used for personal transportation to identify such vehicle owner as a reservist. Such license plates shall be issued in compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of this chapter. No person shall be entitled to more than one free motor vehicle license plate for any calendar year; provided, however, that, upon payment of the regular license fee provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a reservist shall be entitled to receive

one additional such license plate. For each additional license plate for which an initial \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. Additional words or symbols in addition to numbers and letters prescribed by law shall be inscribed upon such license plates so as to identify distinctively the owner as a member of the 'United States military reserve.' The major commanders of each active reserve component program shall furnish to the commissioner ~~each year prior to the date that license plates are issued~~ a list of the members of their command assigned or attached to troop program units who reside in Georgia. The adjutant general of each neighboring state shall furnish to the commissioner ~~each year prior to the date that license plates are issued~~ a list of the members of that state's National Guard unit who reside in Georgia. The lists of reservists and guardsmen required under this subsection shall be updated as necessary throughout the calendar year.

(b)(1) Upon transfer of the ownership of a private passenger vehicle upon which there is a license plate distinctively identifying the owner thereof as a member of the 'United States military reserve,' such plate shall be removed and the authority to use the plate shall thereby be canceled; however, after such a transfer of ownership occurs, should the said reservist acquire another motor vehicle, the license plate issued pursuant to this Code section may be placed on such newly acquired motor vehicle, and such reservist shall notify the commissioner of such transfer of the license plate to such newly acquired motor vehicle in such manner as the commissioner may prescribe by regulation. No transfer or cancellation fee shall be charged for the transfer of free reservist license plates. There shall be a transfer and cancellation fee of \$5.00 for the transfer of any other reservist license plate.

(2) Should an active reservist who has been issued a free license plate or license plates be discharged or otherwise separated from his or her reserve unit, the immediate commanding officer of such active reservist shall obtain the discharged member's free license plate or license plates at the time of the discharge and shall forward same to the commissioner along with a certificate to the effect that such person has been discharged, and thereupon the commissioner shall issue a regular license plate, at no additional charge, to such former reservist to replace the reservist plate or plates. Should an active reservist enlist or be commissioned after he has purchased purchasing a regular license plate for the his or her current year registration period, the commanding officer of the unit in which such person enlists or is commissioned shall likewise secure the regular license plate of such person and return same to the commissioner, along with a certificate to the effect that such person has been enlisted or commissioned in a troop program unit of the reserve components, and the effective date thereof, whereupon the commissioner shall issue a reservist license plate, at no extra charge, to such new member to replace the returned regular plate. Upon such request for a change in plate for a discharged reservist or a newly enlisted reservist, the commanding officer shall furnish such member with a copy of his the commanding officer's letter to the commissioner requesting the appropriate change in plate, which copy of such letter may be used by such member pending the issuance of the new plate.

(c) The commissioner shall promulgate such rules and regulations as may be necessary to enforce compliance with all state license laws relating to the use and operation of private passenger cars and trucks before issuing these plates in lieu of the regular Georgia license plates, and all applications for such plates shall be made to the commissioner. The commissioner is specifically authorized to promulgate all rules and regulations necessary to ensure compliance in instances where such vehicles have been transferred or sold. Except as provided in subsection (b) of this Code section, such plates shall be non-transferable."

SECTION 7.

Said chapter is further amended by striking Code Section 40-2-66, relating to special license plates for members of the Georgia National Guard, in its entirety and inserting in lieu thereof the following:

“40-2-66.

(a)(1) Motor vehicle owners who are members of the Georgia National Guard, upon application for license plates and upon compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed under Article 2 of this chapter, shall be issued, free of charge, a license plate, as prescribed in that article for private passenger cars or trucks used for personal transportation. Each member of the Georgia National Guard shall be entitled to no more than one such free plate at a time; provided, however, that, upon payment of the regular license fee provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall be entitled to one additional such license plate. For each additional license plate for which an initial \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. Additional words or symbols, in addition to the numbers and letters prescribed by law, shall be inscribed upon such license plates so as to identify distinctively the owner as a member of the Georgia National Guard. The adjutant general of Georgia shall furnish to the commissioner ~~each year, prior to the date that license plates are issued~~, a list of the members of the Georgia National Guard which list shall be updated throughout the year as necessary.

(2) Motor vehicle owners who are retired members of the Georgia National Guard, upon application for license plates and upon compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed under Article 2 of this chapter, shall be issued, free of charge, a license plate as prescribed in that article for private passenger cars or trucks used for personal transportation. Each retired member of the Georgia National Guard shall be entitled to no more than one such free plate at a time; provided, however, that, upon payment of the regular license fee provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall be entitled to one additional such license plate. For each additional license plate for which an initial \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The license plates issued pursuant to this paragraph shall, in addition to the numbers and letters prescribed by law, be identical to those issued pursuant to paragraph (1) of this subsection. The adjutant general of Georgia shall furnish to the commissioner ~~each year, prior to the date that license plates are issued~~, a list of the retired members of the Georgia National Guard which list shall be updated as necessary throughout the year.

(b) Upon transfer of the ownership of a private passenger vehicle upon which there is a license plate bearing the words ‘National Guard,’ such plate shall be removed and the authority to use the same shall thereby be canceled; however, after such a transfer of ownership occurs, should the said member or retired member of the National Guard acquire another motor vehicle, the license plate issued pursuant to this Code section may be placed on such newly acquired motor vehicle and such member or retired member shall notify the commissioner of such transfer of the license plate to such newly acquired motor vehicle in such manner as the commissioner may prescribe by regulation and shall pay a transfer and cancellation fee of \$5.00 and shall also pay license fees in an amount, if any, that the license fee for the newly acquired vehicle exceeds the license fee of the original vehicle. No transfer or cancellation fee shall be charged for the transfer of free National Guard license plates. There shall be a transfer and cancellation fee of \$5.00 for the transfer of any other National Guard license plate. Should a member of the National Guard who has been issued a National Guard license plate be discharged or otherwise separated except by retirement from the National Guard, the immediate commanding officer of such member shall obtain the discharged member’s National Guard license plate or plates at the time of the discharge and shall forward same to the commissioner along with a certificate to the effect that such member has been discharged, and thereupon the commissioner shall issue a regular license plate or plates, at no additional charge, to such former National Guard member to replace the National

Guard plate. Should a member of the National Guard enlist or be commissioned in the National Guard after ~~he has purchased~~ purchasing a regular license plate for the current year, the commanding officer of the unit in which such member enlists or is commissioned ~~shall likewise secure~~ the regular license plate of such new member and return same to the commissioner, along with a certificate to the effect that such new member has been enlisted or commissioned in the National Guard and the effective date thereof, whereupon the commissioner shall issue a National Guard license plate, at no extra charge, to such new member to replace the returned regular plate ~~returned to him~~. Upon such request for a change in plate for a discharged member of the National Guard or a newly enlisted member of the National Guard, the commanding officer shall furnish such member with a copy of ~~his~~ the commanding officer's letter to the commissioner requesting the appropriate change in plate, which copy of such letter may be used by such member pending the issuance of the new plate.

(c) The commissioner shall; ~~on or before March 1 in each year,~~ furnish to the sheriff of each county in the state an alphabetical arrangement of the list of names, addresses, and license plate letters of each person to whom a license plate is issued under this Code section, and it shall be the duty of the sheriffs of the state to maintain and to keep current such lists for public information and inquiry.

(d) The commissioner shall make such rules and regulations as necessary to enforce compliance with all state license laws relating to the use and operation of a private passenger car before issuing National Guard plates in lieu of the regular Georgia license plates, and all applications for such plates shall be made to the commissioner. The commissioner is specifically authorized to make all rules and regulations necessary to make adequate provision for instances where such vehicles have been transferred or sold. Except as provided in subsection (b) of this Code section, such plates shall be nontransferable."

SECTION 8.

Said chapter is further amended by striking Code Section 40-2-67, relating to special license plates for state commanders of nationally chartered veterans' organizations, in its entirety and inserting in lieu thereof the following:

"40-2-67.

(a) The state commanders of nationally chartered veterans' organizations, upon application and compliance with the state motor vehicle laws relative to the registration and licensing of motor vehicles, upon payment of the regular license fees for license plates as provided by law, and upon the payment of an additional initial fee of \$25.00 and an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted as provided in Code Section 40-2-34, shall be issued license plates as prescribed in Code Section 40-2-31 for use on their official or private passenger automobiles, upon which, in lieu of the numbers prescribed by said Code section, shall be such figures or symbols indicative of the office held by such individuals as may be prescribed by the commissioner.

(b) License plates issued under this Code section may not be transferred so as to be used by any person other than the person to whom such plate was originally issued but may be transferred to another vehicle as provided in Code Section 40-2-80, except that; ~~and~~ such plates shall not be used by any person after ~~he has vacated~~ vacating the office of commander of any of the organizations enumerated in this Code section."

SECTION 9.

Said chapter is further amended by striking subsection (a) of Code Section 40-2-68, relating to special license plates for Medal of Honor winners, in its entirety and inserting in lieu thereof the following:

"(a) Motor vehicle owners who have been awarded the Medal of Honor and who are residents of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued two distinctive personalized license plates free of charge. Such license plates shall be fastened to both the front and the rear of

the vehicle. Such license plates may be transferred to another vehicle as provided in Code Section 40-2-80."

SECTION 10.

Said chapter is further amended by striking Code Section 40-2-70, relating to special license plates for certain disabled veterans, in its entirety and inserting in lieu thereof the following:

"40-2-70.

Any citizen and resident of the State of Georgia who has been discharged from the armed forces under conditions other than dishonorable, who is disabled to any degree specified and enumerated in Code Section 40-2-69, and who is the owner of a private passenger motor vehicle, but who cannot qualify under Code Section 40-2-69, shall be entitled to a special and distinctive automobile license plate. Such license plate may be transferred to another vehicle as provided in Code Section 40-2-80. Such veteran shall be entitled to such plate regardless of whether he or she is suffering from a service connected or nonservice connected disability. Such veteran must apply for such license plate and, upon compliance with the state motor vehicle laws for licensing of motor vehicles and payment of the regular license fee for plates as prescribed under Chapter 10 of Title 48, such veteran shall be issued similar license plates as prescribed in Code Section 40-2-71 for private passenger cars. There shall be no charge for the additional plate issued such veteran under this Code section. If a veteran has not been certified as disabled by the United States Department of Veterans Affairs, such veteran may submit to the Department of Veterans Service such veteran's discharge papers and a certified statement from a physician, licensed under Chapter 34 of Title 43, certifying that in the opinion of such physician such veteran is disabled to a degree enumerated in Code Section 40-2-69. If the certificate from the physician indicates the qualifying disabilities which meet the standards of the United States Department of Veterans Affairs, the commissioner of veterans service shall submit a letter to the Department of Revenue indicating that the veteran meets the requirements of this Code section and qualifies for a special license plate as provided in this Code section."

SECTION 11.

Said chapter is further amended by striking Code Section 40-2-71, relating to design of disabled veterans plates and restrictions on issuance and transfer, in its entirety and inserting in lieu thereof the following:

"40-2-71.

(a) The commissioner is directed to furnish the license plates provided for in Code Sections 40-2-69 and 40-2-70. Such plates shall be printed in three colors: red, white, and blue. The commissioner is authorized and directed to design the license plate. Each plate shall contain, in bold characters, the name of the state, or abbreviation thereof, the year, the serial number, and either the words 'Disabled Veteran' or 'Disabled Vet.'

(b) Such license plates so issued ~~shall be nontransferable~~ may be transferred to another vehicle as provided in Code Section 40-2-80.

(c) No disabled veteran shall be entitled to own or operate more than one vehicle with the free license plates provided by Code Sections 40-2-69, 40-2-70, and this Code section."

SECTION 12.

Said chapter is further amended by striking subsection (b) of Code Section 40-2-73, relating to special license plates for former prisoners of war, in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) Owners of motor vehicles who are veterans of the armed forces of the United States, who have been prisoners of war, who were discharged under honorable conditions, and who are residents of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued one distinctive personalized license plate free of charge and, upon the payment of the appropriate taxes and registration fees, shall be issued additional distinctive personalized license plates.

Such license plates may be transferred to another vehicle as provided in Code Section 40-2-80. Such license plates shall be fastened to the rear of the vehicles."

SECTION 13.

Said chapter is further amended by striking subsection (e) of Code Section 40-2-74, relating to special license plates for persons with disabilities, in its entirety and inserting in lieu thereof the following:

"(e) The commissioner may begin issuing disabled persons' license plates with the year 1976. Any license plate issued pursuant to the provisions of this Code section may be transferred to another vehicle as provided in Code Section 40-2-80."

SECTION 14.

Said chapter is further amended by striking subsection (c) of Code Section 40-2-75, relating to special license plates for amateur radio operators, in its entirety and inserting in lieu thereof the following:

"(c) The commissioner shall make such rules and regulations as necessary to ascertain compliance with all state license laws relating to use and operation of a private passenger vehicle before issuing these plates in lieu of the regular Georgia license plate. Such plates ~~shall~~ may be nontransferable transferred to another vehicle as provided in Code Section 40-2-80."

SECTION 15.

Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, is amended by striking Code Section 48-5-451, relating to the penalty for failure to make return or pay tax on motor vehicle or mobile home, in its entirety and inserting in lieu thereof a new Code Section 48-5-451 to read as follows:

"48-5-451.

Every owner of a motor vehicle or a mobile home, in addition to the ad valorem tax due on the motor vehicle or mobile home, shall be liable for a penalty of 10 percent of the tax due or ~~\$1.00~~ \$5.00, whichever is greater, for ~~his~~ the failure to make the return or pay the tax in accordance with this article; ~~provided that such penalty shall in no event be levied prior to May 2, notwithstanding that the owner failed to register such vehicle within 21 days of its purchase.~~"

SECTION 16.

This Act shall become effective on January 1, 1997.

SECTION 17.

Any local Act enacted pursuant to Code Section 40-2-21 which is in conflict with the provisions of this Act shall stand repealed on the effective date of this Act; provided, however, that any local Act enacted in 1996 pursuant to the provisions of Code Section 40-2-21 as enacted by Act No. 385, Ga. L. 1995, which local Act provides for a four-month staggered registration period for a county, shall not be repealed by the provisions of this Act, but the registration period for such county shall be as provided by subparagraph (a)(1)(B) of Code Section 40-2-21 as enacted by this Act and not as provided in such local Act.

SECTION 18.

Those parts of Act No. 385, Ga. L. 1995, an Act amending Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, and amending Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, approved April 19, 1995, in conflict with this Act are repealed.

SECTION 19.

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

The following amendment was read:

Representative Ladd of the 59th moves to amend the Floor substitute to SB 280 by inserting between "tax;" and "to" on line 22 of page 1 the following:

"to change the time at which ad valorem taxes on certain motor vehicles become due and payable;"

By inserting between lines 14 and 15 of page 22 the following:

"SECTION 15.1.

Said article is further amended by striking Code Section 48-5-471, relating to ad valorem taxation of motor vehicles, as amended by an Act approved April 19, 1995 (Ga. L. 1995, p. 809), and inserting in its place a new Code Section 48-5-471 to read as follows:

'48-5-471.

(a) Every motor vehicle owned in this state by a natural person on January 1 is subject to ad valorem taxation by the various tax jurisdictions authorized to impose an ad valorem tax on property ~~only if owned by such natural person at any time during such person's registration period.~~

(b) Every vehicle owned in this state by an entity other than a natural person on January 1 is, except as specifically provided in Code Section 48-5-472, subject to ad valorem taxation by the various tax jurisdictions authorized to impose an ad valorem tax on property ~~if owned by such entity at any time during such entity's registration period.~~

(c) Taxes shall be charged against the owner of the property, if known, and, if unknown, against the specific property itself.'

SECTION 15.2.

Said article is further amended by striking Code Section 48-5-473, relating to returns for taxation, as amended by an Act approved April 19, 1995 (Ga. L. 1995, p. 809), and inserting in its place a new Code Section 48-5-473 to read as follows:

'48-5-473.

(a) Each year every owner of a motor vehicle subject to taxation under this article shall return the motor vehicle for taxation and pay the taxes due on the motor vehicle at the time the owner applies for registration of the motor vehicle and for the purchase of a license plate for the motor vehicle or at the time of the first sale or transfer of the motor vehicle, provided that taxes shall be due at the time of registration or transfer of registration only if such vehicle was owned ~~during the owner's registration period by the taxpayer on January 1 of that taxable year.~~ If no license plate is required for the motor vehicle, the owner shall nevertheless return the motor vehicle for taxation as provided for in this Code section, but no license plate need be purchased.

(b) Notwithstanding subsection (a) of this Code section, in the case of an antique or hobby or special interest motor vehicle, as defined in Code Section 48-5-440, the owner or owners shall certify at the time of returning the antique or hobby or special interest motor vehicle for taxation, paying the taxes due on the motor vehicle, and purchasing a license plate for the motor vehicle or at the time of the first sale or transfer of the motor vehicle that the vehicle is an antique or hobby or special interest motor vehicle as defined in Code Section 48-5-440, and, upon said certification, said vehicle shall be registered and a license plate issued with the imposition of an ad valorem tax based on \$100.00 valuation, provided that taxes shall be due at the time of registration or transfer of registration only if such vehicle was owned ~~during the owner's registration period by the taxpayer on January 1 of that taxable year.~~"

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

N Allen	Y Crews	Y Irvin	N Parrish	Smith, W
N Anderson	N Culbreth	N James	N Parsons	N Smyre
Y Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	Y Jenkins	N Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	N Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Jones	N Porter	N Stanley, L
N Barnard	Y Dix	Y Joyce	Poston	N Stanley, P
N Barnes	Dixon, H	E Kaye	N Powell	N Stephenson
Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Y Klein	Purcell, B	N Taylor
Birdsong	Y Ehrhart	Y Ladd	N Randall	N Teague
Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	Y Evans	N Lane	N Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	N Towery
Y Brown, J	N Godbee	Y Lifsey	N Rogers	Trense
Y Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	Twiggs
Buckner	E Greene	Y Maddox	N Sauder	N Walker, L
N Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L.
N Burkhalter	N Hanner	N Martin	N Shanahan	Y Wall
N Byrd	Y Harbin	N McBee	N Shaw	N Watson
Y Campbell	Y Harris	E McCall	N Sherrill	N Watts
N Canty	N Heard	N McClintone	Y Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	Y Whitaker
N Chambless	N Hegstrom	E Mills	N Sinkfield	N White
N Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Y Williams, B
N Coker	N Holland	N Mosley	Y Smith, C.W.	Y Williams, J
Y Coleman, B	N Holmes	N Mueller	N Smith, L	N Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
Connell	N Hudson	N Orrock	N Smith, T	N Yates
N Crawford	N Hugley	N Parham	Smith, V	N Murphy, Spkr

On the adoption of the amendment, the ayes were 48, nays 112.

The amendment was lost.

The Floor substitute was adopted.

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

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

Y Allen	Y Byrd	Y Ehrhart	Y Irvin	Y McBee
Y Anderson	Y Campbell	Y Epps	Y James	E McCall
Y Ashe	Y Canty	Y Evans	Y Jamieson	Y McClintone
Y Bailey	Y Carter	Y Falls	Y Jenkins	McKinney
Y Baker	Y Chambless	Y Felton	Y Johnson, G	E Mills
N Bannister	Y Channell	Y Floyd	Y Johnson, J	Y Mobley, B
Y Barfoot	Y Childers	Y Godbee	N Johnston	Y Mobley, J
Bargeron	Y Coker	Y Golden	Y Jones	Y Mosley
Y Barnard	Y Coleman, B	Y Goodwin	N Joyce	Y Mueller
Y Barnes	Y Coleman, T	E Greene	E Kaye	Y O'Neal
Bates	Connell	Y Grindley	Y Kinnamon	Y Orrock
Y Benefield	Y Crawford	Hanner	Y Klein	Y Parham
Birdsong	Y Crews	Y Harbin	N Ladd	Y Parrish
Bordeaux	Y Culbreth	Y Harris	Y Lakly	Y Parsons
Y Bostick	Y Cummings	Y Heard	Y Lane	Y Pelote
Y Breedlove	Y Davis, G	Y Heckstall	N Lawrence	Y Perry
Y Brooks, D	N Davis, M	Y Hegstrom	Y Lee	N Pinholster
Y Brooks, T	Y Day	Y Hembree	Y Lewis	Y Polak
Y Brown, J	Y DeLoach, B	Y Henson	N Lifsey	Y Ponder
Y Brush	Y DeLoach, G	Y Holland	Y Lord	Y Porter
Y Buck	Y Dix	Y Holmes	Lucas	Poston
Buckner	Dixon, H	Y Howard	Y Maddox	Y Powell
N Bunn	Y Dixon, S	Y Hudson	N Mann	Y Purcell, A
Y Burkhalter	Y Dobbs	Y Hugley	Y Martin	Purcell, B

Y Randall	Y Shaw	Smith, W	Y Teague	Y Watson
Y Randolph	Y Sherrill	Y Smyre	Y Teper	Y Watts
Ray	Y Shipp	Y Snelling	Y Thomas	Y Westmoreland
Y Reaves	Y Simpson	Y Snow	Y Tillman	Y Whitaker
Y Reichert	Y Sinkfield	Y Stallings	Y Titus	Y White
Y Roberts	Y Skipper	Y Stancil, F	Y Towery	Y Wiles
Y Rogers	Y Smith, C	N Stancil, S	Trense	N Williams, B
Y Royal	Y Smith, C.W	Y Stanley, L	Y Turnquest	Y Williams, J
Y Sanders	Y Smith, L	Y Stanley, P	Y Twiggs	Y Williams, R
Y Sauder	Y Smith, P	Y Stephenson	Y Walker, L	Y Woods
Scoggins	Y Smith, T	Y Streat	Y Walker, R.L	Y Yates
Y Shanahan	Smith, V	Y Taylor	Y Wall	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 147, nays 11.

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

The Speaker assumed the Chair.

SB 446. By Senator Boshears of the 6th:

A bill to amend Code Section 49-4-15 of the Official Code of Georgia Annotated, relating to fraud in obtaining and wrongful receipt of public assistance and benefits, so as to change provisions relating to definitions of criminal offenses and penalties; to specifically provide that it shall be a criminal offense for any person to accept assistance and benefits with the knowledge that he or she is not eligible for such assistance or benefits.

The following Committee substitute was read:

A BILL

To amend Code Section 49-4-15 of the Official Code of Georgia Annotated, relating to fraud in obtaining public assistance, food stamps, or Medicaid, so as to change provisions relating to prosecution of such criminal offenses; to provide for the deferral of such prosecutions under certain conditions; to provide for procedures relative to such deferrals; to provide for consent agreements between the prosecuting attorney and the accused; to provide for the contents and effect of such consent agreements; to provide for restitution; to provide for the filing of such consent agreements; to provide that the successful completion of the terms and conditions of a consent agreement shall bar criminal prosecution for such offense; to provide for prosecution upon failure to comply with such an agreement; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 49-4-15 of the Official Code of Georgia Annotated, relating to fraud in obtaining public assistance, food stamps, or Medicaid, is amended by adding after subsection (b) new subsections (c) and (d) to read as follows:

“(c) Any felony offense under this Code section may be prosecuted by accusation as provided in Code Section 17-7-70.1.

(d)(1) Prior to the filing of an accusation or the return of an indictment, a prosecuting attorney may defer further prosecution of such accusation or indictment and shall have the authority to enter into a consent agreement with the individual in which such individual admits to any overpayment, consents to disqualification for such period of time as is or may hereafter be provided by law, and agrees to repay, as restitution, such overpayment. Such agreement may provide for a lump sum repayment, installment payments, formula reduction of benefits, or any combination thereof. Such agreement shall toll the running of the statute of limitations for such offense for the

period of the agreement. A consent agreement entered into in accordance with this subsection shall not constitute a criminal charge.

(2) Any such agreement shall be filed in the criminal docket of the court having jurisdiction over the violation of this Code section without the necessity of the state filing an accusation or an indictment being returned by a grand jury. The clerk shall enter upon the docket 'CONSENT AGREEMENT NOT A CRIMINAL CHARGE.'

(3) Upon successful completion of the terms and conditions of the consent agreement, criminal prosecution of the individual for such offense shall be barred; provided, however, that nothing in this paragraph shall prohibit the state from introducing evidence of such offense as a similar transaction in any subsequent prosecution or for the purpose of impeachment. The successful completion of the terms and conditions of the agreement shall not be considered a criminal conviction.

(4) If the individual fails to comply with the terms of such consent agreement, the state may proceed with a criminal prosecution."

SECTION 2.

This Act shall become effective July 1, 1996.

SECTION 3.

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

The following amendment was read:

Representative Evans of the 28th moves to amend the Committee substitute to SB 446 as follows:

Delete line 29, page 2, and insert the following:

"No later than July 1, 1996, the Department of Human Resources shall request from the appropriate Federal agencies any waiver necessary to implement any part of this Act. Each portion of this Act for which such waiver is required shall become effective only if the waiver is obtained, and in that event shall become effective upon the ninetieth day following the receipt of such waiver. The remainder of this Act shall become effective July 1, 1996."

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

N Allen	N Canty	Y Felton	Y Johnston	Y Mueller
N Anderson	Y Carter	N Floyd	Jones	N O'Neal
Y Ashe	Chambless	N Godbee	Y Joyce	N Orrock
N Bailey	N Channell	N Golden	E Kaye	N Parham
N Baker	N Childers	Y Goodwin	Y Kinnamon	N Parrish
Y Bannister	Y Coker	E Greene	Y Klein	Y Parsons
N Barfoot	Y Coleman, B	Y Grindley	Y Ladd	Y Pelote
Bargeron	Coleman, T	Hanner	Y Lakly	N Perry
Y Barnard	N Connell	Y Harbin	Y Lane	Y Pinholster
Y Barnes	Y Crawford	Y Harris	Y Lawrence	N Polak
Bates	Y Crews	N Heard	N Lee	N Ponder
N Benefield	Y Culbreth	N Heckstall	Y Lewis	N Porter
Birdsong	Y Cummings	N Hegstrom	Y Lifsey	E Poston
N Bordeaux	N Davis, G	Y Hembree	Y Lord	N Powell
Bostick	Y Davis, M	N Henson	N Lucas	N Purcell, A
Y Breedlove	Y Day	Y Holland	Y Maddox	Purcell, B
Y Brooks, D	Y DeLoach, B	N Holmes	Y Mann	N Randall
N Brooks, T	DeLoach, G	N Howard	N Martin	N Randolph
Y Brown, J	Y Dix	Hudson	N McBee	Ray
Brush	N Dixon, H	N Hugley	E McCall	N Reaves
Buck	N Dixon, S	Y Irvin	N McClinton	N Reichert
Buckner	N Dobbs	N James	McKinney	N Roberts
Y Bunn	Y Ehrhart	N Jamieson	E Mills	N Rogers
Y Burkhalter	N Epps	Jenkins	N Mobley, B	Royal
Y Byrd	Y Evans	Y Johnson, G	Y Mobley, J	Y Sanders
Y Campbell	Y Falls	Y Johnson, J	Y Mosley	Y Sauder

N Scoggins	Smith, L	Y Stancil, S	N Titus	Y Westmoreland
N Shanahan	Y Smith, P	N Stanley, L	Y Towery	Y Whitaker
Shaw	Smith, T	N Stanley, P	Y Trense	N White
N Sherrill	Smith, V	Y Stephenson	N Turnquest	Y Wiles
Y Shipp	Smith, W	N Streat	Y Twiggs	Y Williams, B
N Simpson	N Smyre	N Taylor	Walker, L	Y Williams, J
N Sinkfield	Y Snelling	N Teague	Y Walker, R.L	Y Williams, R
Skipper	N Snow	N Teper	Y Wall	Y Woods
Y Smith, C	N Stallings	N Thomas	N Watson	Y Yates
Y Smith, C.W	N Stancil, F	N Tillman	Y Watts	Murphy, Spkr

On the adoption of the amendment, the ayes were 77, nays 72.

The amendment was adopted.

Representative Lucas of the 124th moved that the House reconsider its action in adopting the Evans amendment.

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

Y Allen	N Crews	N Irvin	Y Parrish	Smith, W
Y Anderson	N Culbreth	Y James	N Parsons	Y Smyre
N Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Jenkins	N Perry	Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	N DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Barger	N DeLoach, G	Jones	Y Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	E Poston	Y Stanley, P
N Barnes	Y Dixon, H	E Kaye	Powell	Stephenson
Bates	Y Dixon, S	N Kinnamon	Y Purcell, A	Streat
Y Benefield	N Dobbs	N Klein	Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Bostick	N Evans	N Lane	Ray	Y Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	Y Tillman
N Brooks, D	N Felton	Y Lee	Y Reichert	N Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	N Towery
N Brown, J	Y Godhee	N Lifsey	Y Rogers	N Trense
N Brush	N Golden	Y Lord	Royal	Y Turnquest
Y Buck	N Goodwin	Y Lucas	N Sanders	N Twiggs
Buckner	E Greene	N Maddox	N Sauder	N Walker, L
N Bunn	N Grindley	N Mann	Y Scoggins	N Walker, R.L
N Burkhalter	Hanner	Y Martin	N Shanahan	N Wall
N Byrd	N Harbin	Y McBee	Y Shaw	Y Watson
N Campbell	N Harris	E McCall	Y Sherrill	N Watts
Y Canty	Y Heard	Y McClintone	N Shipp	N Westmoreland
Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Chambless	Y Hegstrom	E Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Skipper	N Wiles
Y Childers	Y Henson	N Mohley, J	N Smith, C	N Williams, B
N Coker	Y Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	Y Smith, L	N Williams, R
Coleman, T	Y Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	Hudson	Y Orrock	Y Smith, T	N Yates
N Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 72, nays 80.

The motion was lost.

The following amendment was read:

Representative Evans of the 28th moves to amend the Committee substitute to SB 446 by adding after the semicolon on line 14 of page 1 the following:

“to provide an additional penalty for any person who fraudulently obtains public assistance or food stamps; to provide a short title; to provide that any such person shall be ineligible for such public benefits for one year for the first offense and forever for the second offense;”

By adding between lines 27 and 28 of page 2 the following:

“SECTION 1.1.

Section 1.2 of this Act shall be known and may be cited as the ‘Two Strikes and You’re Off Act.’

SECTION 1.2.

Code Section 49-4-15 of the Official Code of Georgia Annotated, relating to fraud in obtaining public assistance, food stamps, or Medicaid, is amended by inserting at the end thereof the following:

‘(d) Any person convicted of an offense stated in this Code section shall, upon the first such conviction, be ineligible to receive any form of public assistance or food stamps for a period of one year. For a second such conviction, such person shall be barred from receiving any form of public assistance or food stamps in this state for life; provided, however, that nothing in this subsection shall be construed so as to preempt any other law or regulation which would require an earlier denial of such benefits.’”

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

N Allen	Y Crews	Y Irvin	N Parrish	Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	N Smyre
Y Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
Y Bailey	N Davis, G	Jenkins	Y Perry	Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Jones	N Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	N Stanley, P
Y Barnes	N Dixon, H	E Kaye	Y Powell	Y Stephenson
Bates	N Dixon, S	Y Kinnamon	N Purcell, A	N Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	N Taylor
N Birdsong	Y Ehrhart	Y Ladd	N Randall	N Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
Bostick	Y Evans	Y Lane	Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	N Reaves	N Tillman
Y Brooks, D	Y Felton	Y Lee	N Reichert	Y Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	N Rogers	Y Trense
Y Brush	Y Golden	Y Lord	N Royal	Turnquest
Buck	Y Goodwin	N Lucas	Y Sanders	Twiggs
Buckner	E Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	N Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	N Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	N McBee	N Shaw	N Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
N Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	McKinney	N Simpson	Y Whitaker
Y Chambless	N Hegstrom	E Mills	N Sinkfield	N White
Y Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
Y Childers	N Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	N Smith, L	Y Williams, R
Coleman, T	N Howard	N O’Neal	Y Smith, P	Y Woods
N Connell	Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	Parham	Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 91, nays 64.

The amendment was adopted.

The following amendment was read and adopted:

Representative Randall of the 127th moves to amend the Committee substitute to SB 446 by striking line 22 on page 1 in its entirety and inserting in lieu thereof the following:

“subsection (c) new subsections (d) and (e) to read as”

By striking from line 24 on page 1 the following:

“(c)”, www.libtool.com.cn

and inserting in lieu thereof the following:

“(d)”

By striking from line 27 on page 1 the following:

“(d)”,

and inserting in lieu thereof the following:

“(e)”

By unanimous consent, the Randall amendment was withdrawn.

The following amendment was read and adopted:

Representatives Randall of the 127th and Sinkfield of the 57th move to amend the Committee substitute to SB 446 by inserting after the word and symbol “date;” on line 15 of page 1 the following:

“to provide for severability;”

By striking line 22 of page 1 and inserting in lieu thereof the following:

“subsection (c) new subsections (d) and (e) to read as”

By redesignating subsections (c) and (d) on lines 24 and 27 of page 1 as subsections (d) and (e), respectively.

By adding between lines 27 and 28 on page 2 the following:

“SECTION 2.

In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.”

By renumbering Sections 2 and 3 as Sections 3 and 4, respectively.

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:

Y Allen	Y Bannister	Bates	Y Breedlove	Y Buck
Y Anderson	Y Barfoot	Y Benefield	Y Brooks, D	Buckner
Y Ashe	Bargeron	Y Birdsong	N Brooks, T	Y Bunn
Y Bailey	Y Barnard	Y Bordeaux	Y Brown, J	Y Burkhalter
Y Baker	Y Barnes	Y Bostick	Y Brush	Y Byrd

Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	Y Stancil, F
Y Canty	E Greene	Y Lee	Y Purcell, B	Y Stancil, S
Y Carter	Y Grindley	Y Lewis	Y Randall	N Stanley, L
Y Chambless	Hanner	Y Lifsey	Y Randolph	N Stanley, P
Y Channell	Y Harbin	Y Lord	Ray	Y Stephenson
Y Childers	Y Harris	N Lucas	Y Reaves	Y Streat
Y Coker	Y Heard	Y Maddox	Y Reichert	N Taylor
Y Coleman, B	Y Heckstall	Y Mann	N Roberts	Y Teague
Y Coleman, T	Y Hegstrom	Y Martin	Y Rogers	Y Teper
Y Connell	Y Hembree	Y McBee	Royal	Y Thomas
Y Crawford	Y Henson	E McCall	Y Sanders	Y Tillman
Y Crews	Y Holland	McClinton	Y Sauder	Y Titus
Y Culbreth	Y Holmes	McKinney	Y Scoggins	Y Towerly
Y Cummings	Y Howard	E Mills	Y Shanahan	Y Trense
Y Davis, G	Hudson	Y Mobley, B	Y Shaw	N Turnquest
Y Davis, M	N Hugley	Y Mobley, J	Y Sherrill	Y Twiggs
Y Day	Y Irvin	Y Mosley	Y Shipp	Y Walker, L
Y DeLoach, B	Y James	Y Mueller	Y Simpson	Y Walker, R.L
Y DeLoach, G	Y Jamieson	Y O'Neal	Y Sinkfield	Y Wall
Y Dix	Y Jenkins	Y Orrock	Y Skipper	Y Watson
Y Dixon, H	Y Johnson, G	Y Parham	Y Smith, C	Y Watts
Y Dixon, S	Y Johnson, J	Y Parrish	Y Smith, C.W	Y Westmoreland
Y Dobbs	Y Johnston	Y Parsons	Y Smith, L	Y Whitaker
Y Ehrhart	Y Jones	Y Pelote	Y Smith, P	Y White
Y Epps	Y Joyce	Y Perry	Y Smith, T	Y Wiles
Y Evans	E Kaye	Y Pinholster	Smith, V	Y Williams, B
Y Falls	Y Kinnamon	Y Polak	Smith, W	Y Williams, J
Y Felton	Y Klein	Y Ponder	Smyre	Y Williams, R
Y Floyd	Y Ladd	Y Porter	Y Snelling	Y Woods
Y Godbee	Y Lakly	E Poston	Y Snow	Y Yates
Y Golden	Y Lane	Y Powell	Y Stallings	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 152, nays 8.

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

SB 97. By Senators Gochenour of the 27th, McGuire of the 30th, Slotin of the 39th and others:

A bill to amend Chapter 5 of Title 28 of the O.C.G.A., relating to financial affairs of the General assembly, so as to provide for issuance of a housing affordability impact note for any legislation or rule that affects the cost of constructing a residential unit of housing; to provide for contents and requirements for such housing affordability impact notes.

The following amendment was read and adopted:

Representative Dobbs of the 92nd moves to amend SB 97 as follows:

Add new Section 2 on page 3, between lines 18 and 19

“This Act becomes effective upon the signature of the Governor.”

Renumber existing Section 2 to read Section 3.

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 Allen	Y Bannister	Bates	Y Breedlove	N Buck
N Anderson	N Barfoot	N Benefield	N Brooks, D	Buckner
N Ashe	Bargeron	N Birdsong	N Brooks, T	Y Bunn
N Bailey	N Barnard	N Bordeaux	N Brown, J	N Burkhalter
N Baker	N Barnes	Bostick	N Brown	N Brush

N Campbell	Y Goodwin	Y Lawrence	N Purcell, A	N Stancil, F
N Canty	E Greene	N Lee	Purcell, B	Y Stancil, S
N Carter	Y Grindley	N Lewis	Y Randall	N Stanley, L
N Chambliss	N Hanner	Y Lifsey	N Randolph	N Stanley, P
N Channell	Y Harbin	N Lord	Ray	N Stephenson
N Childers	Y Harris	N Lucas	Reaves	N Streat
Y Coker	N Heard	Y Maddox	N Reichert	N Taylor
Y Coleman, B	N Heckstall	Y Mann	N Roberts	N Teague
N Coleman, T	N Hegstrom	N Martin	N Rogers	N Teper
N Connell	Y Hembree	N McBee	Y Royal	N Thomas
N Crawford	N Henson	E McCall	N Sanders	N Tillman
Y Crews	N Holland	N McClinton	Y Sauder	N Titus
Y Culbreth	N Holmes	McKinney	N Scoggins	Y Towery
N Cummings	N Howard	E Mills	N Shanahan	N Trense
N Davis, G	Hudson	N Mobley, B	N Shaw	N Turnquest
Y Davis, M	N Hugley	N Mobley, J	N Sherrill	N Twiggs
N Day	Y Irvin	N Mosley	Y Shipp	N Walker, L
DeLoach, B	N James	Y Mueller	N Simpson	N Walker, R.L
N DeLoach, G	Jamieson	N O'Neal	N Sinkfield	Y Wall
N Dix	Jenkins	N Orrock	N Skipper	N Watson
Dixon, H	N Johnson, G	N Parham	N Smith, C	N Watts
N Dixon, S	Y Johnson, J	N Parrish	Y Smith, C.W	N Westmoreland
N Dobbs	Y Johnston	Y Parsons	N Smith, L	Y Whitaker
Y Ehrhart	Jones	N Pelote	Y Smith, P	N White
N Epps	Y Joyce	N Perry	N Smith, T	Y Wiles
Y Evans	E Kaye	Y Pinholster	Smith, V	Y Williams, B
Y Falls	N Kinnamon	N Polak	Smith, W	Y Williams, J
Y Felton	N Klein	N Ponder	N Smyre	Williams, R
N Floyd	N Ladd	N Porter	Y Snelling	Y Woods
N Godbee	N Lakly	E Poston	N Snow	N Yates
N Golden	N Lane	N Powell	N Stallings	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 43, nays 114.

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

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

Mr. Speaker:

The Senate adheres to its amendment and has appointed a Committee of Conference on the following bill of the House:

HB 288. By Representatives Snow of the 2nd, Bailey of the 93rd, Perry of the 11th and Carter of the 166th:

A bill to amend Code Section 50-5-58 of the Official Code of Georgia Annotated, relating to cases in which state agencies are not required to make purchases through the Department of Administrative Services, so as to provide that emergency purchases made during a declared state of emergency by the Georgia Emergency Management Agency need not be made through such department.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Thomas of the 10th, Hill of the 4th and Starr of the 44th.

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

HB 256. By Representative Parham of the 122nd:

A bill to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to provide sanctions for making false statements in application for an identification card and for use of a fraudulent identification card.

The Senate has adopted, as amended, by the requisite constitutional majority the following resolution of the House:

HR 826. By Representatives Coleman of the 142nd, Byrd of the 170th, Mosley of the 171st and Barfoot of the 155th:

A resolution ratifying the change of regional development center boundaries established by the Board of Community Affairs.

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

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

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

HB 1583. By Representative Jones of the 71st:

A bill to amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to the adoption of rules and regulations by the Department of Human Resources, so as to provide that documents relating to nursing home surveys shall be disclosed.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Land of the 16th, Edge of the 28th and Clay of the 37th.

The Senate has disagreed to the House amendment to the Senate substitute to the following bill of the House:

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The Senate insists on its amendment to the following resolutions of the House:

HR 876. By Representative Jenkins of the 110th:
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A resolution compensating Ms. Sylvia A. Cone.

HR 884. By Representative Davis of the 60th:
A resolution compensating Ms. Margaret C. Ritchie.

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

HB 1014. By Representative Cummings of the 27th:
A bill to amend Chapter 10 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fireworks, so as to prohibit storage of fireworks except as otherwise provided by law; to provide for storage of fireworks by certain licensed nonmanufacturers; to provide for disposition of certain excess fireworks.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1404. By Representative Harbin of the 113th:
A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Taylor of the 12th, Pollard of the 24th and Perdue of the 18th.

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

HB 339. By Representative Barnes of the 33rd:
A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

HB 1268. By Representative Campbell of the 42nd:
A bill to amend Chapter 1 of Title 30 of the Official Code of Georgia Annotated, relating to general provisions relating to physically disabled persons, so as to provide criminal and civil penalties for action related to guide, leader, or service dogs for persons who are blind, deaf, audibly impaired, or physically limited.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 315. By Representative Holmes of the 53rd:

A bill to amend Article 5 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to offenses in connection with judicial or other proceedings, so as to provide for the offense of sentence circumvention.

The following Senate substitute was read:

A BILL

To amend Code Section 17-10-1 of the Official Code of Georgia Annotated, relating to procedures for the fixing, suspension, and probation of criminal sentences; so as to prohibit certain modifications of sentence and imposition of payments; to provide for exceptions; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 17-10-1 of the Official Code of Georgia Annotated, relating to procedures for the fixing, suspension, and probation of criminal sentences, is amended by adding in subsection (a) a new paragraph to be designated paragraph (6) to read as follows:

“(6)(A) Except as otherwise authorized by law, no court shall modify, suspend, probate, or alter a previously imposed sentence so as to reduce or eliminate a period of incarceration or probation and impose a financial payment which:

- (i) Exceeds the statutorily specified maximum fine, plus all penalties, fees, surcharges, and restitution permitted or authorized by law; or
- (ii) Is to be made to an entity which is not authorized by law to receive fines, penalties, fees, surcharges, or restitution.

(B) The prohibitions contained in this paragraph shall apply regardless of whether a defendant consents to the modification, suspension, probation, or alteration of such defendant’s sentence and the imposition of such payment.

(C) Nothing in this paragraph shall prohibit or prevent a court from requiring, as a condition of suspension, modification, or probation of a sentence in a criminal case involving child abandonment, that the defendant pay all or a portion of child support which is owed to the custodial parent of a child which is the subject of such case.”

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 Holmes of the 53rd moved that the House agree to the Senate substitute to HB 315.

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

Y Allen	Y Barnard	Y Brooks, D	Y Byrd	Y Coleman, B
Y Anderson	Y Barnes	Y Brooks, T	Y Campbell	Y Coleman, T
Y Ashe	Bates	Y Brown, J	Y Canty	Y Connell
Y Bailey	Y Benefield	Y Brush	Carter	Y Crawford
Y Baker	Birdsong	Y Buck	Y Chambliss	Y Crews
Y Bannister	Y Bordeaux	Buckner	Y Channell	Y Culbreth
Y Barfoot	Bostick	Y Bunn	Y Childers	Y Cummings
Bargeron	Y Breedlove	Y Burkhalter	Y Coker	Y Davis, G

Y Davis, M	Y Holmes	Y McBee	Y Reichert	Y Stanley, P
Y Day	Y Howard	E McCall	Y Roberts	Y Stephenson
Y DeLoach, B	Hudson	Y McClinton	Y Rogers	Y Streat
Y DeLoach, G	Y Hrugley	McKinney	Royal	Y Taylor
Y Dix	Y Irvin	E Mills	Y Sanders	Y Teague
Y Dixon, H	Y James	Y Mobley, B	Y Sauder	Y Teper
Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins	Y Thomas
Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan	Y Tillman
Y Ehrhart	Y Johnson, G	Mueller	Y Shaw	Y Titus
Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill	Y Towery
Y Evans	Y Johnston	Y Orrock	Y Shipp	Y Trense
Y Falls	Y Jones	Y Parham	Y Simpson	Y Turnquest
Y Felton	Y Joyce	Y Parrish	Y Sinkfield	Y Twiggs
Y Floyd	E Kaye	Y Parsons	Y Skipper	Y Walker, L
Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C	Y Walker, R.L
Y Golden	Y Klein	Y Perry	Y Smith, C.W	Y Wall
Y Goodwin	Y Ladd	Y Pinholster	Y Smith, L	Y Watson
E Greene	Y Lakly	Y Polak	Y Smith, P	Y Watts
Y Grindley	Y Lane	Y Ponder	Y Smith, T	Y Westmoreland
Y Hanner	Y Lawrence	Y Porter	Y Smith, V	Y Whitaker
Y Harbin	Y Lee	E Poston	Y Smith, W	Y White
Y Harris	Y Lewis	Y Powell	Y Smyre	Y Wiles
Y Heard	Y Lifsey	Y Purcell, A	Y Snelling	Y Williams, B
Y Heckstall	Y Lord	Y Purcell, B	Y Snow	Y Williams, J
Y Hegstrom	Lucas	Y Randall	Y Stallings	Y Williams, R
Y Hembree	Y Maddox	Y Randolph	Y Stancil, F	Y Woods
Y Henson	Y Mann	Ray	Y Stancil, S	Y Yates
Y Holland	Y Martin	Y Reeves	Y Stanley, L	Y Murphy, Spkr

On the motion, the ayes were 143, nays 0.

The motion prevailed.

HB 1399. By Representatives Mobley of the 86th and Buck of the 135th:

A bill to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption for the sale of certain donated tangible personal property by a bona fide charitable tax-exempt organization under the Internal Revenue Code.

The following Senate amendment was read:

Amend HB 1399 by inserting after the word "to" on line 3 of page 1 the following:

"revise and change an exemption from sales and use tax regarding the sale of certain types of agricultural machinery; to"

By adding between lines 29 and 30 on page 1 the following:

"SECTION 3.

Said Code section is further amended by striking subparagraph (I) of paragraph (29) and inserting in its place a new subparagraph (I) to read as follows:

"(I) Rubber-tired farm tractors and attachments to the tractors which are sold to persons engaged primarily in producing farm crops for sale and which are used exclusively in tilling, planting, cultivating, and harvesting farm crops, and equipment used exclusively in harvesting farm crops or in processing onion crops which are sold to persons engaged primarily in producing farm crops for sale. For the purposes of this subparagraph, the term "farm crops" includes only those crops which are planted and harvested within a 12 month period; and"

By striking from line 30 on page 1 the following:

"3",

and inserting in lieu thereof the following:

“4”

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The following amendment was read and adopted:

Representative Royal of the 164th, et al. move to amend the Senate amendment to HB 1399 by striking lines 3 through 27 of page 1 and inserting in their place the following:

“Amend HB 1399 by striking lines 1 through 32 of page 1 and inserting in their place the following:

“To amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use tax, so as to revise and change an exemption from sales and use tax regarding the sale of certain types of agricultural machinery; to revise and change an exemption from sales and use tax regarding the sale of certain concessions or admission tickets by certain schools; to provide for an exemption for the sale of Girl Scout cookies to and by member councils of the Girl Scouts of the U.S.A.; to authorize the imposition of the special county 1 percent sales and use tax for certain capital outlay projects consisting of public safety facilities and related capital equipment or airport facilities and related capital equipment, or both; to provide for conditions and limitations; to change the provisions relating to the proceeds of a special purpose local option sales tax imposed for development of a sanitary landfill which purpose becomes economically infeasible; to provide that the sales tax for educational purposes shall be levied and collected in the same manner as the special county 1 percent sales and use tax under Article 3 of said chapter; to provide for additional requirements with respect to the issuance of certain debt in conjunction with such tax; to provide for the authority for this Act; to provide for legislative intent; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use tax, is amended by striking subparagraph (I) of paragraph (29) of Code Section 48-8-3, relating to exemptions from sales and use tax, and inserting in its place a new subparagraph (I) to read as follows:

“(I) Rubber-tired farm tractors and attachments to the tractors which are sold to persons engaged primarily in producing farm crops for sale and which are used exclusively in tilling, planting, cultivating, and harvesting farm crops, and equipment used exclusively in harvesting farm crops or in processing onion crops which are sold to persons engaged primarily in producing farm crops for sale. For the purposes of this subparagraph, the term “farm crops” includes only those crops which are planted and harvested within a 12 month period; and”

SECTION 2.

Said chapter is further amended by striking paragraph (39) of Code Section 48-8-3, relating to exemptions from sales and use tax, and inserting in its place a new paragraph (39) to read as follows:

“(39) Sales by any public or private school containing any combination of grades kindergarten through 12 of tangible personal property, concessions, or ~~of~~ tickets for admission to a school ~~athletic event or function~~, provided that the net proceeds from such sales are used solely for the benefit of such public or private school or its students;”

SECTION 3.

Said chapter is further amended in Code Section 48-8-3, relating to exemptions from sales and use tax, by striking "or" at the end of paragraph (56), by striking the period at the end of paragraph (57) and inserting in its place "; or"; and by adding a new paragraph immediately following paragraph (57), to be designated paragraph (58) to read as follows:

"(58) Sales of Girl Scout cookies to and by member councils of the Girl Scouts of the U.S.A."

SECTION 4.

Said chapter is further amended in paragraph (1) of subsection (a) of Code Section 48-8-111, relating to procedure for imposing the special county 1 percent sales and use tax by striking "or" at the end of subparagraph (G); by redesignating subparagraph (H) as subparagraph (I); and by adding a new subparagraph immediately following subparagraph (G), to be designated subparagraph (H), to read as follows:

"(H) A capital outlay project or projects of the county for the use of and benefit of the citizens of the entire county and consisting of public safety facilities and capital equipment to operate such facilities, airport facilities and capital equipment to operate such facilities, or both; or"

SECTION 4A.

Said chapter is further amended by striking paragraph (1) of subsection (h) of Code Section 48-8-121, relating to use of the proceeds of a special purpose local option sales tax, and inserting in lieu thereof the following:

"(1) Notwithstanding any other provision of this article to the contrary, if a county has imposed the tax authorized by this article on or after April 1, ~~1993~~ 1992, and prior to January 1, 1994, in whole or in part for the purpose of development of a sanitary landfill and such purpose becomes or is discovered to be economically infeasible then the provisions of this subsection shall apply. This subsection shall not apply until and unless the governing authority of the county adopts an appropriate resolution or ordinance determining that the development of the sanitary landfill has become or is economically infeasible. Upon the adoption of such resolution or ordinance, the tax shall continue to be imposed for the same period of time and for the raising of the same amount of revenue as originally authorized. Upon the adoption of such resolution or ordinance the county may use the previously collected and future proceeds of the tax (or such portion thereof as was intended for sanitary landfill purposes if the tax was imposed for more than one purpose) for such solid waste collection and disposal purposes as are determined by the county governing authority to constitute the best feasible alternative to the development of the sanitary landfill; provided, however, that such waste collection and disposal purposes shall not include maintenance and operation expenditures."

SECTION 5.

Said chapter is further amended by adding a new article at the end thereof, to be designated Article 4, to read as follows:

"ARTICLE 4

48-8-140.

This article is enacted pursuant to the authority of Article VIII, Section VI, Paragraph IV of the Constitution of Georgia and it is the intent of the General Assembly in the enactment of this article to further define and implement such provision of the Constitution.

48-8-141.

Except as otherwise expressly provided in Article VIII, Section VI, Paragraph IV of the Constitution of Georgia, the sales tax for educational purposes which may be levied by a board of education of a county school district or concurrently by the board of education of a county school district and the board of education of each independent school district located within such county, shall be imposed, levied, and collected by such board or boards of education in the same manner as the special county 1 percent sales and use tax provided for under Article 3 of this chapter and the provisions of Article 3 of this chapter shall apply equally to such board or boards of education.

48-8-142.

If general obligation debt is to be issued in conjunction with the imposition of the sales tax for educational purposes authorized by Article VIII, Section VI, Paragraph IV of the Constitution, the resolution or concurrent resolutions imposing such tax shall specify the principal amount of the debt to be issued, the purpose for which the debt is to be issued, the interest rate or rates or the maximum interest rate or rates which such debt is to bear, and the amount of principal to be paid in each year during the life of the debt. If such general obligation debt is to be issued, the ballot shall have written or printed thereon, in addition to the descriptions required by Article VIII, Section VI, Paragraph IV(c) of the Constitution, the following:

"If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of _____ in the principal amount of \$ _____ for the above purpose."

SECTION 6.

(a) Except as otherwise provided in subsection (b) of this section, this Act shall become effective July 1, 1996.

(b) Section 5 of this Act shall become effective on January 1, 1997; provided, however, that Section 3 of this Act shall only become effective on January 1, 1997, upon the ratification of House Resolution 728 at the November, 1996, state-wide general election, which resolution authorizes the imposition, levy, and collection of a 1 percent sales and use tax for educational purposes. If such resolution is not so ratified, Section 5 of this Act shall not become effective and Section 5 of this Act shall stand repealed in its entirety on January 1, 1997.

SECTION 7.

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

Representative Mobley of the 86th moved that the House agree to the Senate amendment, as amended by the House, to HB 1399.

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

Y Allen	Y Brush	Y Cummings	E Greene	Y Johnson, G
Y Anderson	Y Buck	Y Davis, G	Y Grindley	Y Johnson, J
Y Ashe	Y Buckner	Y Davis, M	Y Hanner	Y Johnston
Y Bailey	Y Bunn	Y Day	Y Harbin	Y Jones
Y Baker	Y Burkhalter	Y DeLoach, B	Y Harris	Y Joyce
Y Bannister	Y Byrd	Y DeLoach, G	Y Heard	E Kaye
Y Barfoot	Y Campbell	Y Dix	Y Heckstall	Y Kinnamon
Y Barger	Y Canty	Dixon, H	Y Hegstrom	Y Klein
Y Barnard	Y Carter	Y Dixon, S	Y Hembree	Y Ladd
Y Barnes	Y Chambliss	Y Dobbs	Y Henson	Y Lakly
Y Bates	Y Channell	Y Ehrhart	Y Holland	Y Lane
Y Benefield	Y Childers	Y Epps	Y Holmes	Y Lawrence
Y Birdsong	Y Coker	Y Evans	Y Howard	Y Lee
Y Bordeaux	Y Coleman, B	Y Falls	Y Hudson	Y Lewis
Y Bostick	Y Coleman, T	Y Felton	Y Hugley	Y Lifsey
Y Breedlove	Y Connell	Y Floyd	Y Irvin	Y Lord
Y Brooks, D	Y Crawford	Y Godbee	Y James	Y Lucas
Y Brooks, T	Y Crews	Y Golden	Y Jamieson	Y Maddox
Y Brown, J	Y Culbreth	Y Goodwin	Y Jenkins	Y Mann

Y Martin	Y Pinholster	Y Sauder	Y Snelling	Y Turnquest
Y McBee	N Polak	Y Scoggins	Y Snow	Y Twiggs
E McCall	Y Ponder	Y Shanahan	Y Stallings	Y Walker, L
Y McClinton	Y Porter	Y Shaw	Y Stancil, F	Y Walker, R.L
McKinney	E Poston	Y Sherrill	Y Stancil, S	Y Wall
E Mills	Y Powell	Y Shipp	Stanley, L	Y Watson
Y Mobley, B	Y Purcell, A	Y Simpson	Y Stanley, P	Y Watts
Y Mobley, J	Purcell, B	Y Sinkfield	Y Stephenson	Y Westmoreland
Y Mosley	Y Randall	Y Skipper	Y Streat	Whitaker
Y Mueller	Y Randolph	N Smith, C	Y Taylor	Y White
Y O'Neal	Ray	N Smith, C.W	Teague	Y Wiles
Y Orrock	Y Reaves	Y Smith, L	Y Teper	Y Williams, B
Y Parham	Y Reichert	Y Smith, P	Y Thomas	N Williams, J
Y Parrish	Y Roberts	Y Smith, T	Y Tillman	Y Williams, R
Parsons	Y Rogers	Smith, V	Y Titus	Y Woods
Y Pelote	Y Royal	Smith, W	Y Towery	Y Yates
Perry	Y Sanders	Y Smyre	Y Trense	Murphy, Spkr

On the motion, the ayes were 147, nays 4.

The motion prevailed.

HB 1430. By Representative Barnes of the 33rd:

A bill to amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to comprehensively revise the laws relating to solicitors of state courts; to repeal Code Section 15-7-24, relating to solicitors of state courts; to enact a new Article 3 of Chapter 18 of Title 15, relating to solicitors-general of state courts.

The following Senate amendment was read:

Amend HB 1430 by striking lines 23 of page 1 and inserting in lieu thereof the following:

“solicitors-general; to provide”.

By striking lines 2 through 37 of page 9 and inserting in lieu thereof the following:

“Reserved.”

Representative Barnes of the 33rd moved that the House agree to the Senate amendment to HB 1430.

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

Y Allen	Y Burkhalter	Y Dixon, S	Y Howard	Y Lucas
Y Anderson	Y Byrd	Y Dobbs	Hudson	Y Maddox
Y Ashe	Y Campbell	Y Ehrhart	Y Hugley	Y Mann
Y Bailey	Y Canty	Y Epps	Y Irvin	Y Martin
Y Baker	Y Carter	Evans	Y James	Y McBee
Y Bannister	Y Chambless	Y Falls	Y Jamieson	E McCall
Y Barfoot	Y Channell	Y Felton	Jenkins	Y McClinton
Bargeron	Y Childers	Y Floyd	Y Johnson, G	McKinney
Y Barnard	Y Coker	Y Godbee	Y Johnson, J	Y Mills
Y Barnes	Y Coleman, B	Y Golden	Y Johnston	Y Mobley, B
Bates	Y Coleman, T	Y Goodwin	Jones	Y Mobley, J
Y Benefield	Y Connell	E Greene	Y Joyce	Y Mosley
Birdsong	Y Crawford	Y Grindley	E Kaye	Y Mueller
Y Bordeaux	Y Crews	Hanner	Y Kinnamon	Y O'Neal
Y Bostick	Y Culbreth	Y Harbin	Y Klein	Y Orrock
Y Breedlove	Y Cummings	Y Harris	Y Ladd	Y Parham
Y Brooks, D	Y Davis, G	Y Heard	Y Lakly	Y Parrish
Y Brooks, T	Y Davis, M	Y Heckstall	Y Lane	Parsons
Y Brown, J	Day	Y Hegstrom	Y Lawrence	Y Pelote
Y Brush	Y DeLoach, B	Y Hembree	Y Lee	Perry
Y Buck	Y DeLoach, C	Henson	Y Lewis	Y Pinholster
Buckner	Y Dix	Y Holland	Y Lifsey	Y Polak
Y Bunn	Y Dixon, H	Y Holmes	Lord	Y Ponder

Y Porter	Y Sanders	Y Smith, P	Y Streat	Y Wall
E Poston	Y Sauder	Y Smith, T	Y Taylor	Y Watson
Y Powell	Y Scoggins	Smith, V	Teague	Y Watts
Y Purcell, A	Y Shanahan	Smith, W	Y Teper	Y Westmoreland
Y Purcell, B	Y Shaw	Y Smyre	Y Thomas	Y Whitaker
Y Randall	Y Sherrill	Y Snelling	Y Tillman	Y White
Y Randolph	Y Shipp	Y Snow	Y Titus	Y Wiles
Ray	Y Simpson	Y Stallings	Y Towery	Y Williams, B
Y Reaves	Y Sinkfield	Y Stancil, F	Y Trense	Y Williams, J
Y Reichert	Y Skipper	Y Stancil, S	Turnquest	Y Williams, R
Y Roberts	Y Smith, C	Y Stanley, L	Y Twiggs	Y Woods
Y Rogers	Y Smith, C.W	Y Stanley, P	Y Walker, L	Y Yates
Royal	Y Smith, L	Y Stephenson	Y Walker, R.L	Murphy, Spkr

On the motion, the ayes were 153, nays 0.

The motion prevailed.

HB 1290. By Representatives Jamieson of the 22nd, Breedlove of the 85th, Maddox of the 108th, Williams of the 63rd, Hembree of the 98th and others:

A bill to amend Article 2 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Motor Vehicle Emission Inspection and Maintenance Act," so as to change a citation to a certain federal act; to amend a certain definition; to amend certain provisions relative to the applicability of such article.

The following Senate amendments were read:

SENATE AMENDMENT NO. 1

Amend HB 1290 by striking line 31 of page 1 and inserting in lieu thereof the following:

"access to such records; to amend Chapter 4 of Title 40 of the Official Code of Georgia Annotated, relating to identification of and purchase and resale of motor vehicles and parts, so as to change certain provisions relating to identification of passenger cars and components; to provide for identification of truck chassis with features designed for specialized requirements of wreckers; to provide for penalties; to provide for effective dates; to"

By inserting between lines 22 and 23 of page 15 the following:

"SECTION 13A.

Chapter 4 of Title 40 of the Official Code of Georgia Annotated, relating to identification of and purchase and resale of motor vehicles and parts, is amended by striking Article 1, relating to identification of passenger cars and components, and inserting in lieu thereof the following:

'ARTICLE 1

40-4-1.

As used in this article, the term:

- (1) "Component" means a passenger car engine or a passenger car transmission.
- (2) "New passenger car" means any passenger car which has never been the subject of a sale at retail to the general public.
- (3) "Passenger car" means every motor vehicle designed for carrying ten passengers or less except trackless trolleys or vehicles used exclusively upon streetcar rails or tracks or overhead trolley wires.

(4) "Used passenger car" means any passenger car which has been the subject of a sale at retail to the general public.

40-4-2. www.libtool.com.cn

(a) The provisions of this article requiring vehicle identification numbers on passenger cars and truck chassis with features designed for specialized requirements of a wrecker shall apply only to ~~passenger cars~~ such items manufactured after January 1, 1967, and designated by the manufacturer as a 1968 or subsequent model.

(b) This article shall not apply to motorcycles, motor driven cycles, school buses, farm tractors, buses, truck tractors, road tractors, trucks, trailers, semitrailers, pole trailers, streetcars, or go-carts or to any vehicle whether self-propelled or not which is not required to be issued a license plate under the laws of this state.

(c) This article shall not apply to the following special purpose vehicles:

Type 1. Truck chassis with body (other than station wagon or bus body) designed primarily for the transportation of persons;

Type 2. Truck chassis with other features designed for a specialized requirement other than a wrecker, including but not limited to fire fighting; ~~wrecker~~, or snowplow;

Type 3. Truck chassis with station wagon body;

Type 4. Passenger car chassis with body designed for the commercial transportation of persons;

Type 5. Bus chassis with other features designed for a specialized requirement, including but not limited to mobile laboratory, office, post office, classroom, studio, rescue unit, or library;

Type 6. Utility vehicle, being a motor vehicle with a removable top, designed for carrying passengers or cargo and with particular features for operation both on highway and cross-country.

(d) This article shall not apply to the components of any vehicle excluded by subsection (b) or (c) of this Code section.

40-4-3.

(a) New passenger cars and components manufactured within state. After January 1, ~~1967~~ 1997, new passenger cars, truck chassis with features designed for specialized requirements of wreckers, passenger car engines, and transmissions, as specified in this article, manufactured within this state and intended for sale to the general public within this state, shall be required to have placed upon them vehicle identification numbers and component identification numbers. The vehicle identification number shall not be the same as the vehicle identification number of any other passenger car or truck chassis manufactured by the same manufacturer. The component identification number shall not be the same as the component identification number for any other like component manufactured by the same manufacturer but may be the same as the vehicle identification number if the component is installed as original equipment in the passenger car or truck chassis.

(b) New passenger cars sold within state. After January 1, ~~1967~~ 1997, no new passenger car or truck chassis with features designed for specialized requirements of a wrecker shall be sold to the general public in this state unless such passenger car shall bear a vehicle identification number, which shall not be the same as the vehicle identification number of any other passenger car made by the same manufacturer.

(c) New components sold within state. After January 1, 1967, no new passenger car engine or passenger car transmission shall be sold to the general public in this state

unless it shall bear an identification number. The component identification number shall not be the same as the identification number for any other like passenger car component made by the same manufacturer but may be the same as the vehicle identification number if ~~the particular component~~ has been installed as original equipment in the passenger car prior to its sale to the general public.

40-4-4.

(a) The identification numbers required by Code Section 40-4-3 shall be placed upon the passenger car, truck chassis, and component parts by the manufacturer thereof.

(b) The identification numbers shall be placed upon the passenger car, truck chassis, and components in such a manner that any attempt to remove, alter, deface, obliterate, or destroy them will be ascertainable. The numbers may be affixed by any suitable manufacturing process that will result in the numbers becoming a permanent part of the passenger car or component.

(c) The identification numbers shall be of a height and width easily readable by the naked eye. They may consist of letters, digits, or any combination of them.

(d) The identification numbers may be in accordance with recommended practices approved by the Society of Automotive Engineers as to material, lettering, manufacturing, and installation.

(e) Vehicle identification numbers shall be easily accessible for inspection.

40-4-5.

Truck chassis with features designed for specialized requirements of a wrecker manufactured after January 1, 1967, but before January 1, 1997, shall at the time the vehicle is first registered on or after January 1, 1997, pursuant to Code Section 40-2-21 be issued by the Department of Revenue a unique vehicle identification number which shall be affixed to and maintained upon the chassis by the owner in a manner consistent with the requirements of subsections (b) and (e) of Code Section 40-4-4.

~~40-4-5~~40-4-6.

Any person who purchases or sells or offers for sale any used passenger car, truck chassis, engine, or transmission required to be numbered by this article shall keep a permanent record of such transactions. Such record shall include: the item and its identification number or numbers; the name and address of the person from whom the item was purchased; and the name and address of the person to whom the item was sold. Such record shall be kept for three years from the date of the transaction and shall be available to all law enforcement officers for inspection at any reasonable time during business hours without prior notice or the necessity of obtaining a search warrant.

~~40-4-6~~40-4-7.

(a) Sale, shipment, or manufacture of unnumbered passenger car or component. Any person who sells or offers for sale in this state, ships or causes to be shipped into this state, or manufactures with the intention that it shall be sold at retail in this state a passenger car, truck chassis, passenger car engine, or passenger car transmission that does not bear an identification number or numbers as required by this article shall be guilty of a misdemeanor.

(b) Failure to keep records. Any person who purchases, sells, or offers for sale any passenger car, truck chassis, passenger car engine, or passenger car transmission that is required by this article to bear an identification number when intended to be sold at wholesale or retail within this state and who willfully fails to keep the records required by Code Section ~~40-4-5~~ 40-4-6 shall be guilty of a misdemeanor for each such failure."

By striking line 25 of page 15 and inserting in lieu thereof the following:

“Governor or upon its becoming law without such approval, except that Section 13A of this Act shall become effective on January 1, 1997.”

www.libtool.com SENATE AMENDMENT NO. 2

Amend HB 1290 by adding a paragraph “(i)” under Section 4 on page 6 at line 34 to read as follows:

(i) Antique and collector cars and trucks 25 years old or older will be exempted from testing.

Representative Jamieson of the 22nd moved that the House agree to the Senate amendments to HB 1290.

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

Y Allen	N Crews	N Irvin	Y Parrish	Smith, W
Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Powell	Y Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
N Brown, J	Y Godbee	N Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Royal	Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Buckner	E Greene	Y Maddox	Y Sauder	Walker, L
N Bunn	Y Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	N Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	N Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 125, nays 31.

The motion prevailed.

Representative Falls of the 125th stated that she inadvertently voted “aye” on the preceding roll call. She wished to be recorded as voting “nay” thereon.

HB 1160. By Representative Carter of the 166th:

A bill to amend Code Section 52-7-8 of the Official Code of Georgia Annotated, relating to the classification of vessels and required equipment, so as to provide that certain vessels shall be equipped with certain types of life preservers.

The following Senate substitute was read:

A BILL

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To amend Article 1 of Chapter 7 of Title 53 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, so as to provide that certain vessels shall be equipped with certain types of life preservers; to provide that it shall be unlawful for any person to operate a moving vessel with a child under a certain age aboard unless the child is wearing a personal flotation device; to provide for an exception; to provide that the Department of Natural Resources may regulate and restrict vessel operation and recreational activities on the waters of this state; to provide for the placement of certain signs and markers; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 52-7-8, relating to the classification of vessels and required equipment, is amended by striking in its entirety subsection (d) and inserting in lieu thereof the following:

“(d) Lifesaving devices.

(1) ~~Every vessel shall be equipped with the following number and type of personal flotation devices:~~

~~(A) Every Class A vessel shall carry aboard, at all times, at least one Type I, II, III, IV, or V (hybrid) personal flotation device for each person on board; provided, however, Type V (hybrid) devices are acceptable only when worn and securely fastened;~~

~~(B) Every Class 1, 2, and 3 vessel shall be equipped with and carry aboard, at all times, at least one Type I, II, III, or V (hybrid) personal flotation device for each person on board; provided, however, Type V (hybrid) devices are acceptable only when worn and securely fastened. In addition to the individual personal flotation device, each vessel, except for personal watercraft, as such term is defined in subsection (a) of Code Section ~~52-7-8.2~~ 52-7-8.2, must at all times be equipped with at least one Type IV (throwable) device.~~

(2) No person may use a vessel upon the waters of this state unless the personal flotation devices as required in paragraph (1) of this subsection are readily accessible to the occupants of the vessel, are in good and serviceable condition, are legibly marked with the United States Coast Guard approved number, and are of an appropriate size for the occupants of the vessel for whom they are intended; provided, however, that provisions of this subsection shall not apply to racing sculls, racing shells, and racing sweeps.

(3) No person shall operate a moving vessel upon the waters of this state with a child under age ten on board such vessel unless the child is wearing an appropriately sized personal flotation device, as required by this subsection to be on board the vessel. This requirement shall not apply when the child is within a fully enclosed roofed cabin or other fully enclosed roofed compartment or structure on the vessel.

SECTION 2.

Said article is further amended by striking in its entirety Code Section 52-7-20, relating to the operation of vessels in the vicinity of regulatory markers and related matters, and inserting in lieu thereof the following:

“52-7-20.

(a) As used in this Code section, the term:

(1) ‘Aids to navigation’ means buoys, beacons, or other fixed objects in the water which are used to mark obstructions to navigation or to direct navigation through safe channels.

(2) ‘Regulatory markers’ means any anchored or fixed marker in or on the water or any sign on the shore or on a bridge over the water other than aids to navigation and

- shall include, but not be limited to, bathing markers, speed zone markers, information markers, danger zone markers, boat keep-out area markers, and mooring buoys.
- (b) It shall be unlawful to operate a power boat, except at an idle speed, or to create a wake ~~in the vicinity of those~~ marinas, bridges, public access ramps, and blind points which are identified by appropriate signs and markers which conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of State Officials to the Merchant Marine Council or on any portion of the Chattahoochee River between the Morgan Falls Dam and the Georgia Highway 400 bridge which the department so marks as being so restricted.
- (c) It shall be unlawful to tow a person on water skis, aquaplanes, surfboards, or any similar device or to manipulate any such device on any public waters of the state which the commissioner has designated as a hazardous area or on the Chattahoochee River between the Morgan Falls Dam and the Georgia Highway 400 bridge in any area identified by regulatory markers as a no ski area.
- (d) The commissioner is authorized to regulate and restrict vessel operation and other recreational water related activities on the public waters of the state. The Department of Natural Resources is authorized to place or designate the placement of signs and markers so as to identify the areas restricted by this Code section.
- ~~(d)~~(e) No city, county, or individual may attempt to regulate the public waters of this state by use of the above-mentioned signs and markers without the express written permission of the commissioner of natural resources.
- ~~(e)~~(f) The operation of any vessel within prohibited areas that are marked shall be prima-facie evidence of negligent operation.
- ~~(f)~~(g) It shall be unlawful for a person to operate a vessel on the waters of this state in a manner other than that prescribed or permitted by regulatory markers.
- ~~(g)~~(h) No person shall moor or fasten a vessel to or willfully damage, tamper, remove, obstruct, or interfere with any aid to navigation or regulatory marker established pursuant to this Code section."

SECTION 3.

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

Representative Carter of the 166th moved that the House agree to the Senate substitute to HB 1160.

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

Y Allen	Y Canty	Y Felton	N Johnston	Y Mueller
Y Anderson	Y Carter	Y Floyd	Y Jones	Y O'Neal
Y Ashe	Y Chambliss	Y Godbee	Joyce	Y Orrock
Y Bailey	Y Channell	Y Golden	E Kaye	Y Parham
Y Baker	Y Childers	N Goodwin	Y Kinnamon	Y Parrish
N Bannister	Y Coker	E Greene	Y Klein	Y Parsons
Y Barfoot	Y Coleman, B	Y Grindley	Y Ladd	Y Pelote
Y Bargeron	Y Coleman, T	Hanner	N Lakly	Y Perry
Y Barnard	Y Connell	Y Harbin	Y Lane	Y Pinholster
Y Barnes	Y Crawford	N Harris	Y Lawrence	Y Polak
Bates	N Crews	Y Heard	Y Lee	Y Ponder
Y Benefield	Y Culbreth	Y Heckstall	N Lewis	Y Porter
Y Birdsong	Y Cummings	Y Hegstrom	N Lifsey	E Poston
N Bordeaux	Y Davis, G	Y Hembree	Y Lord	Powell
Y Bostick	Y Davis, M	Y Henson	Lucas	Y Purcell, A
N Breedlove	Y Day	Y Holland	Y Maddox	Purcell, B
Y Brooks, D	Y DeLoach, B	Y Holmes	Y Mann	Randall
Y Brooks, T	Y DeLoach, G	Howard	Y Martin	Y Randolph
Y Brown, J	Dix	Y Hudson	Y McBee	Ray
N Brush	Y Dixon, H	Y Hugley	E McCall	Y Reaves
Y Buck	Y Dixon, S	Y Irvin	Y McClinton	N Reichert
Buckner	Y Dobbs	Y James	McKinney	Roberts
Y Bunn	N Ehrhart	Y Jamieson	N Mills	Y Rogers
Y Burkhalter	Y Epps	Y Jenkins	Y Mobley, B	Y Royal
Y Byrd	Evans	N Johnson, G	Y Mobley, J	Y Sanders
Y Campbell	Falls	N Johnson, J	Y Mosley	Y Sauder

Y Scoggins	Y Smith, L	Y Stancil, S	Y Titus	N Westmoreland
Y Shanahan	Y Smith, P	Y Stanley, L	Y Towery	N Whitaker
Y Shaw	Smith, T	Y Stanley, P	Y Trense	White
Y Sherrill	Smith, V	E Stephenson	Y Turnquest	Y Wiles
Y Shipp	Smith, W	Y Streat	Y Twiggs	Williams, B
Y Simpson	Y Smyre	Taylor	Y Walker, L	N Williams, J
Y Sinkfield	Y Snelling	Y Teague	N Walker, R.L	Y Williams, R
Y Skipper	Y Snow	Y Teper	Y Wall	N Woods
Y Smith, C	Y Stallings	Y Thomas	Y Watson	Y Yates
N Smith, C.W	Y Stancil, F	Y Tillman	Y Watta	Murphy, Spkr

On the motion, the ayes were 128, nays 22.

The motion prevailed.

HB 1803. By Representatives Sherrill of the 62nd, Murphy of the 18th, Smith of the 175th, Golden of the 177th and Hugley of the 133rd:

A bill to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to create a program for encouraging, receiving, evaluating, implementing, and rewarding suggestions for increasing the efficiency and economy of the operation of state government.

The following Senate amendments were read:

SENATE AMENDMENT NO. 1

Amend HB 1803 by striking on line 22 of page 1 the word "State-wide" and inserting in lieu thereof the word "Georgia".

By inserting on line 24 of page 4 immediately following the word "awards" the following:

"to any citizen or state employee"

SENATE AMENDMENT NO. 2

Amend HB 1803 by striking line 10 of page 1 and inserting in lieu thereof the following:

"and duties; to provide for the appointment, terms, qualifications, and".

By striking line 9 of page 4 and inserting in lieu thereof the following:

"appointing authority. Elected officials during their terms of office, state employees, and members of the immediate family of any elected official or state employee shall not be eligible for appointment to the Awards Committee. Members of the committee shall not"

Representative Sherill of the 62nd moved that the House agree to the Senate amendments to HB 1803.

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

Y Allen	Y Birdsong	Y Byrd	Y Crews	Y Ehrhart
Anderson	Y Bordeaux	Y Campbell	Y Culbreth	Y Epps
Y Ashe	Y Bostick	Y Canty	Y Cummings	Evans
Y Bailey	Y Breedlove	Y Carter	Y Davis, G	Y Falls
Y Baker	Y Brooks, D	Y Chambless	Y Davis, M	Y Felton
Y Bannister	Y Brooks, T	Y Channell	Y Day	Floyd
Y Barfoot	Y Brown, J	Y Childers	Y DeLoach, B	Y Godbee
Bargeron	Y Brush	Y Coker	Y DeLoach, G	Y Golden
Y Barnard	Y Buck	Y Coleman, B	Dix	Y Goodwin
Y Barnes	Buckner	Y Coleman, T	Y Dixon, H	E Greene
Bates	Y Bunn	Y Connell	Y Dixon, S	Y Grindley
Y Benefield	Y Burkhalter	Y Crawford	Y Dobbs	Hanner

Y Harbin	Y Ladd	Y Parrish	Y Shaw	Y Teague
Y Harris	Y Lakly	Y Parsons	Y Sherrill	Y Teper
Heard	Y Lane	Y Pelote	Y Shipp	Y Tbomas
Heckstall	Y Lawrence	Y Perry	Y Simpson	Y Tillman
Y Hegstrom	Y Lee	Y Pinholster	Y Sinkfield	Y Titus
Y Hembree	Y Lewis	Y Polak	Y Skipper	Y Towery
Y Henson	Y Lifsey	Y Ponder	Y Smith, C	Y Trense
Y Holland	Lord	Y Porter	Y Smith, C.W	Y Turnquest
Y Holmes	Lucas	E Poston	Y Smith, L	Y Twiggs
Y Howard	Y Maddox	Powell	Y Smith, P	Y Walker, L
Y Hudson	Y Mann	Y Purcell, A	Y Smith, T	Walker, R.L
Y Hugley	Y Martin	Purcell, B	Smith, V	Y Wall
Y Irvin	Y McBee	Y Randall	Smith, W	Y Watson
Y James	E McCall	Y Randolph	Y Smyre	Y Watts
Y Jamieson	Y McClinton	Ray	Y Snelling	Y Westmoreland
Y Jenkins	McKinney	Y Reaves	Y Snow	Whitaker
Y Johnson, G	Y Mills	Y Reicbert	Y Stallings	White
Y Johnson, J	Y Mobley, B	Y Roberts	Y Stancil, F	Y Wiles
Y Johnston	Y Mobley, J	Y Rogers	Y Stancil, S	Williams, B
Y Jones	Y Mosley	Y Royal	Y Stanley, L	Y Williams, J
Joyce	Mueller	N Sanders	Y Stanley, P	Y Williams, R
E Kaye	Y O'Neal	Y Sauder	E Stephenson	Y Woods
Y Kinnamon	Y Orrock	Y Scoggins	Y Streat	N Yates
Y Klein	Y Parham	Y Sbanahan	Y Taylor	Murphy, Spkr

On the motion, the ayes were 148, nays 2.

The motion prevailed.

HB 1370. By Representatives Sinkfield of the 57th, McBee of the 88th, McClinton of the 68th and Taylor of the 134th:

A bill to amend Code Section 49-4A-8 of the Official Code of Georgia Annotated, relating to commitment of unruly or delinquent children, so as to provide authorization to the Department of Children and Youth Services in institutions under its control and supervision; to require youth to participate in certain moral, academic, vocational, physical, and correctional training and activities.

The following Senate amendment was read:

Amend HB 1370 by inserting in line 9 of page 1 before the word "to" the words and symbol "to provide for notification upon the release of certain children from confinement or custody of the Department of Children and Youth Services;"

By inserting in line 15 of page 1 following the word "by" the following:

"inserting a third paragraph in subsection (e.1) as follows:

'(3) When a child convicted of a felony offense in a superior court is released from confinement or custody of the department, the department shall provide written notice, including the delinquent or designated felony act committed, to the superintendent of the school system in which such child was enrolled or the school in which such child plans to be enrolled.'

SECTION 2.

Said Code section is further amended by"

By renumbering Section 2 as Section 3.

The following amendment was read and adopted:

Representative Sinkfield of the 57th moves to amend the Senate amendment to HB 1370, designated as AM 22 0399, by striking line 8 of page 1 and inserting in lieu thereof the following:

“inserting two new paragraphs in subsection (e.1) to be designated paragraph (3) and paragraph (4), respectively, to read as follows:”

By striking lines 14 and 15 of page 1 and inserting in lieu thereof the following:

“system in which such child was enrolled or, if the information is known, the school in which such child was enrolled or plans to be enrolled.

(4) As long as a good faith attempt to comply with paragraph (3) of this subsection has been made, the department and employees of the department shall not be liable for damages incurred by reason of the department’s failure to provide notice required by paragraph (3) of this subsection.”

Representative Sinkfield of the 57th moved that the House agree to the Senate amendment, as amended by the House, to HB 1370.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Anderson	Y Culbreth	James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Y Powell	E Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Canty	Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O’Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 149, nays 0.

The motion prevailed.

The following Resolutions of the House were taken up for the purpose of considering the Senate’s insistence on its position in amending the same:

HR 884. By Representative Davis of the 60th:

A resolution compensating Ms. Margaret C. Ritchie.

Representative Davis of the 60th moved that the House insist on its position in disagreeing to the Senate amendment to HR 884 and that a Committee of Conference be

appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Jenkins of the 110th, Barnes of the 33rd and Davis of the 60th.

HR 876. By Representative Jenkins of the 110th:

A resolution compensating Ms. Sylvia A. Cone.

Representative Jenkins of the 110th moved that the House insist on its position in disagreeing to the Senate amendment to HR 876 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Jenkins of the 110th, Barnes of the 33rd and Davis of the 60th.

The following Bills of the House and Senate were taken up for the purpose of considering the reports of the Committee of Conference thereon:

SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and others:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 583

The Committee of Conference on SB 583 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 583 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Harold J. Ragan
Senator, 11th District

/s/ S. Guy Middleton
Senator, 50th District

/s/ Paul C. Broun
Senator, 46th District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Henry L. Reaves
Representative, 178th District

/s/ Johnny Floyd
Representative, 138th District

/s/ Ann R. Purcell
Representative, 147th District

A BILL

To amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions; to change the provisions relating to records and samples which must be kept and the inspection thereof; to change the provisions relating to the powers and duties of the Commissioner of Agriculture; to change the provisions relating to licensing and the revocation of licenses; to provide for penalties; to repeal certain provisions relating to itinerant vendors and bonds; to change the provisions relating to the power of the Commissioner to promulgate and enforce rules and regulations; to repeal provisions relating to the Seed Advisory Committee; to change the provisions relating to applicability of certain laws; to change the provisions relating to the certification of seeds and plants; to change certain definitions; to change references to certain organizations or associations; to change the provisions relating to the Seed Arbitration Council and the duties, power, authority, practices, and procedures of such council; to change the provisions relating to complaints, fees, and forfeitures; to change the provisions relating to membership of the Seed Arbitration Council; to provide for arbitration concerning commercial fruit and nut trees which are alleged to be of a variety other than the variety represented to the purchasers; to provide penalties; to provide for other matters related to seed; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, is amended by striking Article 2, known as the "Georgia Seed Law," in its entirety and inserting in lieu thereof a new Article 2 to read as follows:

"ARTICLE 2

2-11-20.

This article may be cited as the 'Georgia Seed Law.'

2-11-21.

As used in this article, the term:

(1) 'Advertisement' means all representations, other than those on the label, disseminated in any manner or by any means, relating to any seed within the scope of this article.

(2) 'Agricultural seed' means the seeds of grass, forage, cereal, oil, and fiber crops and any other kinds of seeds commonly recognized within this state as agricultural seed, lawn seed, and mixtures of such seeds and may include noxious weed seed when the Commissioner of Agriculture determines that such seed is being used as agricultural seed.

(3) 'Bulk' means a volume of seed in a container larger than a typical individual packaging unit for that kind, e.g., bulk bags and boxes, bins, trucks, rail cars, or barges.

(4) 'Coated or encrusted seed' means seed that has been covered by a layer or layers of materials that obscure the original shape and size of the seed resulting in a substantial weight increase. The addition of biologicals, pesticides, identifying colorants, dyes, polymers, and other ingredients can be included in this process.

(5) 'Dormant seed' means viable seed, excluding hard seed, that fail to germinate when provided the specified germination conditions for the kind of seed in question.

(6) 'Flower seeds seed' means the seeds of herbaceous plants grown for their blooms, ornamental foliage, or other ornamental parts and commonly known and sold under the name of flower seeds in this state.

(4) 'Hybrid corn seed,' as applied to field corn, sweet corn, or popcorn, means the first generation seed of a cross made under controlled conditions between two or more

strains and involving one or more inbred lines of corn. For purposes of labeling, the number or other designations of hybrid corn shall be used as a variety name.

(7) 'Germination' means the emergence and development from the seed embryo of those essential structures which, for the kind of seed in question, are indicative of the ability to produce a normal plant under favorable conditions.

(8) 'Hard seed' means seed that remain hard at the end of the prescribed test period because they have not absorbed water due to an impermeable seed coat.

(9) 'Hybrid' means the first generation of a cross produced by controlling the pollination and by combining: (A) two or more inbred lines; (B) one inbred or a single cross with another single cross or with an open-pollinated variety; or (C) two varieties or species, except open-pollinated varieties of corn (*Zea mays*) and other open-pollinated crop kinds. The second generation or subsequent generations from such crosses shall not be regarded as hybrids. Hybrid designations shall be treated as variety names and hybrids shall be labeled as hybrids.

(10) 'Inert matter' means all matter that is not seed, which includes but is not limited to broken seeds, sterile florets, chaff, fungus bodies, and stones as determined by methods defined by rule. The percent inert matter shall not exceed 3 percent for hybrid field corn, nor 4 percent inert matter for other agricultural crop seed, except as established by rule for special crops. Inert matter will not include coating or pelleting material, fertilizer, or mulch, for which there are no limitations.

(11) 'Inoculated seed' means seed that has received a coating of a preparation containing a microbial product, e.g., *Rhizobium* sp.

~~(6)~~(12) 'Kind' means one or more related species or subspecies which singly or collectively are known by one common name, as, for example, corn, oats, alfalfa, and cotton.

~~(6)~~(13) 'Labeling' means all labels and a tag or other written, printed, or graphic representations, in any form whatsoever, on any container or accompanying or pertaining to any seed, whether in lot of bulk seeds, or in containers, including such representations as those on invoices, purporting to set forth the information required on the seed label by this article.

(14) 'Lawn and turf' pertains to seeds of the grass family (*Poaceae*) that are used within the industry for lawn and turf applications.

~~(7)~~(15) 'Lot' means a definite quantity of seed identified by a lot number or other mark, every portion or bag of which is uniform within recognized tolerances for the factors which are required to appear in the labeling.

(16) 'Mixture,' 'mix,' or 'mixed' means seed consisting of more than one kind or variety or both, each in excess of 5 percent by weight of the whole.

~~(8)~~(17) 'Noxious weed seeds' include 'prohibited noxious weed seeds' and 'restricted noxious weed seeds,' as defined in subparagraphs (A) and (B) of this paragraph, provided that the Commissioner of Agriculture may, through the promulgation of regulations, add to or subtract from the establish a list of seeds included under subparagraph subparagraphs (A) or and (B), whenever he the Commissioner finds that such additions or subtractions are within seeds conform to the respective definitions.

(A) 'Prohibited noxious weed seeds' means the seeds of perennial weeds, including not only those which reproduce by seed but also those which spread by underground roots, stems, and other reproductive parts, which weeds, when well established, are highly destructive and difficult to control in this state by ordinary good cultural practice. are those weed seeds that are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed. They are the seed of weeds that are highly destructive and difficult to control by good cultural practices and the use of herbicides.

(B) 'Restricted noxious weed seeds' means the seeds of such weeds as are those weed seeds that are very objectionable in fields, lawns, and gardens of this state but can be controlled by good cultural practice.

(18) 'Other crop seed' means seed of plants grown as crops (other than the kind or variety included in the pure seed) as determined by methods defined by rule.

(19) 'Pelleted seed' means coated or encrusted seed that also improves the plantibility or singulation of the seed.

~~(9)~~(20) 'Person' means any an individual, partnership, corporation, company, society, association, receiver, trustee, or agent or combination thereof.

~~(10)~~(21) 'Private hearing' means a discussion of facts between the person charged with a violation and ~~enforcement officers~~ representatives of the Georgia Department of Agriculture.

~~(11)~~ 'Pure seed,' 'germination,' and other seed labeling and testing terms in common usage shall be defined as in the rules for seed testing published by the Association of Official Seed Analysts and in the Federal Seed Act and the rules and regulations promulgated thereunder.

~~(22)~~ 'Pure seed' means all seeds of each kind and variety under consideration that are present in excess of 5 percent of the whole. Kinds or varieties shown on a label as components of a mixture in amounts 5 percent or less of the whole may be considered pure seed when shown on a label as components of a mixture.

~~(12)~~(23) 'Record' means all information relating to the lot, identification, source, origin, variety, amount, processing, blending, testing, labeling, and distribution of the seed and includes a file sample thereof.

~~(13)~~(24) 'Seed' means any vegetative material used in the propagation of a species the true seeds of all field crops, vegetables, flowers, trees, and shrubs, and any naturally occurring vegetative propagule, excluding plant parts of hybrids.

~~(14)~~(25) 'Seizure' means a legal process carried out by court order against a definite amount of seed.

~~(15)~~(26) 'Stop sale' means an administrative order provided by law restraining the sale, use, disposition, and movement of a definite amount of seed.

~~(16)~~(27) 'Treated' means ~~that the seed that has received an application a~~ minimal covering according to the manufacturer's recommended rate of a substance or process which is designed to reduce, or control, or repel certain disease organisms, insects, or other pests attacking such seed or seedlings growing therefrom or to otherwise improve the planting value of the seed and the covering substance may contain identifying colorants and dyes.

~~(17)~~(28) 'Tree and shrub seeds' means seeds of woody plants commonly known and sold as tree or shrub seeds in this state.

~~(18)~~(29) 'Variety' means a subdivision of a kind characterized by growth, yield, fruit, seed, or that is distinct, uniform, and stable; 'distinct' in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics by which it can be differentiated from other plants of the same kind from all other varieties of public knowledge; 'uniform' in the sense that the variations in essential and distinctive characteristics are describable; and 'stable' in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted.

~~(19)~~(30) 'Vegetable seeds' means the seeds of those crops which are grown in gardens and on ~~truck~~ farms and are generally known and sold under the name of vegetable or herb seeds in this state.

~~(20)~~(31) 'Weed seeds' means the seeds of all plants generally recognized as weeds within this state, and determined by methods defined by rule, and includes the prohibited and restricted noxious weed seeds.

2-11-22.

(a) Labeling required. Each bag, container, package, or bulk of seeds which is sold, offered for sale, exposed for sale, or transported within this state for planting purposes shall bear thereon or have attached thereto in a conspicuous place a plainly written or printed label or tag in the English language, giving the information specified in subsections (b) through ~~(f)~~ (j) of this Code section, which statement shall not be modified or denied in the labeling or on another label attached to the container. The labeler is responsible to assure that the required labeling is applied to each container or, in the case of bulk seed, that required labeling is shown on the invoice. All invoices and records pertaining to the shipment or sale of seed must show each lot number.

(b) Treated seeds. For all treated seeds, as defined in this article, for which a separate label may be used, the following information shall be given:

- (1) A word or statement that the seed has been treated;
 - (2) The commonly accepted, coined, chemical, or abbreviated chemical (generic) name of the applied substance and the rate of application;
 - (3) ~~If harmful to human or other vertebrate animals~~ If the level of treatment exceeds the established tolerance or is not subject to an exemption to a tolerance, a caution statement, such as 'Do not use for food or feed or oil purposes.' The caution for mercurials and similarly toxic substances shall be a poison statement or symbol and the label shall carry the words 'poison treated'; and
 - (4) If the seed is treated with an inoculant, the label must state the inoculant manufacturer's lot number and expiration date as listed on the inoculant's original package.
- (c) Agricultural seeds seed. For agricultural seeds seed the following information shall be given except for grass seed mixtures as provided in (d) of this Code section; and for hybrids that contain less than 95 percent hybrid seed as provided in (i) of this Code section:

- (1) The commonly accepted name of kind and variety of each agricultural seed component in excess of 5 percent of the whole and the percentage by weight of each in the order of its predominance. Where more than one component is required to be named, the word 'mixture' or the word 'mixed' shall be shown conspicuously on the label, provided that the Commissioner may, through the promulgation of regulations, allow certain kinds of seed to be labeled 'mixed' without showing the percentage of each variety present;
- (2) The net weight;
- (3) The lot number or other lot identification;
- (4) The origin (state or foreign country);
- (5) The percentage by weight of all weed seeds;
- (6) The name and rate of occurrence per pound of each kind of restricted noxious weed seed present;
- (7) The percentage by weight of crop seeds other than those required to be named on the label;
- (8) The percentage by weight of inert matter;
- (9) For each named agricultural seed:
 - (A) The percentage of germination, exclusive of hard seed or dormant seed;
 - (B) The percentage of hard ~~seeds~~ seed or dormant seed, if present; and
 - (C) The calendar month and year the test was completed to determine such percentage;
 following the information given pursuant to subparagraphs (A) and (B) of this paragraph, the 'total germination and hard seed' or 'total germination and dormant seed' may be stated as such, if desired; and
- (10) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state.

(d) For seed mixtures for lawn or turf purposes or both lawn and turf purposes the following information shall be given:

- (1) The word 'mixed' or 'mixture' shall be stated with the name of the mixture;
- (2) The headings 'pure seed' and 'germination' or 'germ' shall be used in the proper places;
- (3) The net weight;
- (4) The lot number or other lot identification;
- (5) Commonly accepted name of kind, variety, and origin of each agricultural seed component in excess of 5 percent of the whole and the percentage by weight of pure seed in order of its predominance and in columnar form;
- (6) Percentage by weight of agricultural seed other than those required to be named on the label (which shall be designated as 'crop seed');
- (7) The percentage by weight of inert matter;
- (8) Percentage by weight of all weed seeds;
- (9) Noxious weeds that are required to be labeled will be listed under the heading 'noxious weed seeds';
- (10) For each agricultural seed named under paragraph (5) of this subsection;

- (A) Percentage of germination, exclusive of dormant seed; and
 (B) Percentage of dormant seed, if present; and
 (C) The calendar month and year the test was completed to determine such percentages. ~~The test date~~ for each component may be labeled or, if each component does not show a test date, the oldest test date shall be used for the mixture; and
 (11) Name and address of the person who labeled said seed or who sells, offers, or exposes said seed for sale within the state.
- (e) For agricultural seeds that are coated or pelleted:
 (1) Percentage by weight of pure seed with coating or pelleting material removed;
 (2) Percentage by weight of coating or pelleting material;
 (3) Percentage by weight of inert material exclusive of coating or pelleting material;
 (4) Percentage of germination is to be determined on 400 pellets with or without seeds;
 (5) In addition to the provisions of paragraphs (1) through (4) of this subsection, labeling of coated or pelleted seed shall comply with the requirements of Code Section 2-11-22 for the specific seed kind.
- (f)(d) Vegetable seeds in containers of one pound or less. For vegetable seeds in containers of one pound or less or preplanted containers, mats, tapes, or other planting devices, the following information shall be given:
 (1) The name of kind and variety of seed;
 (2) The lot number or other lot identification;
 (2)(3) The year for which the seed was packed for sale as 'Packed for _____', or the percent germination and the calendar month and year the test was completed to determine the such percentage of germination;
 (3)(4) For seeds seed which germinate less than the standard last established by the Commissioner under this article:
 (A) The percentage of germination, exclusive of hard seed or dormant seed;
 (B) The percentage of hard seed or dormant seed, if present;
 (C) The calendar month and year the test was completed to determine such percentage; and
 (D) The For seed that germinate less than the standard last established by the Commissioner, the words 'below standard' in not less than eight point type; and must be printed or written with permanence on the face of the label, in addition to the other information required, provided that no seed marked 'below standard' shall be sold if it falls more than 20 percent below the established standard for such seed;
- (4)(5) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state; and
 (6) For seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seeds from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container;
- (e)(g) Vegetable seeds in containers of more than one pound.
 (1) For vegetable seeds in containers of more than one pound, the following information shall be given:
 (A) The name of each kind and variety present in excess of 5 percent and the percentage by weight of each in order of its predominance;
 (B) The net weight or seed count;
 (B)(C) The lot number or other lot identification;
 (C)(D) For each named vegetable seed:
 (i) The percentage of germination, exclusive of hard seed or dormant seed;
 (ii) The percentage of hard seed or dormant seed, if present; and
 (iii) The calendar month and year the test was completed to determine such percentages;
 following the information given pursuant to such divisions (i) and (ii) of this subparagraph, the 'total germination and hard seed' or the 'total germination and dormant seed' may be stated as such, if desired; and

- (E) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state; and
- (2) The labeling requirements for vegetable seeds in containers of more than one pound ~~shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser.~~
- (f) ~~Cowpeas and oats. Any provision of this article to the contrary notwithstanding, cowpeas and oats consisting of mixed varieties may be sold by labeling them as 'mixed cowpeas' or 'mixed oats.' The percentage of pure seed shall represent all cowpeas or oats present, or both, and a germination test shall be based upon a uniform sample of all varieties in the lot of seed. Cowpeas and oats shall be labeled 'mixed' when they contain in excess of 5 percent of one variety or in excess of 5 percent of a combination of varieties by weight.~~
- (h) For flower seed in packets prepared for use in home gardens or household plantings or flower seed in preplanted containers, mats, tapes, or other planting devices, the following information shall be given:
- (1) For all kinds of flower seeds:
- (A) The name of the kind and variety or a statement of type and performance characteristics as prescribed in the rules promulgated under this article;
- (B) The calendar month and year the seed was tested or the year for which the seed was packaged;
- (C) The lot number or other lot identification;
- (D) The net weight or seed count; and
- (E) The name and address of the person who labeled said seed or who sells, offers, or exposes said seed for sale within this state;
- (2) For flower seed kinds for which standard testing procedures are prescribed and that germinate less than the germination standard last established by rule under this article:
- (A) Percentage of germination, exclusive of hard seed or dormant seed;
- (B) Percentage of hard seed or dormant seed, if present; and
- (C) The words 'below standard' in not less than eight-point type; and
- (3) For flower seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seed from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container.
- (i) For flower seed in containers other than packets and other than preplanted containers, mats, tapes, or other planting devices and not prepared for use in home flower gardens or household plantings, the following information shall be given:
- (1) The name of the kind and variety or a statement of type and performance characteristics as prescribed in the rules promulgated under this article and for wildflowers the genus and species and, if appropriate, the subspecies;
- (2) The lot number or other lot identification;
- (3) The net weight or seed count;
- (4) For wildflower seed only with a pure seed percentage of less than 90 percent:
- (A) The percentage, by weight, of each component listed in order of their predominance;
- (B) The percentage by weight of weed seed if present; and
- (C) The percentage by weight of inert matter;
- (5) For those seed kinds for which standard testing procedures are prescribed:
- (A) Percentage of germination, exclusive of hard seed or dormant seed;
- (B) Percentage of hard seed or dormant seed, if present;
- (C) The calendar month and year that the seed was tested or the year for which the seed was packaged; and
- (D) For flower seed kinds that germinate less than the germination standard last established by rule under this article, the words 'below standard' in not less than eight-point type;
- (6) For those kinds of seed for which standard testing procedures are not available, the year of production or collection; and

(7) The name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within this state.

(j) For hybrid agricultural and vegetable seed, the following is required:

(1) If any one kind or kind and variety of seed present in excess of 5.0 percent is hybrid seed, it shall be designated hybrid on the label. The percentage that is hybrid shall be at least 95 percent of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of 5.0 percent and are named on the label, each that is hybrid shall be designated as hybrid on the label. Any one kind or kind and variety that has pure seed which is less than 95 percent but more than 90 percent hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show the percentage of pure seed that is hybrid seed. No kind or variety of seed shall be labeled as hybrid if the pure seed contains less than 90 percent hybrid seed;

(2) Hybrid wheat, hybrid millet, and other hybrids to be established by rule shall be labeled the same as all other hybrids except that if any one kind or kind and variety that has pure seed which is less than 95 percent but more than 75 percent hybrid seed as a result of incompletely controlled pollination shall be labeled to show the percentage of pure seed that is hybrid seed. No one kind or variety of seed shall be labeled as hybrid if the pure seed contains less than 75 percent hybrid seed. Any seed containing less than 95 percent hybrids must be labeled as a mixture; and

(3) In addition to the provisions of paragraph (1) of this subsection, labeling of hybrid agricultural and vegetable seed shall comply with the requirements of Code Section 2-11-22 for the specific seed kind and, if appropriate, quantity.

2-11-23.

(a) No person shall sell, offer for sale, expose for sale, or transport for sale any agricultural, vegetable, flower, tree, or shrub seed within this state:

(1) Unless the test to determine the percentage of germination required in Code Section 2-11-22 shall have been completed within a nine-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale, offering for sale, or transportation. This prohibition does not apply to agricultural or vegetable seed in hermetically sealed containers. Agricultural or vegetable seeds packaged in hermetically sealed containers under the conditions defined in rules and regulations promulgated under the provisions of this article may be sold, exposed for sale, or offered for sale or transportation for a period of 24 months after the last day of the month that the seeds were tested for germination prior to packaging. If seeds in hermetically sealed containers are sold, exposed for sale, or offered for sale or transportation more than 24 months after the last day of the month in which they were tested prior to packaging, they must have been retested within a nine-month period, exclusive of the calendar month in which the retest was completed, immediately prior to sale, exposure for sale, or offering for sale or transportation;

(2) Not labeled in accordance with this article or having false, or misleading, or illegible labeling;

(3) Pertaining to which there has been a false or misleading advertisement;

(4) Consisting of or containing prohibited noxious weed seeds;

(5) Consisting of or containing restricted noxious weed seeds per pound in excess of the number prescribed by rules and regulations promulgated under this article or in excess of the number declared on the label attached to the container of the seed or associated with the seed; or

(6) Represented to be 'certified seed,' 'registered seed,' or 'foundation seed,' unless it has been produced and labeled in accordance with the procedures and in compliance with rules and regulations of a legally authorized seed certification or registration agency; or

(7) Labeled with a variety name but not certified by an official seed certifying agency when it is a variety for which a United States certificate of plant variety protection under the Plant Variety Protection Act (7 U.S.C. 2321 et seq.) specifies sale only as a class of certified seed, provided that seed from a certified seed lot may be labeled

as to variety name when used in a mixture by, or with the approval of, the owner of the variety.

(b) It shall be unlawful for any person within this state:

- (1) To ~~detach, alter, deface~~ or destroy any label provided for in this article or the rules and regulations made and promulgated hereunder or to alter or substitute seed in a manner that may defeat the purpose of this article;
- (2) To disseminate any false or misleading advertisements concerning seeds in any manner that may defeat the purpose of this article;
- (3) To hinder or obstruct, in any way, any authorized person in the performance of his or her duties under this article;
- (4) To fail to comply with a 'stop sale' order or to move from the premises or dispose of any lot of seed or the tags attached thereto held under a 'stop sale' order, except with express permission of the enforcing officer and for the purpose specified thereby;
- (5) To use the word 'trace' as a substitute for any statement which is required; ~~or~~
- (6) To use the words 'or better,' 'more than,' 'less than,' or similar words in connection with any information required on purity analyses;
- (7) To use the word 'type' in any labeling in connection with the name of any agricultural seed variety; or
- (8) To alter or falsify any seed label, seed test, laboratory report, record, or other document pertaining to seed dealings for the purpose of defrauding or misleading the purchaser or to create a misleading impression as to kind or variety, history, quality, or origin of seed.

2-11-24.

Each person whose name or approved A.M.S. code number or other approved designation appears on the label as handling seeds seed subject to this article shall keep, for a period of two years, complete records of each lot of agricultural, ~~or~~ vegetable, flower, tree, or shrub seed handled and shall keep, for one year, a file sample of each lot of seed after final disposition of such lot. All such records and samples pertaining to the shipment or shipments involved shall be accessible for inspection by the Commissioner or ~~his~~ the Commissioner's agent during customary business hours.

2-11-25.

The duty of enforcing this article and the carrying out of its provisions and requirements shall be vested in the Commissioner of Agriculture, who may act through his or her authorized agents. He shall have authority:

- (1) To sample, test, make analysis of, and inspect any seed transported, sold, or offered or exposed for sale within this state for planting purposes, at such time and place and to such extent as may be deemed necessary to determine whether such seed is in compliance with this article;
- (2) To enter upon any public or private premises during regular business hours in order to have access to seeds and the records connected therewith subject to this article and rules and regulations promulgated hereunder;
- (3) To issue and enforce a written or printed 'stop sale' order to the person or vendor of any seed which is in violation or is believed to be in violation of any of the provisions of this article or rules and regulations promulgated hereunder;
- (4) To furnish adequate facilities for testing seed and to employ qualified persons for making such tests;
- (5) To publish or cause to be published the results of the examination, analysis, and testing of any agricultural or vegetable seed sampled in accordance with this article, together with any other information that the Commissioner may deem advisable;
- (6) To provide that any person in this state shall have the privilege of submitting seed samples for testing, subject to the charges made for samples submitted as prescribed in rules and regulations promulgated under this article; provided, however, that seed samples shall be tested without charge for farmers who do not have a seed license; and
- (7) To cooperate with the United States Department of Agriculture in the enforcement of the Federal Seed Act.

2-11-26.

(a) For the purpose of carrying out this article, the Commissioner, who may act through his or her authorized agents, is authorized to issue a license to each retail and wholesale seed dealer, ~~such license to be~~ applied for by each seed dealer upon forms furnished for such purpose. A separate license shall be required for each ~~place of business~~ point of sale, from which seed are sold, offered for sale, or exposed for sale. Out-of-state wholesale and retail seed dealers who sell or ship seed into this state shall obtain a license in the same manner. Such licenses shall be ~~valid until revoked as provided by subsection (b) of this Code section~~ renewable in August of every third year following issuance. Seed dealer license fees shall be established by rule promulgated under this article.

(b) ~~Any license issued under this article may be revoked by the Commissioner upon satisfactory proof that the licensee has violated this article or any rule or regulation promulgated under this article. No license issued under this article shall be revoked by the Commissioner unless the Commissioner has given the licensee notice of the intent to revoke such license and the reason therefor and until the Commissioner has given the licensee a hearing. The Commissioner may enter an order imposing one or more of the following penalties against any person who violates any of the provisions of this chapter or the rules promulgated under this article or who impedes, obstructs, hinders, or otherwise prevents or attempts to prevent the Commissioner or the Commissioner's agent in the performance of his or her duty in connection with the provisions of this article:~~

(1) Issuance of a warning letter;

(2) Imposition of an administrative fine not more than \$1,000.00 per occurrence, suspension of a license, or both; or

(3) Revocation of the seed dealer's license.

Actions stated in paragraphs (2) and (3) of this subsection shall be preceded by a departmental hearing to consider evidence that the licensee has violated this article or any rule or regulation promulgated under this article.

(c) No person who has not complied with this Code section shall sell or offer for sale any seed within this state.

2-11-27.

~~(a) For the purpose of carrying out this article, the Commissioner, who may act through his authorized agents, is authorized to provide that any person who does not have a fixed place of business or who is traveling or peddling or who is an itinerant and who sells or offers for sale seed in this state shall comply with all the requirements of this article and of all seed laws of this state.~~

~~(b) As a further requirement, any person coming under this Code section shall be required, upon application for a license to sell or offer for sale seed in this state, to furnish a surety bond of not less than \$1,000.00, payable to the Commissioner, for the use and benefit of the buyer of seed bought from such person who is traveling, peddling, or is an itinerant, when seed are sold without compliance with and in violation of this article and other seed laws of this state. Such bond shall be given for the protection of the farmers of this state and for the purpose of carrying out this article.~~

~~(c) No person who has not complied with this Code section shall sell or offer for sale any seed within this state. Reserved.~~

2-11-28.

The Commissioner shall have authority to promulgate and enforce such rules and regulations as ~~he~~ the Commissioner may deem necessary to carry out or make effective this article. Such rules and regulations may:

(1) Provide such additional definitions of terms as the Commissioner believes are needed;

(2) Provide a noxious weed list and add to or subtract therefrom from time to time;

(3) Prescribe minimum standards of germination and purity and maximum amounts of inert matter and weed seed;

(4) Prescribe the maximum number of weed seeds per pound allowed for each type of restricted noxious weed;

(5) ~~Govern~~ Specify the methods of sampling, inspecting, analysis, testing, and examination of seed and the tolerance to be followed in the administration of this article, which shall be in general accord with the officially prescribed practice in interstate commerce; ~~w.libtool.com.cn~~

(6) ~~Provide for field testing and make requirements for special permits for the sale of hybrid corn seed and such other seeds being sold under variety names as may be deemed necessary;~~

(7) ~~(6)~~ Prescribe the form of tags or labels;

(8) ~~(7)~~ Fix the number of tests allowed to any one person, firm, corporation, etc.;

(9) ~~(8)~~ Fix charges for tests made; and

(9) Prescribe minimum standards for seed vigor when such standards have been developed and standardized by the Association of Official Seed Analysts (AOSA) and to require the results of any seed vigor test to be placed upon seed labels; and

(10) Prescribe such other rules and regulations as may be recommended by the Seed Advisory Committee necessary to secure the efficient enforcement of this article.

2-11-29.

(a) ~~There is created a Seed Advisory Committee to be composed of the following persons who, aside from the ex officio members, shall be selected by the heads of the institutions or organizations in question:~~

(1) ~~The Commissioner of Agriculture, ex officio, as chairman;~~

(2) ~~An appointee of the Governor who is not the Attorney General;~~

(3) ~~One member from the experiment stations of the College of Agricultural and Environmental Sciences of the University of Georgia;~~

(4) ~~One member from the Coastal Plains Experiment Station;~~

(5) ~~One member from the Cooperative Extension Service;~~

(6) ~~Two members from the Georgia Seedmen's Association;~~

(7) ~~One member from the College of Agricultural and Environmental Sciences of the University of Georgia;~~

(8) ~~One member from the Georgia Crop Improvement Association, Inc.; and~~

(9) ~~One member from the Georgia Farm Bureau Federation.~~

(b) ~~The Commissioner shall be compensated as provided by law. The other members of the committee shall be compensated \$20.00 per day for each day of service on business of the committee, to be paid from the funds of the Department of Agriculture.~~

(c) ~~The committee shall serve in an advisory capacity to the Commissioner in promulgating rules and regulations pursuant to this article. No rule or regulation shall be promulgated by the Commissioner without consulting the advisory committee.~~

(d) ~~The Seed Advisory Committee is assigned to the Department of Agriculture for administrative purposes only as prescribed in Code Section 50-4-3 Reserved.~~

2-11-30.

Any seed sold, offered for sale, or exposed for sale in violation of this article or rules and regulations promulgated under this article shall be subject to seizure on the complaint of any authorized agent of the Commissioner to the superior court of the county where the seed is located. If the court finds the seed to be in violation of this article and orders its condemnation, the seed shall be destroyed, reprocessed, relabeled, or otherwise disposed of in compliance with the laws of this state and as directed by the court. In no instance shall the court order such disposition of such seed without first having given the claimant an opportunity to apply to the court for the release of the seed or for permission to process or relabel it to bring it into compliance with this article.

2-11-31.

The Commissioner is authorized to apply for and the court is authorized to grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this article or rules and regulations promulgated under this article, notwithstanding the existence of other remedies at law. Such injunctions shall be issued without bond.

2-11-32.

No person or vendor shall be subject to the penalties of this article for having sold or offered or exposed for sale in this state any seed incorrectly labeled or represented as to variety or origin when the variety or origin of such seed could not be identified by examination thereof, unless ~~he or she~~ failed to obtain an invoice, grower's declaration, or other document indicating variety and origin and failed to take such other precautions as were necessary or required to ensure that the identity and variety of the seed ~~was~~ were as stated.

2-11-33.

Code Sections 2-11-21 and 2-11-22 shall not apply:

- (1) To seed sold by a farmer or grower to a seed dealer or ~~processor conditioner~~ or in storage in or consigned to a seed cleaning or ~~processing conditioning~~ establishment for cleaning or processing, provided that any labeling or other representation which may be made with respect to uncleaned seed shall be subject to this article;
- (2) To seed grown by a farmer or other person, who sells it as such, when it is sold at his or her own farm and he or she does not advertise or transfer it by any public carrier provided such activity is not in conflict with paragraph (7) of subsection (a) of Code Section 2-11-23 or requirements of the United States Plant Variety Protection Act;
- (3) To seed or grain not intended for planting purposes, provided that such seed or grain sold to a farmer or consumer which could be used for planting purposes shall be marked or tagged 'for feed' or 'not for planting'; and
- (4) To any carrier, in respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier, if such carrier is not engaged in producing, processing, or marketing agricultural or vegetable seed which is subject to this article.

2-11-34.

- (a) Any person or vendor violating any of the provisions of this article or rules and regulations promulgated under this article shall be guilty of a misdemeanor.
- (b) When the Commissioner or any of ~~his~~ the Commissioner's authorized agents find that a person has violated any of the provisions of this article or rules and regulations promulgated under this article, ~~he~~ the Commissioner may institute proceedings in the superior court of the county in which the violation occurred to have such person convicted therefor or may file with the prosecuting attorney, with the view of prosecution, such evidence as may be deemed necessary.
- (c) It shall be the duty of each prosecuting attorney to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted against the accused.
- (d) Nothing in this article shall be construed as requiring the Commissioner or any of ~~his~~ the Commissioner's authorized agents to report, for prosecution or for the institution of seizure proceedings, minor violations of this article when ~~he~~ the Commissioner believes that the public interest will best be served by a suitable notice of warning in writing."

SECTION 2.

Said chapter is further amended by striking in its entirety Article 3, relating to certification of seeds and plants, and inserting in lieu thereof the following:

"ARTICLE 3

2-11-50.

The General Assembly declares that for the purpose of fostering improved agricultural methods, promoting advances in agricultural fields, and giving legal status to an existing practice and for the general welfare of the people it is necessary to establish as a policy of this state a method for protecting the public in the guarantee of the high quality of seeds and plants for various agricultural pursuits. It is the intent of the General Assembly to carry out that policy by this article, protecting the public from false claims and unwarranted statements as to genetic identity, varietal purity, and germinating viability of seeds and plants presented and claimed to be foundation, registered, or certified.

2-11-51.

For the purposes of this article, the term:

- (1) 'Certified seed' means the progeny of foundation, registered, or, in special cases, certified seed, which is ~~also produced and handled as to maintain satisfactory genetic purity and identity, as approved and meets the standards of certified by the official seed certifying agency.~~
- (2) 'Foundation seed' means the progeny of breeder's seed or, in special cases, the progeny of foundation seed; so handled as to most nearly maintain specific genetic purity and identity, as designated by the official seed certifying agency. Foundation seed may be produced only by or under the direct supervision of an approved agronomist or institution: which meets the standards of the official seed certifying agency.
 - (A) On its headquarters farm;
 - (B) On a farm organized as a branch of such headquarters farm, with a qualified plant breeder in charge of such production; or
 - (C) On a farm operating under contractual agreement with and under the direct supervision of the originating or sponsoring plant breeder or institution for the production of foundation seed. Foundation seed shall be the source of registered seed or, in special cases, certified seed.
- (3) 'Plant' means seedlings, nursery stock, roots, tubers, bulbs, cuttings, and other parts used in the propagation of field crops, vegetables, fruits, flowers, trees, or other plants.
- (4) 'Registered seed' means the progeny of foundation seed and meets the standards of the official seed certifying agency. Registered seed shall be so handled as to maintain satisfactory genetic purity and identity as designated by the official seed certifying agency. Registered seed shall be produced under the general supervision of an approved agronomist and under the regulations of the official seed certifying agency.
- (5) 'Seed' means the true seeds of all field crops, vegetables, flowers, trees, or other plants.
- (6) 'Variety' carries its original meaning and includes 'strains' of varieties which are sufficiently different from the parent variety to justify special designation.

2-11-52.

In order to execute the policy stated in Code Section 2-11-50, the dean of the College of Agricultural and Environmental Sciences of the University of Georgia is authorized to provide for seed, plant, and variety certification and labeling. ~~He~~ The dean shall designate the Georgia Crop Improvement Association, Inc., as certifying agency, provided that the Georgia Crop Improvement Association, Inc., must be in good standing with the International Crop Improvement Association Association of Official Seed Certifying Agencies. The College of Agricultural and Environmental Sciences of the University of Georgia shall not be held responsible for any claim, debt, obligation, or damage of any kind to any person in conducting certification work or in the work of the certifying agent.

2-11-53.

It shall be a misdemeanor for any person, firm, association, or corporation selling seeds or plants in this state to use any evidence of certification, including specially designed tags or any tags similar thereto or the word 'certified,' on any package of seeds or plants, unless such seeds or plants have been duly inspected and certified as provided for in this article or have been inspected and certified by a legally constituted agency of another state or foreign country. The duty of enforcing this Code section shall be vested in the Commissioner."

SECTION 3.

Said chapter is further amended by striking in its entirety Article 4, relating to the Seed Arbitration Council, and inserting in lieu thereof the following:

"ARTICLE 4

2-11-70.

(a) The intent and purpose of this article is are to provide a method for assisting farmers, persons purchasing seed and commercial fruit and nut trees, and persons selling seed and commercial fruit and nut trees in determining the validity of complaints of seed and commercial fruit and nut trees purchasers against seed and commercial fruit and nut tree sellers relating to the quality and performance of the seed and the identity of the variety of fruit and nut trees by establishing a committee to investigate, hold informal hearings, make findings, and render recommendations in the nature of arbitration proceedings where damages suffered by seed and commercial fruit and nut trees purchasers are caused by the alleged failure of the seed to perform as represented or to conform to the description on the labeling thereof as required by law or to be the variety of fruit or nut tree represented by the seller.

(b) In order to effectuate the intent and purpose set out in subsection (a) of this Code section, there is created the 'Seed Arbitration Council.'

2-11-71.

As used in this article, the term:

- (1) 'Commissioner' means the Commissioner of Agriculture or the designated official or department employed by the Department of Agriculture of this state.
- (2) 'Council' means the Seed Arbitration Council.
- (3) 'Person' means an individual, firm, partnership, corporation, or company.
- (4) 'Purchaser' means the person who buys agricultural, flower, tree, shrub, or vegetable seed subject to Article 2 of this chapter or any commercial fruit or nut tree.
- (5) 'Seller' means any person who sells seed, including but not limited to, the person who sold the seed to the purchaser and the person who actually labeled the seed that is the subject of the council's investigation and any person who sells commercial fruit or nut trees.

2-11-72.

(a) At the time of purchase of agricultural, vegetable, flower, tree, or shrub seed, except for vegetable and flower seed in packets weighing less than one pound for use in home gardens or household plantings or at the time of purchase of any commercial fruit or nut tree, language setting forth the requirement for filing a complaint shall be legibly typed or printed on the seed container, on the label affixed thereto, or printed on the invoice covering bulk seed or on a label attached to or on the invoice covering the commercial fruit or nut tree.

(b) Such language shall be in addition to the labeling requirements specified in Code Section 2-11-22 and shall contain a notice in a form acceptable in interstate trade as prescribed by rule and regulation promulgated by the Commissioner.

(c) If language setting forth the requirement is not so placed on the seed container, label, or invoice covering bulk seed or on a label or invoice covering the commercial fruit or nut tree, the filing of a complaint by the buyer shall not be required as a prerequisite to maintaining a legal action against the seller as provided in Code Section 2-11-73.

2-11-73.

(a) When any farmer or seed purchaser alleges to have been damaged by the failure of any agricultural, flower, tree, shrub, or vegetable seed, except for vegetable and flower seed in packets weighing less than one pound for use in home gardens or household plantings, to conform to or perform as represented by the label required to be attached to such seed under Code Section 2-11-22 or by warranty or as a result of negligence, as a prerequisite to the purchaser's right to maintain a legal action against the seller, the purchaser shall submit a complaint against the seller alleging the damages sustained or to be sustained and shall file such complaint with the Commissioner within ten days after the alleged defect or violation becomes apparent to allow inspection of the alleged deficiencies if deemed necessary. Whenever any farmer or commercial fruit or nut tree purchaser alleges to have been damaged by the failure of any commercial fruit or nut tree to be the variety represented by the label or invoice or by warranty or as the result of negligence, as a prerequisite to the purchaser's right to maintain a legal action against the seller, the purchaser shall submit a complaint against the seller alleging the damages

sustained or to be sustained and shall file such complaint with the Commissioner within ten days after the alleged defect or violation becomes apparent to allow inspection of the alleged deficiencies if deemed necessary. Upon receipt, the Commissioner shall send a copy of ~~the complaint to the~~ seller by registered or certified mail.

(b) A filing fee of \$75.00 shall be paid to the Commissioner with each complaint filed. Such fee shall be recovered from the seller upon recommendation of the Seed Arbitration Council. The filing fee shall be forfeited if the complaint is independently settled between the purchaser and seller prior to the informal hearing scheduled by the council. Such independent settlement serves to close the file on the complaint.

(c) Within ten days after the receipt of a copy of the complaint, the seller shall file with the Commissioner a response to said complaint. Upon receipt, the Commissioner shall send a copy of the response to the purchaser by registered or certified mail.

(d) Upon gathering the complaint and the response, the Commissioner shall refer the complaint and the response to the Seed Arbitration Council as provided in Code Section 2-11-75 for investigation, informal hearing, findings, and recommendations on the complaint.

(e) Upon receipt of findings and recommendations of the Seed Arbitration Council, the Commissioner shall transmit said items to the purchaser and seller by registered or certified mail.

(f) The purchaser and seller shall give written notice to the Commissioner of the acceptance or rejection of the council's recommendations within 30 days of the date the decision is mailed to the purchaser and seller.

2-11-74.

(a) The Seed Arbitration Council shall be composed of five members. One member and one alternate shall be appointed upon the recommendation of each of the following individuals or executive committee:

- (1) The ~~director of~~ associate dean for the Cooperative Extension Service of the University of Georgia;
- (2) The ~~director of~~ associate dean for the experiment stations of the College of Agricultural and Environmental Sciences of the University of Georgia;
- (3) The president of the Georgia Farm Bureau Federation;
- (4) The ~~president executive committee~~ of the Georgia ~~Seedmen's~~ Seedsmen's Association; and
- (5) The Commissioner of Agriculture.

(b) Each member and each alternate shall continue to serve until a replacement has been recommended by ~~their~~ his or her appointing official. Alternate members shall serve only in the absence of the member for whom such person is an alternate.

(c) The council shall annually elect a chairperson and a secretary from its membership. The chairperson shall conduct the meetings and deliberations of the council and direct all activities. The secretary shall keep accurate records of all the meetings and deliberations and perform such other duties as the chairperson may direct.

(d) The council may be called into session upon the direction of the chairperson or by the Commissioner to consider matters referred to it by the Commissioner.

(e) Members of the council shall receive no compensation for the performance of their duties but shall be reimbursed for travel expenses by each representing organization.

2-11-75.

(a) Upon receipt of a seed buyer complaint or a commercial fruit or nut tree buyer complaint and a seller response, the council shall schedule a hearing date within ten days and shall make a full and complete investigation of the matters stated in the complaint.

(b) Hearings scheduled by the council shall be conducted in Tifton, Macon, Athens, or Rome, Georgia, whichever is most convenient to the farmer or other seed or commercial fruit or nut tree purchaser filing the complaint, such determination to be made by the chairperson.

(c) The Commissioner shall provide administrative support for the council and shall adopt rules and regulations to govern investigations and hearings.

(d) In conducting its investigation, the council, in addition to other activities deemed necessary, is authorized to:

- (1) Examine the purchaser on the use of the seed ~~of~~ or commercial fruit or nut tree or trees about which the complaint is filed, the purchaser's operation and the seller on the packaging and labeling, and the seller's operations on the seed or commercial fruit or nut tree or trees alleged to be faulty or of a different variety;
 - (2) Grow to production a representative sample of the alleged faulty seed through the facilities of the state and under the supervision of the Commissioner, as deemed necessary;
 - (3) Hold informal hearings at a reasonable time as directed by the chairperson. At such hearing, the purchaser and seller shall be allowed to present their side of the dispute before the council. Attorneys may be present, provided that no attorney may participate directly in the proceeding; and
 - (4) Seek evaluations from authorities in allied disciplines when deemed necessary.
- (e) Any investigation made by ~~less~~ fewer than all of the councilmembers shall be by authority of a written directive by the chairperson, and such investigation shall be summarized in writing and considered by the council in reporting its findings and recommendations.
- (f) The Attorney General shall provide legal services for the council.

2-11-76.

(a) After completion of the informal hearing by the council, a report of findings and recommendations shall be transmitted to parties present at the arbitration process pursuant to subsection (e) of Code Section 2-11-73. In such report, the council may make any recommendations it deems fair and equitable under the circumstances presented. These recommendations are up to the discretion of the council and may include, but are not limited to, the following:

- (1) That no action be taken;
 - (2) That money damages be paid to the purchaser as a result of the alleged failure of the seed to conform to or perform as represented by the seed label, container, or invoice;
 - (2.1) That money damages be paid to the purchaser of a commercial fruit or nut tree or trees as a result of the alleged failure of the tree or trees to be the variety represented to the purchaser. Such damages shall not be less than three times the purchase price in the case of fruit trees or six times the purchase price in the case of nut trees;
 - (3) That the seller reimburse the purchaser for the amount of the filing fee paid to enter the arbitration process; or
 - (4) Such other recommendation found by the council to be fair and equitable to the parties.
- (b) In any litigation involving a complaint which has been the subject of arbitration under this Code section, any party may introduce the report of arbitration as evidence of the facts found in the report as the court may see fit. Findings and conclusions of the council are not admissible as evidence. However, the court may take into account any determinations of the council with respect to the failure of any party to cooperate in the arbitration proceedings.

2-11-77.

Pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' the Commissioner shall have authority to promulgate and enforce such rules and regulations as may be deemed necessary to carry out the provisions of this article."

SECTION 4.

This Act shall become effective on July 1, 1997.

SECTION 5.

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

Representative Floyd of the 138th moved that the House adopt the report of the Committee of Conference on SB 583.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Powell	E Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	McBee	Y Shaw	Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 140, nays 0.

The motion prevailed.

HB 288. By Representatives Snow of the 2nd, Bailey of the 93rd, Perry of the 11th and Carter of the 166th:

A bill to amend Code Section 50-5-58 of the Official Code of Georgia Annotated, relating to cases in which state agencies are not required to make purchases through the Department of Administrative Services, so as to provide that emergency purchases made during a declared state of emergency by the Georgia Emergency Management Agency need not be made through such department.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 288

The Committee of Conference on HB 288 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 288 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Nadine Thomas
 Senator, 10th District

/s/ Jack Hill
 Senator, 4th District

/s/ Terrell A. Starr
 Senator, 44th District

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ Michael M. Snow
 Representative, 2nd District

/s/ Ann R. Purcell
 Representative, 147th District

/s/ Tim Perry
 Representative, 11th District

A BILL

To amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedure relative to state purchasing, so as to provide for purchases during a declared state of emergency; 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 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedure relative to state purchasing, is amended by striking in its entirety Code Section 50-5-71, relating to authorization for emergency purchases, and inserting in lieu thereof the following:

“50-5-71.

In case of any emergency arising from any unforeseen causes, including delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work, or upon the declaration of a state of emergency by the Governor, the Department of Administrative Services or any other department, institution, or agency of state government to which emergency purchasing powers have been granted by the Department of Administrative Services shall have power to purchase in the open market any necessary supplies, materials, or equipment for immediate delivery to any department, institution, or agency of the state government. A report on the circumstances of the emergency and the transactions thereunder shall be duly recorded in a book or file to be kept by the Department of Administrative Services.”

SECTION 2.

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

Representative Snow of the 2nd moved that the House adopt the report of the Committee of Conference on HB 288.

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

Y Allen	Y Brooks, T	Y Connell	Falls	Y Holmes
Y Anderson	Y Brown, J	Y Crawford	Y Felton	Y Howard
Y Ashe	Y Brush	Y Crews	Y Floyd	Y Hudson
Y Bailey	Y Buck	Y Culbreth	Y Godbee	Y Hugley
Y Baker	Buckner	Y Cummings	Y Golden	Irvin
Y Bannister	Y Bunn	Y Davis, G	Y Goodwin	Y James
Y Barfoot	Y Burkhalter	Y Davis, M	E Greene	Y Jamieson
Bargeron	Y Byrd	Y Day	Y Grindley	Y Jenkins
Y Barnard	Y Campbell	Y DeLoach, B	Y Hanner	Y Johnson, G
Y Barnes	Y Canty	Y DeLoach, G	Y Harbin	Y Johnson, J
Bates	Carter	Y Dix	Y Harris	Y Johnston
Y Benefield	Y Chambless	Dixon, H	Y Heard	Y Jones
Y Birdsong	Y Channell	Y Dixon, S	Y Heckstall	Joyce
Y Bordeaux	Y Childers	Y Dobbs	Hegstrom	E Kaye
Y Bostick	Y Coker	Y Ehrhart	Y Hembree	Y Kinnamon
Y Breedlove	Coleman, B	Y Epps	Y Henson	Y Klein
Y Brooks, D	Y Coleman, T	Evans	Y Holland	Y Ladd

Lakly	Y Mueller	Y Reaves	Y Smith, T	Y Towery
Y Lane	Y O'Neal	Y Reichert	Smith, V	Y Trense
Y Lawrence	Orrock	Y Roberts	Smith, W	Y Turnquest
Y Lee	Parham	Y Rogers	Y Smyre	Y Twiggs
Y Lewis	Y Parrish	Y Royal	Y Snelling	Y Walker, L
Y Lifsey	Y Parsons	Y Sanders	Y Snow	Y Walker, R.L
Y Lord	Y Pelote	Y Sauder	Y Stallings	Y Wall
Y Lucas	Y Perry	Y Scoggins	Y Stancil, F	Y Watson
Y Maddox	Y Pinholster	Y Shanahan	Y Stancil, S	Watts
Y Mann	Y Polak	Y Shaw	Stanley, L	Y Westmoreland
Y Martin	Ponder	Y Sherrill	Y Stanley, P	Y Whitaker
Y McBee	Y Porter	Y Shipp	E Stephenson	White
E McCall	E Poston	Y Simpson	Y Streat	Y Wiles
Y McClinton	Powell	Y Sinkfield	Y Taylor	Y Williams, B
McKinney	Y Purcell, A	Y Skipper	Y Teague	Y Williams, J
Y Mills	Purcell, B	Y Smith, C	Y Teper	Y Williams, R
Y Mobley, B	Randall	Y Smith, C.W	Y Thomas	Y Woods
Y Mobley, J	Y Randolph	Y Smith, L	Y Tillman	Y Yates
Mosley	Ray	Y Smith, P	Y Titus	Murphy, Spkr

On the motion, the ayes were 148, nays 0.

The motion prevailed.

The Speaker Pro Tem assumed the Chair.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

The following Senate amendment was read:

Amend HB 1555 on page 1 strike lines 28 thru 30 and replace with:

“conviction of a second or subsequent offense, he or she shall be imprisoned for life.”

Representative Chambless of the 163rd moved that the House disagree to the Senate amendment to HB 1555.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in disagreeing to the House amendment to the Senate substitute thereto:

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under “The Retail Installment and Home Solicitation Sales Act,” so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

Representative Watson of the 139th moved that the House insist on its position in amending the Senate substitute to HB 1647 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate. www.libtool.com.cn

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Watson of the 139th, Porter of the 143rd and Powell of the 23rd.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitute thereto:

HB 1442. By Representatives Reaves of the 178th, Floyd of the 138th and Purcell of the 147th:

A bill to amend Part 3 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to antifreeze, so as to provide that such part shall not apply to certain antifreeze that is recycled, reclaimed, or reprocessed.

The following Senate substitute was read:

A BILL

To amend Part 3 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to antifreeze, so as to provide that such part shall not apply to certain antifreeze that is recycled, reclaimed, or reprocessed; to provide for regulations; to provide for violations; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 3 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to antifreeze, is amended by adding, following Code Section 10-1-208, a new Code Section 10-1-208.1 to read as follows:

“10-1-208.1.

This part shall not apply to recycled, reclaimed, or reprocessed antifreeze processed in Georgia which meets standards of suitability for automobile or other vehicle engine cooling systems, which has conspicuous labeling or notice of its nature as ‘recycled,’ and which is dispensed in an approved manner in bulk or by replenishing during servicing. The department shall establish by regulation such standards, testing requirements, labeling and notice requirements, and manner of dispensing. Each sale or other dispersal of a product which fails to meet such standards, which does not have the proper labeling or on which adequate notice is not given, or which is dispensed in an unapproved manner shall constitute a separate violation of this Code section.”

SECTION 2.

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

Representative Reaves of the 178th moved that the House agree to the Senate substitute to HB 1442.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Dixon, H	E Kaye	Y Powell	E Stephenson
Y Bates	Dixon, S	Kinnamom	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	E McCall	Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Holland	Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 136, nays 0.

The motion prevailed.

HB 1130. By Representatives Walker of the 87th, Ladd of the 59th, Williams of the 114th, Lewis of the 14th, Harbin of the 113th and others:

A bill to amend Chapter 8 of Title 33 of the Official Code of Georgia Annotated, relating to insurance related fees and taxes, so as to provide that certain insurance companies shall be exempt from certain fees and taxes.

The following Senate amendment was read:

Amend HB 1130 by striking on line 2, line 4, and line 9 of page 1 the words "fees and"

Representative Walker of the 87th moved that the House agree to the Senate amendment to HB 1130.

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

Allen	Bordeaux	Y Canty	Y Davis, G	Felton
Y Anderson	Bostick	Carter	Davis, M	Floyd
Y Ashe	Y Breedlove	Y Chambliss	Y Day	Y Godbee
Y Bailey	Y Brooks, D	Y Channell	Y DeLoach, B	Y Golden
Y Baker	Y Brooks, T	Y Childers	Y DeLoach, G	Y Goodwin
Y Bannister	Y Brown, J	Y Coker	Y Dix	E Greene
Y Barfoot	Y Brush	Y Coleman, B	Dixon, H	Y Grindley
Y Bargeron	Y Buck	Coleman, T	Y Dixon, S	Y Hanner
Y Barnard	Buckner	Connell	Y Dobbs	Y Harbin
Y Barnes	Y Bunn	Y Crawford	Y Ehrhart	Y Harris
Y Bates	Y Burkhalter	Y Crews	Epps	Y Heard
Y Benefield	Y Byrd	Y Culbreth	Evans	Y Heckstall
Y Birdsong	Y Campbell	Y Cummings	Falls	Y Hegstrom

Y Hembree	Y Lee	Perry	Shipp	N Teper
Y Henson	Y Lewis	Y Pinholster	Y Simpson	Thomas
Holland	Y Lifsey	Y Polak	Y Sinkfield	Y Tillman
Y Holmes	Y Lord	Y Ponder	Y Skipper	Y Titus
Y Howard	Lucas	Porter	Y Smith, C	Towery
Y Hudson	Y Maddox	E Poston	Y Smith, C.W	Y Trense
Y Hugley	Mann	Powell	Y Smith, L	Y Turnquest
Y Irvin	Y Martin	Y Purcell, A	Y Smith, P	Y Twiggs
Y James	Y McBee	Purcell, B	Y Smith, T	Walker, L
Y Jamieson	E McCall	Randall	Smith, V	Y Walker, R.L
Jenkins	Y McClinton	Y Randolph	Smith, W	Y Wall
Y Johnson, G	McKinney	Ray	Y Smyre	Watson
Y Johnson, J	Y Mills	Y Reaves	Snelling	Watts
Y Johnston	Y Mobley, B	Y Reichert	Y Snow	Y Westmoreland
Jones	Y Mobley, J	Y Roberts	Y Stallings	Y Whitaker
Joyce	Y Mosley	Y Rogers	Stancil, F	White
E Kaye	Y Mueller	Royal	Y Stancil, S	Y Wiles
Kinnamon	Y O'Neal	Y Sanders	Y Stanley, L	Y Williams, B
Y Klein	Y Orrock	Y Sauder	Y Stanley, P	Y Williams, J
Y Ladd	Parham	Scoggins	E Stephenson	Y Williams, R
Y Lakly	Y Parrish	Y Shanahan	Streat	Y Woods
Y Lane	Y Parsons	Y Shaw	Y Taylor	Y Yates
Lawrence	Y Pelote	Y Sherrill	Y Teague	Murphy, Spkr

On the motion, the ayes were 125, nays 1.

The motion prevailed.

HB 1590. By Representatives Godbee of the 145th and Taylor of the 134th:

A bill to amend Code Section 20-4-14 of the Official Code of Georgia Annotated, relating to the establishment of the Department of Technical and Adult Education and the provision of its powers and duties, so as to change the powers of the Department of Technical and Adult Education relating to student live work projects.

The following Senate amendment was read:

Amend HB 1590 by striking on line 17 of page 2 the word "expended" and inserting in lieu thereof the word "unexpended."

Representative Godbee of the 145th moved that the House agree to the Senate amendment to HB 1590.

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

Allen	Y Burkhalter	Y Dixon, S	Y Howard	Lucas
Y Anderson	Y Byrd	Y Dobbs	Hudson	Y Maddox
Y Ashe	Y Campbell	Y Ehrhart	Hugley	Y Mann
Y Bailey	Y Canty	Y Epps	Y Irvin	Y Martin
Y Baker	Carter	Evans	Y James	Y McBee
Y Bannister	Y Chambless	Y Falls	Y Jamieson	E McCall
Y Barfoot	Y Channell	Y Felton	Y Jenkins	Y McClinton
Bargeron	Y Childers	Floyd	Y Johnson, G	McKinney
Y Barnard	Y Coker	Y Godbee	Johnson, J	Y Mills
Y Barnes	Y Coleman, B	Y Golden	Y Johnston	Y Mobley, B
Bates	Y Coleman, T	Y Goodwin	Y Jones	Y Mobley, J
Y Benefield	Connell	E Greene	Joyce	Y Mosley
Y Birdsong	Y Crawford	Y Grindley	E Kaye	Y Mueller
Bordeaux	Y Crews	Hanner	Y Kinnamon	Y O'Neal
Bostick	Y Culbreth	Y Harbin	Y Klein	Y Orrock
Y Breedlove	Y Cummings	Y Harris	Y Ladd	Parham
Y Brooks, D	Davis, G	Heard	Y Lakly	Y Parrish
Y Brooks, T	Y Davis, M	Heckstall	Y Lane	Y Parsons
Brown, J	Y Day	Y Hegstrom	Y Lawrence	Y Pelote
Y Brush	Y DeLoach, B	Y Hembree	Y Lee	Y Perry
Y Buck	Y DeLoach, G	Y Henson	Y Lewis	Y Pinholster
Buckner	Y Dix	Y Holland	Y Lifsey	Y Polak
Y Bunn	Dixon, H	Y Holmes	Y Lord	Y Ponder

Y Porter	Sanders	Y Smith, P	Y Streat	Y Wall
E Poston	Y Sauder	Y Smith, T	Taylor	Watson
Powell	Scoggins	Smith, V	Y Teague	Y Watts
Y Purcell, A	Y Shanahan	Smith, W	Y Teper	Y Westmoreland
Y Purcell, B	Y Shaw	Y Smyre	Y Thomas	Y Whitaker
Y Randall	Y Sherrill	Snelling	Y Tillman	White
Y Randolph	Y Shipp	Y Snow	Y Titus	Y Wiles
Ray	Y Simpson	Y Stallings	Y Towery	Y Williams, B
Reaves	Y Sinkfield	Y Stancil, F	Y Trense	Y Williams, J
Y Reichert	Skipper	Y Stancil, S	Y Turnquest	Y Williams, R
Y Roberts	Y Smith, C	Y Stanley, L	Y Twiggs	Y Woods
Y Rogers	Y Smith, C.W	Y Stanley, P	Walker, L	Y Yates
Royal	Y Smith, L	E Stephenson	Walker, R.L	Murphy, Spkr

On the motion, the ayes were 134, nays 0.

The motion prevailed.

The Speaker assumed the Chair.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and ground-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 500

The Committee of Conference on SB 500 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 500 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Steven E. Langford
Senator, 29th District

/s/ Richard O. Marable
Senator, 52nd District

/s/ Nathan Dean
Senator, 31st District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ L. Charles Watts
Representative, 26th District

/s/ Robert Hanner
Representative, 159th District

/s/ DuBose Porter
Representative, 143rd District

A BILL

To amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and surface-water use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that no permits which authorize the

transfer of surface water from one river basin to another shall be issued until certain conditions are met; to provide exceptions; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties; to provide an effective date; 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 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and surface-water use, is amended by striking in its entirety Code Section 12-5-23.2, relating to the prohibited discharge of certain waste water, which reads as follows:

“12-5-23.2.

Notwithstanding the provisions of Code Section 12-5-23 or any rule, regulation, or order adopted or issued pursuant to this article, no person who has been issued a National Pollutant Discharge Elimination System permit which allows the discharge of 1,000,000 gallons or more per day from a water pollution control plant operated by such person which discharges waste water into the Chattahoochee River between Buford Dam and West Point Reservoir shall discharge waste water from any such water pollution control plant on or after January 1, 1992, which contains more than 0.75 milligrams of phosphorus per liter of waste water on a monthly average basis or which fails to comply with any stricter standard adopted pursuant to Code Section 12-5-23; provided, however, that, notwithstanding the provisions of this Code section, any person who has been issued a National Pollutant Discharge Elimination System permit and who has entered into a finalized consent order shall conform to the schedule adopted in such order, but in no event shall compliance with the discharge limitation provided by this Code section be extended beyond July 4, 1996, and the order shall require that person to make his best efforts to achieve compliance with the discharge limitation by December 31, 1993.”, and inserting in lieu thereof the following:

“12-5-23.2.

(a) Notwithstanding the provisions of Code Section 12-5-23 or any rule, regulation, or order adopted or issued pursuant to this article, no person who has been issued a National Pollutant Discharge Elimination System permit which allows the discharge of 1,000,000 gallons or more per day from a water pollution control plant operated by such person which discharges waste water into the Chattahoochee River between Buford Dam and West Point Reservoir shall discharge waste water from such person's water pollution control plants which contains more than 0.75 milligrams of phosphorus per liter of waste water on a monthly average basis or which fails to comply with any stricter standard adopted pursuant to Code Section 12-5-23.

(b) Notwithstanding the provisions of subsection (a) of this Code section, any person who has been issued a National Pollutant Discharge Elimination System permit and who has entered into a finalized consent order shall conform to the schedule adopted in such order as such order appeared on the date this subsection became effective. Except as provided in subsection (c) of this Code section, compliance with the discharge limitation provided by this Code section shall not be extended beyond July 4, 1996, and the order shall require that person to make his or her best efforts to achieve compliance with the discharge limitation by December 31, 1993.

(c)(1) Notwithstanding the provisions of subsection (b) of this Code section, any person who entered into a consent order as provided in subsection (b) of this Code section but fails to complete the required phosphorus reduction improvements by July 4, 1996, shall not later than such date submit to the division a schedule stipulating annual construction milestones for the completion of all improvements required to achieve a discharge level of 0.64 milligrams of phosphorus per liter of water at each of such person's individual waste-water plants by not later than January 1, 2001; provided, however, that such person shall not discharge waste water from such person's water pollution control plants after February 1, 1997, which exceeds 0.64 milligrams of phosphorus per liter of water.

(2) If the director approves the schedule submitted pursuant to paragraph (1) of this subsection, such person shall be bound by that schedule. If the director does not approve said schedule by August 1, 1996, the director shall not later than September 1, 1996, establish an alternative schedule with a final completion date not later than January 1, 2001, and such person shall be bound by the alternative schedule.

(3) Any monetary penalties stipulated in any consent order regarding phosphorus effluent limitations executed by the director and another person prior to the date this subsection became effective shall be the only monetary penalties required to be paid by such person as long as such person is in compliance with the construction milestones in the schedule approved or established by the director in paragraph (2) of this subsection; provided, however, that if such order is declared invalid by the courts, then the penalties for noncompliance with subsections (a) or (b) of this Code section shall be as provided for in Code Sections 12-5-51 through 12-5-53.

(4) If such person fails to meet a construction milestone, he or she shall pay a penalty in the amount of \$25,000.00 per day until that construction milestone is met. If a particular construction milestone is not met for six months after the date specified, the penalty shall be increased to \$100,000.00 per day until that construction milestone has been met. Failure to meet a construction milestone shall not affect the date of any succeeding construction milestones.

(5) If the person fails to complete all required construction by January 1, 2001, he or she shall pay a civil penalty in the amount of \$100,000.00 per day until construction is completed. After construction is completed, the suspension of the liabilities and penalties provided for in Code Sections 12-5-51 through 12-5-53 for noncompliance with the provisions of subsection (a) of this Code section shall be ended.

(6) If in any month after July 1, 1996, and before December 31, 1998, a person discharges waste water from such person's water pollution control plants containing more than 0.75 milligrams of phosphorous per liter of water on a monthly average basis; or if in any month after January 1, 1999, and before December 31, 2000, a person discharges waste water from such person's water pollution control plants containing more than 0.64 milligrams of phosphorous per liter of water on a monthly average basis; or if in any month after January 1, 2001, a person discharges waste water from any individual water pollution control plant containing more than 0.64 milligrams of phosphorous per liter of water on a monthly average basis, such person shall not permit any additional sewer connections within such person's corporate limits until he or she has been in compliance with such provisions for three consecutive months. The provisions of this subsection shall apply without regard to the provisions of paragraphs (1) through (5) of this subsection and shall not be suspended or terminated."

SECTION 2.

Said article is further amended by inserting at the end of Code Section 12-5-29, relating to sewerage and waste disposal and related matters, the following:

"(d)(1) The director shall not authorize any new water pollution control discharge permit which if granted would permit water drawn from one river basin to be deposited into another river basin in the discharge of sewerage, industrial waste, treated waste water, or other wastes unless for both the basin of origin and receiving river basin unless:

(A) The director has assessed all waters in order to identify those waters for which applicable effluent limitations are not sufficiently stringent to allow such waters to meet applicable water quality standards and has established total limitations for the pollutants which cause the waters to fail to achieve such water quality standards;

(B) The director has established water quality standards for the nearest downstream lake as provided in Code Section 12-5-23.1; and

(C) All applicable provisions of this article and all rules and regulations promulgated pursuant to this article are met.

(2) All new permits issued after January 1, 2001, discharging in excess of 3 million gallons per day, shall be required to meet a minimum standard of 0.30 milligrams of phosphorus per liter of waste water.

- (3) The provisions of this subsection shall not apply to the reissuance of existing permits, permits for the expansion of existing facilities, permits for the withdrawal of water for agricultural use, or permits for mining activities which use water for the transportation of materials.
- (e) If any treatment plant is not in compliance with permit requirements at any time between July 1, 1996, and July 1, 1997, the division shall be authorized to decrease the permitted capacity of such treatment plant in an amount up to 10 percent of the permitted capacity and may issue a new permit based upon such amount of decrease."

SECTION 3.

Said article is further amended by striking in its entirety subsection (c) of Code Section 12-5-29.1, relating to combined sewer overflows and related matters, and inserting in lieu thereof the following:

"(c)(1) The plan required by subsection (b) of this Code section shall include, as a minimum, provision for realistic implementation of means to eliminate sewage overflow or effectuate treatment of overflow to meet or exceed such water quality standards in accordance with the following schedules:

(1)(A) Any person who submitted a plan pursuant to subsection (b) of this Code section prior to August 1, 1990, shall implement such plan so that construction is substantially complete and operational to meet the water quality standards in the receiving stream or permit limits as defined by the director not later than December 31, 1993; and

(2)(B) Any person who did not submit a plan pursuant to subsection (b) of this Code section prior to August 1, 1990, shall comply with the following schedule:

(A)(i) The director shall define the design conditions of subsection (b) of this Code section by December 31, 1991, using information provided by CSO owners and information collected by the director;

(B)(ii) The CSO owners shall prepare approvable plans and specifications by October 1, 1992, and, based on the director's approval of plans and specifications by December 31, 1992, the owners shall commence construction of the approved CSO facilities by April 1, 1993; and

(C)(iii) The construction shall be substantially complete and operational to meet the water quality standards in the receiving stream or permit limits as defined by the director by December 31, 1995.

(2) Any person The owner of any combined sewer overflow system which discharges into the Chattahoochee River or its tributaries who fails failed to implement an approved plan by the dates provided in this subsection December 31, 1995, shall, after the applicable date and until such person implements an approved plan, be subject to in lieu of the liability and penalties provided in Code Sections 12-5-51, 12-5-52, and through 12-5-53, pay a civil penalty in the amount of \$10,000.00 per day until the construction is completed but not later than October 1, 1997, after which date the penalty shall be increased to \$100,000.00 per day until construction is completed; provided, however, that if such person owns or operates two separate combined sewer overflow systems, he or she shall pay a separate penalty on the second such system in the amount of \$10,000.00 per day until construction is completed, but not later than July 1, 1998, after which date the penalty shall be increased to \$100,000.00 per day for such system. On and after the dates the penalties for each such system increase to \$100,000.00 per day, the owner or operator shall be subject to the liabilities and penalties provided in Code Sections 12-5-51 through 12-5-53 with regard to the respective system.

(3) In addition to the penalties provided in paragraph (2) of this subsection, the owner or operator of a combined sewer overflow system shall not permit any additional sewer connections to such system until construction has been completed."

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 Watts of the 26th moved that the House adopt the report of the Committee of Conference on SB 500.

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

N Allen	N Crews	N Irvin	Y Parrish	Smith, W
Anderson	Y Cubreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	Y Pinholster	Y Stallings
N Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargerion	Y DeLoach, G	Y Jones	Y Porter	N Stanley, L
N Barnard	N Dix	Y Joyce	E Poston	N Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Y Powell	E Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Birdsong	N Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	N Lifsey	N Rogers	Y Trense
N Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	N Goodwin	Y Lucas	N Sanders	Y Twiggs
Buckner	E Greene	Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	N Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Y Hanner	N Martin	Y Shanahan	N Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	N Westmoreland
Y Carter	N Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	N Mills	N Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 121, nays 35.

The motion prevailed.

Representative Lakly of the 105th stated that he inadvertently voted "nay" on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bills and Resolutions of the House were taken up for the purpose of considering the Senate amendments thereto:

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

The following Senate amendment was read:

Amend HB 1222 on page 2 delete lines 6 thru 18 & insert:

“(1) The written consent to the establishment of the district by the owner or owners of 80 percent of the real property to be included in the district, or documentation demonstrating that the petitioner has control of 80 percent of the real property to be included in the district by deed, trust agreement, contract, or option;

Representative Simpson of the 101st moved that the House disagree to the Senate amendment to HB 1222.

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

Y Allen	N Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
N Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Joyce	E Poston	Y Stanley, P
Y Barnes	Y Dixon, H	E Kaye	Y Powell	E Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Dobbs	N Klein	Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Floyd	N Lewis	Y Roberts	Towery
N Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	N Sanders	Twiggs
Buckner	E Greene	Maddox	Y Sauder	Y Walker, L
N Bunn	N Grindley	Mann	Y Scoggins	N Walker, R.L
N Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 125, nays 19.

The motion prevailed.

HB 1155. By Representatives Kinnamon of the 4th, Childers of the 13th, Perry of the 11th, Shanahan of the 10th and Mosley of the 171st:

A bill to amend Chapter 12 of Title 43 of the Official Code of Georgia Annotated, relating to peddling, business operation, or professional practice by disabled veterans and blind persons, and Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupational taxes, so as to provide for an exemption from occupation taxes and regulatory fees of local governments for certain disabled veterans and blind persons.

The following Senate amendment was read:

Amend HB 1155 by striking line 8 of page 1 and inserting in lieu thereof the following:

“for certain disabled veterans and blind persons; to provide for exemption from occupation taxes and regulatory fees of local governments for certain vendors at nonprofit agricultural fairs; to provide”

By renumbering existing Section 3 as Section 4 and adding a new Section 3 to read as follows:

“SECTION 3.

Said chapter is further amended by striking in its entirety paragraph (5) of Code Section 48-13-13, relating to prohibitions on occupation tax levies by local governments, and inserting in lieu thereof a new paragraph (5) to read as follows:

“(5) Levy any occupation tax, regulatory fee, or administrative fee on any state or local authority, ~~or~~ nonprofit organization, or vendor operating under a contract with a tax-exempt agricultural fair.”

The following amendment was read and adopted:

Representative Kinnamon of the 4th moves to amend the Senate amendment to HB 1155 as follows:

By adding after the word “fair” on p. 1 line 20 of the Taylor Amendment (AM 26 0011):

“, as that term is defined in O.C.G.A. 2-2-8.”

Representative Kinnamon of the 4th moved that the House agree to the Senate amendment, as amended by the House, to HB 1155.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Dix	Joyce	E Poston	Y Stanley, P
Y Barnes	Dixon, H	E Kaye	Y Powell	E Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mohley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 143, nays 0.

The motion prevailed.

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HB 1272. By Representatives Skipper of the 137th and Smith of the 12th:

A bill to amend Chapter 47 of Title 43 of the Official Code of Georgia Annotated, known as the "Used Motor Vehicle Dealers' and Used Motor Vehicle Parts Dealers' Registration Act," so as to change the definition of a certain term; to change the provisions relating to the selection of the chairperson of the State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers and the selection of the chairpersons of the divisions of such board.

The following Senate amendment was read:

Amend HB 1272 by adding on line 9 of page 1 between the first semicolon and the word "to" the following:

"to provide for construction with respect to the authority of local law enforcement officers to impound used motor vehicles under certain conditions;"

By striking line 36 on page 2 in its entirety and inserting in lieu thereof the following:

"Nothing in this chapter shall be construed to prohibit municipalities or counties, by ordinance or resolution, from authorizing local law enforcement officers to impound used motor vehicles which are displayed for sale at unlicensed facilities, provided that such ordinances or resolutions provide for actual prior notice to the owners of such motor vehicles of such impoundment."

Representative Skipper of the 137th moved that the House agree to the Senate amendment to HB 1272.

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

Y Allen	Y Coker	Y Heard	Y Maddox	Y Reichert
Y Anderson	Y Coleman, B	Y Heckstall	Y Mann	Y Roberts
Y Ashe	Y Coleman, T	Y Hegstrom	Y Martin	Y Rogers
Y Bailey	Y Connell	Y Hembree	Y McBee	Y Royal
Y Baker	Y Crawford	Y Henson	E McCall	Y Sanders
N Bannister	Y Crews	Y Holland	McClinton	Y Sauder
Barfoot	Y Culbreth	Y Holmes	McKinney	Y Scoggins
Bargeron	Y Cummings	Y Howard	Y Mills	Y Shanahan
Y Barnard	Y Davis, G	Y Hudson	Y Mobley, B	Y Shaw
Y Barnes	N Davis, M	Y Hugley	Y Mobley, J	Y Sherrill
Bates	Y Day	Y Irvin	Mosley	Y Shipp
Y Benefield	Y DeLoach, B	Y James	Y Mueller	Y Simpson
Y Birdsong	Y DeLoach, G	Y Jamieson	Y O'Neal	Y Sinkfield
Y Bordeaux	Dix	Y Jenkins	Y Orrock	Y Skipper
Y Bostick	Dixon, H	Y Johnson, G	Y Parham	Y Smith, C
Y Breedlove	Y Dixon, S	Y Johnson, J	Y Parrish	Y Smith, C.W
Y Brooks, D	Y Dobbs	N Johnston	Y Parsons	Y Smith, L
Y Brooks, T	Y Ehrhart	Jones	Y Pelote	Y Smith, P
Y Brown, J	Y Epps	Joyce	Y Perry	Y Smith, T
Brush	Evans	E Kaye	Pinholster	Y Smith, V
Y Buck	Falls	Kinnamon	Y Polak	Y Smith, W
Buckner	Y Felton	Y Klein	Y Ponder	Y Smyre
Y Bunn	Y Floyd	Y Ladd	Y Porter	Y Snelling
Y Burkhalter	Y Godbee	Y Lakly	E Poston	Y Snow
Y Byrd	Y Golden	Y Lane	Y Powell	Y Stallings
Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	Y Stancil, F
Y Canty	E Greene	Y Lee	Purcell, B	Y Stancil, S
Y Carter	Grindley	N Lewis	Randall	Y Stanley, L
Y Chambliss	Y Hanner	N Lifsey	Y Randolph	Y Stanley, P
Y Channell	Y Harbin	Y Lord	Ray	E Stephenson
Y Childers	Y Harris	Y Lucas	Reaves	Y Streat

Y Taylor	Titus	Y Walker, L	Y Westmoreland	Y Williams, J
Y Teague	Towery	Y Walker, R.L	Whitaker	Y Williams, R
Y Teper	Y Trense	Y Wall	White	Y Woods
Y Thomas	Y Turnquest	Y Watson	Y Wiles	Y Yates
Y Tillman	Y Twigg	Y Watts	Williams, B	Murphy, Spkr

On the motion, the ayes were 136, nays 5.

The motion prevailed.

HR 826. By Representatives Coleman of the 142nd, Byrd of the 170th, Mosley of the 171st and Barfoot of the 155th:

A resolution ratifying the change of regional development center boundaries established by the Board of Community Affairs.

The following Senate amendment was read:

Amend HR 826 by inserting between lines 31 and 32 on page 1 the following:

"WHEREAS, the Board of Community Affairs at its November 8, 1995, meeting voted to transfer the county of Newton from the McIntosh Trail Regional Development Center to the Northeast Georgia Regional Development Center effective July 1, 1996; and"

By inserting between lines 10 and 11 on page 2 the following:

"BE IT FURTHER RESOLVED that the Board of Community Affairs' action to transfer the county of Newton from the McIntosh Trail Regional Development Center to the Northeast Georgia Regional Development Center to become effective on July 1, 1996, is hereby ratified and approved."

Representative Coleman of the 142nd moved that the House agree to the Senate amendment to HR 826.

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

Y Allen	Y Coker	Y Heard	Y Maddox	Y Reichert
Y Anderson	Y Coleman, B	Y Heckstall	Y Mann	Y Roberts
Y Ashe	Y Coleman, T	Y Hegstrom	Y Martin	Y Rogers
Y Bailey	Y Connell	Hembree	Y McBee	Y Royal
Y Baker	Y Crawford	Y Henson	E McCall	Y Sanders
Y Bannister	Y Crews	Y Holland	McClinton	Y Sauder
Barfoot	Y Culbreth	Y Holmes	McKinney	Y Scoggins
Bargeron	Y Cummings	Y Howard	Y Mills	Y Shanahan
Barnard	Y Davis, G	Y Hudson	Y Mobley, B	Y Shaw
Y Barnes	Y Davis, M	Y Hugley	Y Mobley, J	Y Sherrill
Bates	N Day	Irvin	Y Mosley	Y Shipp
Y Benefield	Y DeLoach, B	Y James	Y Mueller	Y Simpson
Y Birdsong	Y DeLoach, G	Y Jamieson	Y O'Neal	Y Sinkfield
Y Bordeaux	Dix	Y Jenkins	Y Orrock	Y Skipper
Y Bostick	Dixon, H	Y Johnson, G	Y Parham	Y Smith, C
Y Breedlove	Y Dixon, S	Y Johnson, J	Y Parrish	Smith, C.W
Y Brooks, D	Y Dobbs	Y Johnston	Y Parsons	Y Smith, L
Y Brooks, T	Y Ehrhart	Jones	Y Pelote	Y Smith, P
Y Brown, J	Y Epps	Joyce	Y Perry	Y Smith, T
Brush	Y Evans	E Kaye	Y Pinholster	Smith, V
Y Buck	Y Falls	Y Kinnamon	Y Polak	Smith, W
Buckner	Y Felton	Y Klein	Y Ponder	Y Smyre
Y Bunn	Floyd	Y Ladd	Y Porter	Y Snelling
Y Burkhalter	N Godbee	Y Lakly	E Poston	Y Snow
Y Byrd	Y Golden	Y Lane	Y Powell	Y Stallings
Y Campbell	Y Goodwin	Y Lawrence	Y Purcell, A	Y Stancil, F
Y Canty	E Greene	Y Lee	Purcell, B	Y Stancil, S
Y Carter	Grindley	Y Lewis	Y Randall	Y Stanley, L
Y Chambless	Y Hanner	Y Lifsey	Y Randolph	Y Stanley, P
Y Channell	Y Harbin	Y Lord	Ray	E Stephenson
Y Childers	Y Harris	Y Lucas	Reaves	Y Streat

Y Taylor	Titus	Y Walker, L	Y Westmoreland	Y Williams, J
Y Teague	Towery	Y Walker, R.L	Y Whitaker	Y Williams, R
Y Teper	Y Trense	Y Wall	White	Y Woods
Y Thomas	Y Turnquest	Y Watson	Y Wiles	Y Yates
Y Tillman	Y Twiggs	Y Watts	Williams, B	Murphy, Spkr

On the motion, the ayes were 145, nays 2.

The motion prevailed.

HR 1091. By Representatives Chambless of the 163rd, Murphy of the 18th, Lee of the 94th, Walker of the 141st and Coleman of the 142nd:

A resolution creating the Commission on the Appellate Courts of Georgia.

The following Senate amendment was read:

Amend HR 1091 by striking the figure "19" on line 10 of page 1 and inserting in its place the figure "13"

By adding the word "and" after the semicolon on line 27 of page 1.

By replacing the symbol and word "; and" with a period on line 31 of page 1.

By striking all matter on lines 1 through 3 of page 2.

By striking the words "appointed by the Governor" on line 30 of page 2 and inserting in lieu thereof the following:

"selected by majority vote of the commission"

Representative Chambless of the 163rd moved that the House agree to the Senate amendment to HR 1091.

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

Y Allen	Y Coleman, B	Y Hegstrom	Y McBee	Y Sanders
Y Anderson	Y Coleman, T	Y Hembree	E McCall	Y Sauder
Y Ashe	Y Connell	Y Henson	McClinton	Y Scoggins
Y Bailey	Y Crawford	Y Holland	McKinney	Y Shanahan
Y Baker	Y Crews	Y Holmes	Y Mills	Y Shaw
Y Bannister	Y Culbreth	Y Howard	Y Mobley, B	Y Sherrill
Barfoot	Y Cummings	Y Hudson	Y Mobley, J	Y Shipp
Bargeron	Y Davis, G	Y Hugley	Y Mosley	Y Simpson
Y Barnard	Y Davis, M	Y Irvin	Y Mueller	Y Sinkfield
Y Barnes	Y Day	Y James	Y O'Neal	Y Skipper
Y Bates	Y DeLoach, B	Y Jamieson	Y Orrock	Y Smith, C
Y Benefield	Y DeLoach, G	Y Jenkins	Y Parham	Smith, C.W
Y Birdsong	Y Dix	Y Johnson, G	Y Parrish	Y Smith, L
Y Bordeaux	Dixon, H	Y Johnson, J	Y Parsons	Y Smith, P
Y Bostick	Y Dixon, S	Y Johnston	Y Pelote	Y Smith, T
Y Breedlove	Y Dobbs	Jones	Y Perry	Y Smith, V
Y Brooks, D	Y Ehrhart	Y Joyce	Y Pinholster	Smith, W
Y Brooks, T	Y Epps	E Kaye	Y Polak	Smyre
Y Brown, J	Y Evans	Y Kinnamon	Y Ponder	Y Snelling
Y Brush	Y Falls	Y Klein	Y Porter	Y Snow
Y Buck	Y Felton	Y Ladd	E Poston	Y Stallings
Buckner	Floyd	Y Lakly	Powell	Y Stancil, F
Y Bunn	Y Godbee	Y Lane	Y Purcell, A	Y Stancil, S
Y Burkhalter	Y Golden	Y Lawrence	Purcell, B	Y Stanley, L
Y Byrd	Y Goodwin	Y Lee	Y Randall	Y Stanley, P
Y Campbell	E Greene	Y Lewis	Y Randolph	E Stephenson
Y Canty	Grindley	Y Lifsey	Ray	Streat
Y Carter	Hanner	Y Lord	Reaves	Y Taylor
Y Chambless	Y Harbin	Lucas	Y Reichert	Y Teague
Y Channell	Y Harris	Y Maddox	Y Roberts	Y Teper
Y Childers	Y Heard	Y Mann	Y Rogers	Y Thomas
Y Coker	Y Heckstall	Y Martin	Y Royal	Y Tillman

Titus	Y Twiggs	Y Watson	White	Y Williams, R
Towery	Y Walker, L	Y Watts	Y Wiles	Y Woods
Y Trense	Y Walker, R.L	Y Westmoreland	Y Williams, B	Y Yates
Y Turnquest	Wall	Y Whitaker	Y Williams, J	Murphy, Spkr

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On the motion, the ayes were 148, nays 0.

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 611. By Senators Oliver of the 42nd, Ray of the 19th and Perdue of the 18th:

A bill to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile court proceedings, so as to change provisions relating to provision of reunification services when a deprived child is removed from the home; to state legislative findings; to change the duration of and review of certain custody orders; to provide that reunification services are not required when efforts to reunify a child with the child's family are not reasonable.

The following Senate amendment was read:

Amend the House substitute to SB 611 by inserting in line 16 of page 1 after the word and symbol "rights;" the following:

"to provide for juvenile court orders for the successful completion of a substance abuse program; to provide for certain placements of children after termination of parental rights only if such placements are in the best interest of the child;"

By inserting between lines 14 and 15 of page 9 the following:

"Said chapter is further amended in subsection (a) of Code Section 15-11-57, relating to protective orders, by striking the word "and" at the end of paragraph (7), striking the period at the end of paragraph (8) and inserting the symbol and word "; and" and by inserting a new paragraph (9) to read as follows:

'(9) To enter into and complete successfully a substance abuse program approved by the court.'

SECTION 3."

By inserting between line 27 and 28 of page 10 the following:

"SECTION 4.

Said chapter is further amended in Code Section 15-11-90, relating to placement of a child after termination of parental rights, by striking in its entirety paragraph (1) of subsection (a) and inserting in lieu thereof the following:

'(a)(1) If, upon the entering of an order terminating the parental rights of a parent, there is no parent having parental rights, the court shall first attempt to place the child with the child's extended family or with a person related to the child by blood or marriage. An exhaustive and thorough search for a suitable family member shall be made by the court and the Department of Human Resources in attempting to effect this placement. A placement effected under this paragraph shall be conditioned upon the family member who is given permanent custody or who is granted an adoption of the child agreeing to abide by the terms and conditions of the order of the court. A placement shall be made under the terms of this paragraph only if such a placement is in the best interest of the child.'"

By renumbering Sections 3, 4, and 5 as Sections 5, 6, and 7, respectively.

Representative Barnes of the 33rd moved that the House agree to the Senate amendment to the ~~House substitute to~~ SB 611.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	E Poston	Y Stanley, P
Y Barnes	Dixon, H	E Kaye	Powell	E Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Y Falls	Lawrence	Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	E Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	E McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chazabless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 146, nays 0.

The motion prevailed.

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

Mr. Speaker:

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

HB 213. By Representative Poston of the 3rd:

A bill to amend Chapter 9 of Title 47 of the Official Code of Georgia Annotated, the "Act Creating the Superior Court Judges Retirement Systems," so as to authorize creditable service for certain prior service.

HB 273. By Representative Childers of the 13th:

A bill to amend Code Section 43-10A-17 of the Official Code of Georgia Annotated, relating to enforcement of licensing law provisions by the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists, so as to provide for mental and physical examinations of licensees in aid of enforcement proceedings under certain circumstances.

HB 1122. By Representative Murphy of the 18th:

A bill to amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions regarding courts, so as to change certain provisions relating to extent of courts' contempt power; to prohibit certain television broadcasting from, or motion picture filming or videotaping in, courtrooms during judicial proceedings in cases except with the consent of all parties.

HB 1188. By Representatives Smith of the 109th and Chambless of the 163rd:

A bill to amend Code Section 40-13-23 of the Official Code of Georgia Annotated, relating to the trial of misdemeanor traffic offenses in municipal courts and probate courts, the waiver of a jury trial, and the withdrawal of a waiver, so as to change the provisions relating to the posting of cash bonds or drivers' licenses in lieu of bail.

HB 1234. By Representatives Buck of the 135th and Chambless of the 163rd:

A bill to amend Chapter 2 of Title 53 of the Official Code of Georgia Annotated, relating to wills, so as to provide that affidavits of the testator and attesting witnesses in self-proved wills and codicils are made before an officer authorized to take acknowledgements to deeds of conveyance and to administer oaths under the laws of the state where the will or codicil is executed.

HB 1293. By Representatives Birdsong of the 123rd, Crews of the 78th and Smith of the 19th:

A bill to amend Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to military affairs, so as to change the name of the state quartermaster to the state property and fiscal officer; to change the qualifications for such office; to repeal certain provisions which authorize the United States property and fiscal officer for this state to be designated as the state quartermaster.

HB 1300. By Representatives Sinkfield of the 57th, McKinney of the 51st, McClinton of the 68th and Martin of the 47th:

A bill to amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," so as to change the provisions regarding the use of interest earned on certain reserve funds.

HB 1341. By Representative Greene of the 158th:

A bill to amend Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, so as to change the provisions relating to the duties and powers of courts, judicial officers, and arresting officers in counties which are members of a regional jail authority.

HB 1383. By Representatives Royal of the 164th, Skipper of the 137th and Jamieson of the 22nd:

A bill to amend Chapter 3 of Title 1 of the Official Code of Georgia Annotated, relating to laws and statutes, so as to change certain provisions regarding the effective date of compensation increases for certain county officers; to provide for a uniform effective date for all Acts which provide for an increase in expenditure by or loss of revenue to counties or municipalities.

HB 1385. By Representatives Royal of the 164th, Skipper of the 137th and Jamieson of the 22nd:

A bill to amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general provisions relative to the General Assembly, so as to provide that a notice of intention to introduce local legislation be provided to the governing authority of any county or municipal corporation affected by such legislation.

HB 1396. By Representative Williams of the 63rd:

A bill to amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions regarding courts, so as to provide for an additional qualification for judicial office.

HB 1405. By Representative Greene of the 158th:

A bill to amend Code Section 10-4-19 of the Official Code of Georgia Annotated, relating to warehouse receipts required for the storage of agricultural products and obtaining printed forms, so as to authorize the Commissioner of Agriculture to permit the use of electronic warehouse receipts and to accept electronic warehouse receipts obtained by warehousemen from bonded electronic warehouse receipt providers approved by and under an operational agreement.

HB 1410. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Dixon of the 150th, Thomas of the 148th and Day of the 153rd:

A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Chatham County.

HB 1411. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Dixon of the 150th, Thomas of the 148th and Day of the 153rd:

A bill to provide for the nonpartisan nomination and election of the judges of the Recorder's Court of Chatham County.

HB 1484. By Representatives Twiggs of the 8th, Coleman of the 142nd, Mobley of the 86th and Perry of the 11th:

A bill to amend Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, so as to prohibit the unauthorized use of any municipal, county, or volunteer fire department's nomenclature or symbols.

HB 1496. By Representatives Snow of the 2nd, Coker of the 31st and Parrish of the 144th:

A bill to amend Article 1 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to general provisions regarding pharmacists, so as to change the provisions relating to definitions.

HB 1528. By Representative James of the 140th:

A bill to amend an Act creating a board of commissioners for Macon County, so as to change the compensation of the chairperson and members of such board.

- HB 1561. By Representatives Cauty of the 52nd and Trense of the 44th:
A bill to amend Section 48-5-18 of the Official Code of Georgia Annotated, relating to the time for making tax returns, so as to change certain provisions regarding the opening and closing of books in all counties having therein the greater part of a city having a population of more than 350,000 according to the United States decennial census of 1970 or any future such census.
- HB 1570. By Representatives White of the 161st, Randall of the 127th, Falls of the 125th, McKinney of the 51st, Mueller of the 152nd and others:
A bill to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions with respect to dangerous instrumentalities and practices, so as to make it unlawful for any person to knowingly and intentionally destroy or cause serious or debilitating physical injury to a police horse when such person knows that the horse is a police horse.
- HB 1587. By Representatives Crawford of the 129th, Barnes of the 33rd and Chambless of the 163rd:
A bill to amend Article 3 of Chapter 4 of Title 48, relating to redemption of property sold for taxes, so as to provide for the ripening by prescription of tax deed titles after four years from the recordation of the deeds.
- HB 1626. By Representatives Baker of the 70th, Barnes of the 33rd, Crawford of the 129th, Martin of the 47th, Kinnamon of the 4th and others:
A bill to amend Article 7 of Chapter 10 of Title 9 of the Official Code of Georgia Annotated, relating to continuances of a civil trial, and Article 2 of Chapter 8 of Title 17 of the Official Code of Georgia Annotated, relating to continuances of a criminal trial, so as to clarify the circumstances in which civil and criminal trial courts shall grant continuances due to a party's or an attorney's attendance at the General Assembly.
- HB 1636. By Representative Hanner of the 159th:
A bill to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal the Asbestos Licensing Board and to transfer certain duties of such board to the director of the Environmental Protection Division of the Department of Natural Resources.
- HB 1637. By Representatives Bailey of the 93rd, Childers of the 13th, Benefield of the 96th and Powell of the 23rd:
A bill to amend Code Section 16-12-22.1 of the Official Code of Georgia Annotated, relating to raffles operated by nonprofit, tax-exempt organizations, so as to change certain provisions regarding special limited licenses to conduct raffles.
- HB 1689. By Representatives Williams of the 114th and Connell of the 115th:
A bill to amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to the control of signs and signals on the state highway system, so as to provide that multiple message signs shall be permitted on the interstate system, primary highways, and other highways under certain conditions.

- HB 1828. By Representatives Holland of the 157th and Hanner of the 159th:
A bill to amend an Act entitled "An Act to create a new charter for the City of Leesburg," so as to describe the corporate boundaries of such city.
- HB 1853. By Representative Stephenson of the 25th:
A bill to amend an Act establishing a public school system in the City of Jefferson, so as to provide authority for the mayor and council to issue bonds of said city to finance land, buildings, and equipment for the public school system.
- HB 1886. By Representative Smith of the 19th:
A bill to amend an Act providing a new charter for the Town of Clermont, so as to change provisions relating to the terms of office of the mayor and councilmembers.
- HB 1887. By Representative Smith of the 19th:
A bill to amend an Act granting a new charter to the City of Dawsonville, so as to provide a new charter for the City of Dawsonville.
- HB 1890. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Buckner of the 95th and Johnson of the 97th:
A bill to amend an Act creating the State Court of Clayton County, so as to change the compensation of the solicitor of said court.
- HB 1891. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Johnson of the 97th and Buckner of the 95th:
A bill to amend an Act consolidating the offices of tax receiver and tax collector of Clayton County into the office of tax commissioner, so as to change the provisions relating to the salary of the tax commissioner.

The Senate has adopted by the requisite constitutional majority the following resolutions of the House:

- HR 885. By Representative Mosley of the 171st:
A resolution authorizing the granting of nonexclusive easements for operation and maintenance of ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in Long County.
- HR 1001. By Representatives Bates of the 179th, Ponder of the 160th and Royal of the 164th:
A resolution authorizing the conveyance of certain state owned real property located in Decatur County.
- HR 1074. By Representatives Purcell of the 9th, Murphy of the 18th, Walker of the 141st, McBee of the 88th, Coleman of the 142nd and others:
A resolution relating to the importance of the Senior Reserve Officers' Training Corps program at North Georgia College.

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

HB 1295. By Representatives Jenkins of the 110th, Sherrill of the 62nd, Lewis of the 14th, Ray of the 128th, Rogers of the 20th and others:

A bill to amend Code Section 16-9-20 of the Official Code of Georgia Annotated, relating to deposit account fraud, so as to provide a mechanism for a court to award interest on restitution paid to the holder of the worthless instrument; to limit civil action if interest is awarded.

HB 1425. By Representatives Chambless of the 163rd and Bostick of the 165th:

A bill to amend Title 9 of the Official Code of Georgia Annotated, relating to civil practice, so as to change provisions relative to secondary actions by shareholders as to the contents of the complaint; to amend Chapter 2 of Title 14 of the Official Code of Georgia Annotated, relating to business corporations, so as to revise definitions; to change provisions relating to elimination of limitation of a director's liability to the corporation or its shareholders.

HB 1467. By Representative Barnes of the 33rd:

A bill to amend Code Section 15-1-9.1 of the Official Code of Georgia Annotated, relating to requesting of judicial assistance from other courts, so as to provide for the compensation, expenses, and mileage allowance for part-time state court judges providing assistance in superior courts.

HB 1486. By Representatives Channell of the 111th, Royal of the 164th and Jamieson of the 22nd:

A bill to amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to redemption of property sold for taxes, so as to change certain amounts payable for redemption.

HB 1654. By Representatives Polak of the 67th, Chambless of the 163rd, Smyre of the 136th, Walker of the 141st, Jamieson of the 22nd and others:

A bill to amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, known as the "Georgia Controlled Substances Act," so as to make it unlawful for any person to manufacture, distribute, dispense, or possess with intent to distribute a controlled substance or marijuana in, on, or within any real property which has been designated by the governing authority of a municipality and adopted by the General Assembly as a drug-free commercial zone.

HB 1683. By Representatives Mueller of the 152nd and Bordeaux of the 151st:

A bill to amend Code Section 48-5-295 of the Official Code of Georgia Annotated, relating to the terms of office of members of county boards of tax assessors and the filling of vacancies on such boards, so as to change the terms of office of members of county boards of tax assessors.

HB 1754. By Representative Murphy of the 18th:

A bill to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to quality basic education, so as to change provisions relating to regional education service agencies.

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

HB 713 ~~www~~ By Representative Twiggs of the 8th:

A bill to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to prohibit the unauthorized use of any municipal or county police department's nomenclature or symbols.

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

HB 1655. By Representatives Walker of the 141st, Childers of the 13th, Stephenson of the 25th and Skipper of the 137th:

A bill to amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide under certain circumstances for the pronouncement of death by registered nurses practicing in nursing homes.

HB 1785. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:

A bill to amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," so as to add a provision dealing with the appropriation of funds for any fiscal year beginning July 1, 1996; to state legislative intent with respect to program weights; to provide for a change in the program weights allotted to state authorized instructional programs.

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

SR 413. By Senators Dean of the 31st and Marable of the 52nd:

A resolution authorizing the conveyance of certain state owned real property located in Bartow County, Georgia, to the City of Cartersville.

SR 457. By Senator Starr of the 44th:

A resolution authorizing the conveyance of certain state owned real property located in Baldwin, Bartow, Chatham, DeKalb, Floyd, Fulton, Houston, Irwin, Lumpkin, Rabun, Richmond, Wayne, and White Counties, Georgia; to provide an effective date.

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

SB 495. By Senator Madden of the 47th:

A bill to amend Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics, so as to prohibit the holding of adulterated or misbranded drugs, devices, or cosmetics; to change the provisions relating to definitions regarding pharmacists and pharmacies; to change the provisions relating to the powers of the State Board of Pharmacy; to change the provisions relating to licensing by reciprocity; to change the provisions relating to sanctions of licensed pharmacists and pharmacies.

SB 530. By Senator Gillis of the 20th:

A bill to amend Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, so as to provide that it shall be unlawful to hunt while intoxicated; to define a certain term; to provide for blood alcohol concentration tests; to provide certain presumptions; to provide for an implied consent to test.

SB 585. By Senators Broun of the 46th, Clay of the 37th and Henson of the 55th:

A bill to amend Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to local authorization and regulation of sales of alcoholic beverages on Sunday, so as to authorize certain county governing authorities to provide by ordinance or resolution for the sale of alcoholic beverages for consumption on the premises on Sunday in certain counties during certain hours.

SB 587. By Senators Dean of the 31st, Marable of the 52nd, Ray of the 19th and others:

A bill to amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to define certain terms; to authorize certain county correctional facilities to obtain certain information from inmates relating to medical insurance; to provide for the provision and payment of medical treatment for inmates; to provide that certain state and county correctional facilities may deduct from inmate accounts.

SB 597. By Senators Clay of the 37th, Edge of the 28th and Johnson of the 1st:

A bill to amend Article 1 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to general provisions applicable to telephone and telegraph service, so as to change the provisions relating to avoiding or attempting to avoid charges for use of telephone, telegraph, or cable television service; to change the provisions relating to making, possessing, selling, allowing use of, or publishing assembly plans for devices.

SB 635. By Senators Taylor of the 12th, Perdue of the 18th, Hooks of the 14th and others:

A bill to amend Article 1 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to personnel administration, so as to provide a statement of legislative intent and define generally the roles of the state merit system and state department and agencies with respect to positions filled after July 1, 1996; to provide a statement of legislative intent with respect to the employment of veterans.

SB 640. By Senators Abernathy of the 38th, Oliver of the 42nd, Middleton of the 50th and others:

A bill to amend Article 1 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions applicable to the parent and child relationship generally, so as to change the provisions relating to visitation rights of grandparents; to provide for the appointment of a guardian ad litem and for the duties of such guardian ad litem under certain circumstances; to provide for the appointment of a mediator and the duties of such a mediator under certain circumstances.

- SB 709. By Senators Taylor of the 12th, Ray of the 19th, Hooks of the 14th and others:
 A bill to enact the "Education Reform Act of 1996"; to amend Chapter 2 of Title 2 of the Official Code of Georgia Annotated, relating to the Department of Agriculture, to provide that the Department of Agriculture shall carry out all functions and exercise all powers previously held by the Department of Education for school nutrition programs; to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to create a new Office of School Readiness and transfer to that office certain functions and duties previously performed by the Department of Education.
- SB 735. By Senators Dean of the 31st, Marable of the 52nd and Ray of the 19th:
 A bill to amend Article 5 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to regional jail authorities, so as to allow municipalities to form and participate in regional jail authorities; to provide for definitions; to provide for related matters.

The Senate has agreed to the House amendment to the following bills of the Senate:

- SB 46. By Senators Broun of the 46th, Hooks of the 14th, Ray of the 19th and others:
 A bill to amend Code Section 50-27-3 of the Official Code of Georgia Annotated, relating to definitions applicable to the "Georgia Lottery for Education Act," so as to change the definition of the term "educational purposes and programs"; to authorize appropriations from the Lottery for Education Account for the purpose of providing teachers and personnel at public postsecondary technical institutes under the authority of the Department of Technical and Adult Education the necessary training in the use and application of computers.
- SB 623. By Senators Ray of the 19th and Bowen of the 13th:
 A bill to amend Article 2 of Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia State Patrol, so as to provide for creation of the Auxiliary Service within the Uniform Division; to provide for appointment of members of the service; to provide for the rank, qualifications, compensation, benefits, authority, and powers of members of the service.
- SB 773. By Senators Day of the 48th and Cagle of the 49th:
 A bill to create the Forsyth County Water and Sewerage Authority; to authorize the authority to acquire, construct, add to, extend, improve, equip, operate, and maintain projects embracing sources of water supply, small watershed projects, works of improvements for watersheds, projects for watershed protection and flood control and prevention.

The Senate has adopted the report of the Committee of Conference on the following bills of the Senate and House:

- SB 500. By Senators Langford of the 29th, Land of the 16th and Dean of the 31st:
 A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and groundwater use, so as to provide that persons in violation of certain provisions relating to the operation of certain sewer systems shall be subject to certain civil penalties; to provide that persons in violation of certain provisions relating to the discharge of pollutants shall be subject to certain civil penalties.

- HB 288. By Representatives Snow of the 2nd, Bailey of the 93rd, Perry of the 11th and Carter of the 166th:

A bill to amend Code Section 50-5-58 of the Official Code of Georgia Annotated, relating to cases in which state agencies are not required to make purchases through the Department of Administrative Services, so as to provide that emergency purchases made during a declared state of emergency by the Georgia Emergency Management Agency need not be made through such department.

The Senate has agreed to the House amendment to the Senate substitute to the following bills of the House:

- HB 6. By Representatives Buck of the 135th, Royal of the 164th, Jamieson of the 22nd, Skipper of the 137th, Culbreth of the 132nd and others:

A bill to amend Chapter 6 of Title 48 of the Official Code of Georgia Annotated, relating to taxation of intangibles, so as to repeal the intangible personal property tax; to remove the limitation on the maximum amount of such tax payable with respect to any single note.

- HB 1101. By Representatives Buck of the 135th, Day of the 153rd, Jamieson of the 22nd, Skipper of the 137th, Royal of the 164th and others:

A bill to amend Title 48 of the Official Code of Georgia Annotated, known as the "Georgia Public Revenue Code," so as to repeal the intangible personal property tax; to change the definition of the term "intangible personal property" as it applies to said title; to change certain references to the intangible personal property tax laws; to provide that certain provisions of former laws relating to intangible personal property taxes shall be applicable to other provisions of law.

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

- HB 1030. By Representatives Chambless of the 163rd, Reichert of the 126th, Baker of the 70th, Martin of the 47th, Hart of the 116th and others:

A bill to amend Title 29 of the Official Code of Georgia Annotated, relating to guardians and wards, so as to repeal a provision that certain sales of property of wards shall be made under the rules and restrictions prescribed for sales by administrators of estates; to provide rules for public sales by guardians and sale of perishable property, property that is liable to deteriorate from keeping, property that is expensive to keep, real property, wild lands, livestock.

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

- SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

The Senate insists on its amendment to the following bill of the House:

HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, A.M., Monday, March 18, 1996 and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, A.M., Monday, March 18, 1996.

Representative Hall, Atlanta, Georgia**Monday, March 18, 1996**www.libtool.com.cn

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:

Anderson	Culbreth	Johnson, G	Parsons	Smith, T
Ashe	Cummings	Johnson, J	Pelote	Smith, V
Bailey	Davis, M	Johnston	Perry	Smith, W
Bannister	Day	Joyce	Pinholster	Smyre
Barfoot	DeLoach, B	Kinnaman	Polak	Stallings
Bargeron	DeLoach, G	Klein	Ponder	Stancil, S
Barnard	Dix	Ladd	Poston	Stanley, L
Barnes	Dixon, H	Lakly	Powell	Stanley, P
Bates	Dixon, S	Lawrence	Purcell, A	Stephenson
Benefield	Dobbs	Lee	Purcell, B	Streat
Birdsong	Ehrhart	Lewis	Randall	Taylor
Bostick	Epps	Lifsey	Randolph	Teper
Breedlove	Evans	Lord	Reaves	Thomas
Brooks, D	Felton	Lucas	Reichert	Titus
Brooks, T	Floyd	Maddox	Rogers	Towery
Brown, J	Godbee	Mann	Royal	Trense
Buck	Golden	Martin	Sanders	Twiggs
Bunn	Greene	McBee	Sauder	Walker, L
Burkhalter	Grindley	McCall	Scoggins	Walker, R.L
Byrd	Harhin	McClinton	Shanahan	Wall
Campbell	Heard	McKinney	Shaw	Watson
Carter	Hembree	Mills	Sherrill	Watts
Chambliss	Henson	Mobley, B	Shipp	Whitaker
Channell	Holland	Mobley, J	Simpson	Wiles
Childers	Howard	Mosley	Sinkfield	Williams, B
Coker	Hudson	Mueller	Skipper	Williams, J
Coleman, B	Hugley	O'Neal	Smith, C	Williams, R
Coleman, T	Irvin	Orrock	Smith, C.W	Woods
Connell	Jamieson	Parham	Smith, L	Yates
Crawford	Jenkins	Parrish	Smith, P	Murphy, Spkr

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

Representatives Falls of the 125th, Stancil of the 91st, Heckstall of the 55th, Roberts of the 162nd, Harris of the 17th, Lane of the 146th, Davis of the 48th, Hanner of the 159th, Kaye of the 37th, Westmoreland of the 104th, Snelling of the 99th, Tillman of the 173rd, James of the 140th, Buckner of the 95th, Ray of the 128th, Brush of the 112th, Canty of the 52nd, Holmes of the 53rd, Goodwin of the 79th, Allen of the 117th, Snow of the 2nd, Turnquest of the 73rd, Bordeaux of the 151st, Baker of the 70th and Teague of the 58th.

They wish to be recorded as present.

Prayer was offered by the Reverend Barbara Brown Taylor, Rector, Grace Calvary Episcopal Church, Clarkesville, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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 rules were suspended in order that the following Bills and Resolutions of the House could be introduced, read the first time and referred to the committees:

HB 1908. By Representatives Randall of the 127th, Falls of the 125th, Reichert of the 126th and Lucas of the 124th:

A bill to change certain provisions creating the Civil Service System and Board of Bibb County pursuant to an amendment to Article VII, Section IV, Paragraph I of the Constitution of Georgia of 1945.

Referred to the Committee on State Planning & Community Affairs Local.

HB 1909. By Representative Teper of the 61st:

A bill to amend Chapter 11 of Title 33 of the Official Code of Georgia Annotated, relating to investments of insurers, so as to authorize certain additional investments.

Referred to the Committee on Insurance.

HB 1910. By Representative Smith of the 169th:

A bill to amend Code Section 50-5-67 of the Official Code of Georgia Annotated, relating to competitive bidding in state purchasing, so as to provide that the contracting of private investigative services shall not be subject to such requirements.

Referred to the Committee on State Planning & Community Affairs.

HR 1381. By Representative Smith of the 169th:

A resolution proposing an amendment to the Constitution so as to repeal the provisions requiring the funding of education by ad valorem taxation and provide for the imposition of a state-wide sales and use tax of 2 percent, which rate of taxation may be adjusted as necessary by the General Assembly, the proceeds of which shall be used exclusively for educational purposes prior to the college or postsecondary level.

Referred to the Committee on Ways & Means.

HR 1390. By Representative Teper of the 61st:

A resolution creating the House Study Committee on the Privatization of the Senate.

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Referred to the Committee on Rules.

By unanimous consent, the following Bill of the House was read the second time:

HB 1907

Representative Lee of the 94th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

Your Committee on Rules has had under consideration the following Resolutions of the House and has instructed me to report the same back to the House with the following recommendations:

HR 1094 Do Pass
 HR 1292 Do Pass
 HR 1314 Do Pass

Respectfully submitted,
 /s/ Lee of the 94th
 Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 603 Do Pass	SB 785 Do Pass, as Amended
SB 699 Do Pass	SB 786 Do Pass
SB 738 Do Pass	SB 787 Do Pass

Respectfully submitted,
 /s/ Royal of the 164th
 Chairman

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

HOUSE RULES CALENDAR
 MONDAY, MARCH 18, 1996

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 40th Legislative Day as enumerated below:

HR 1094 House Electronic Filing and Publication Study Committee; create
 HR 1292 House Competitive Natural Gas Service Study Committee; create
 HR 1314 House Study Committee on the Ga. Firemen's Pension Fund; create
 SB 157 Family Violence domestic violence intervention program

- (Clay of the 37th)
- SB 227 Child Support no business license when not in compliance
(Oliver of the 42nd)
- SB 510 Handicapped; Technology Related Assist. Trust Fund
(Ragan of the 11th)
- SB 513 Family violence shelters; DHR approval to receive funds
(Thomas of the 10th)
- SB 607 Emergency Medical Technician criminal interference
(Marable of the 52nd)
- SB 655 Plant Food Act of 1989 redefine "guaranteed analysis"
(Ragan of the 11th)
- SB 670 Judgment & Execution executions may be canceled w/in cert. time
(Starr of the 44th)
- SB 674 Public Property restrict certain establishments
(Abernathy of the 38th)
- SB 751 Probation Services privatization
(Dean of the 31st)
- SR 101 Jt. Study Commission on Econ. Dev. & Revitalization in S. Fulton
(James of the 35th)
- SR 399 Jt. Guardianship Rewrite Committee create
(Marable of the 52nd)
- SR 445 Rockdale County lease of state-owned property
(Crotts of the 17th)
- SR 569 Troup County conveyance of state-owned property
(Langford of the 29th)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Lee of the 94th
Chairman

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

- SB 603. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Appling County so as to provide that such nonpartisan nomination and election of the judge of the Probate Court of Appling County shall begin with the election held in 1996; to provide an effective date.

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

On the passage of the Bill, the ayes were 98, nays 7.

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

- SB 699. By Senator Black of the 53rd:

A bill to provide for the nonpartisan nomination and election of the judge of the Magistrate Court of Dade County; to provide for terms of office.

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

On the passage of the Bill, the ayes were 98, nays 7.

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

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SB 738. By Senators Farrow of the 54th and Black of the 53rd:

A bill to repeal an Act providing for a judge of the Superior Court of Whitfield County to sit as the judge of the Juvenile Court of Whitfield County and hear juvenile cases; to provide that juvenile cases in Whitfield County may be heard either by a judge of the superior court or by one or more separately appointed judges of the juvenile courts.

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

On the passage of the Bill, the ayes were 98, nays 7.

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

SB 785. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:

A bill to amend an Act entitled "An Act to reincorporate the City of Forest Park" in the County of Clayton, as amended, so as to change the corporate limits.

The following amendment was read and adopted:

The Committee on State Planning & Community Affairs Local moves to amend SB 785 by inserting immediately following line 10 on page 2 the following:

"This Act shall become effective on January 1, 1997.

SECTION 4."

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

On the passage of the Bill, as amended, the ayes were 98, nays 7.

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

SB 786. By Senator Griffin of the 25th:

A bill to amend an Act creating the Board of Commissioners of Hancock County, as amended, so as to change the provisions relating to per diem allowances of the chairperson and members of the board of commissioners; to provide an effective date.

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

On the passage of the Bill, the ayes were 98, nays 7.

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

SB 787. By Senator Griffin of the 25th:

A bill to amend an Act placing the sheriff, the judge of the probate court, and the clerk of the superior court of Hancock County on annual salaries in lieu of the fee system of compensation so as to change the provisions relating to the personnel of the sheriff and the compensation thereof; to provide for budgets.

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

On the passage of the Bill, the ayes were 98, nays 7.

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

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

Mr. Speaker:

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

HB 1837. By Representative Stephenson of the 25th:

A bill to amend an Act entitled "An Act to create a board of county commissioners for the County of Jackson," so as to provide that the board of commissioners of Jackson County shall be composed of a chairperson and five commissioners.

HB 1898. By Representative Holland of the 157th:

A bill to provide a new charter for the City of Sycamore.

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

HB 1902. By Representative Greene of the 158th:

A bill to create the Board of Commissioners of Stewart County.

Representative Jamieson of the 22nd arose to a point of personal privilege and addressed the House.

Representative Smith of the 174th arose to a point of personal privilege and addressed the House.

Representative Grindley of the 35th arose to a point of personal privilege and addressed the House.

Representative Smith of the 175th arose to a point of personal privilege and addressed the House.

Representative Kaye of the 37th arose to a point of personal privilege and addressed the House.

Representative Stephenson of the 25th arose to a point of personal privilege and addressed the House.

Representative Walker of the 141st arose to a point of personal privilege and addressed the House.

Representative Watson of the 139th arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st arose to a point of personal privilege and addressed the House.

The following Bills of the House were taken up for the purpose of considering the Senate substitute or amendment thereto:

HB 1902. By Representative Greene of the 158th:

A bill to create the Board of Commissioners of Stewart County.

The following Senate substitute was read:

A BILL

To create the Board of Commissioners of Stewart County; to provide for continuation of certain obligations and liabilities; to provide for members and officers of the board; to provide for a chairperson; to provide for elections and terms of office; to provide for qualifications; to provide for commissioner districts; to provide for the appointment of a clerk; to provide for filling of vacancies; to provide for oaths of office and surety bonds; to provide for the compensation and expenses of the chairperson and members of the board; to provide for a vice chairperson; to provide for powers and duties of such officers; to provide for regular meetings, work sessions, and other meetings; to provide for the powers, duties, and authority of the chairperson and members of the board; to provide for formal bids for certain purchases; to provide for the appointment, removal, and compensation of employees and department heads; to provide for the preparation, submission, review, adoption, and amendment of budgets; to provide for expenditure of county funds; to provide for audits of county finances and financial records; to provide for other related matters; to provide for submission; to provide for the specific repeal of a local Act; to provide for a referendum; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

There is created the Board of Commissioners of Stewart County to be elected and organized as provided for in this Act. The board of commissioners shall be the successor to the office of commissioner of Stewart County and shall continue to have the obligations and liabilities of the commissioner of Stewart County as they existed immediately prior to January 1, 1997. The board of commissioners shall constitute the governing authority of Stewart County and shall exercise the powers, duties, and responsibilities vested in and upon said officers by the provisions of this Act. The term "board," whenever used in this Act, shall mean the Board of Commissioners of Stewart County, including the chairperson and all members.

SECTION 2.

(a) The Board of Commissioners of Stewart County shall consist of a chairperson and two additional commissioners. The chairperson shall be a resident of the county and shall be elected by the electors of the county at large. Each of the other two commissioners shall

be a resident of his or her respective commissioner district described in subsection (b) of this section and shall be elected by the electors of such district as provided in Section 3 of this Act.

(b) For the purpose of electing members of the board of commissioners, Stewart County shall be divided into two commissioner districts. One member of the board shall be elected from each such district. Those districts shall consist of the territory of Stewart County as contained in the description of the districts attached to this Act and made a part hereof and further identified as: "Operator: local Client: stewart Plan: stewart6."

(c) For purposes of subsection (b) of this section:

(1) The terms "Tract," "Block," and "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia;

(2) The term "Precinct" is synonymous with the term "voting precinct" and means a geographical area designated by Article 7 of Chapter 2 or 3 of Title 21 of the O.C.G.A., within which all electors vote at one polling place;

(3) Whenever the description of any commissioner district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 1990 for the State of Georgia;

(4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any commissioner district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control;

(5) Any part of Stewart County which is not included in any commissioner district described in subsection (b) of this section shall be included within that commissioner district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia; and

(6) Any part of Stewart County which is described in subsection (b) of this section as being included in a particular commissioner district shall nevertheless not be included within such commissioner district if such part is not contiguous to such commissioner district. Such noncontiguous part shall instead be included within that commissioner district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia.

SECTION 3.

(a) No person shall be a member of the board if that person is ineligible for such office pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law.

(b) In order to be elected as chairperson of the board, a person must be 21 years of age or older, must have resided in the county for at least 12 months prior to election thereto, and must receive the number of votes cast for that office by the electors of Stewart County as required by the general laws of this state for election to such office. A person elected as chairperson of the board must continue to reside in the county during that person's term of office or that office shall thereupon become vacant. In order to be elected as a member of the board from a commissioner district, a person must be 21 years of age or older, must have resided in that district for at least 12 months prior to election thereto, and must receive the number of the votes cast for that office by the electors of the district as required by the general laws of this state for election to such office. At the time of qualifying for election as a member of the board from a commissioner district, each candidate for such office shall specify the commissioner district for which that person is a candidate. A person elected as a member of the board from a commissioner district must continue to reside in that district during that person's term of office or that office shall thereupon become vacant.

SECTION 4.

(a) The members of the Board of Commissioners of Stewart County shall be elected at a special election conducted on the date of the state-wide general election on the Tuesday next following the first Monday in November, 1996. The chairperson and other members

of the board elected thereto shall take office on the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2000, and upon the election and qualification of their respective successors. Those and all future successors to the members of the board whose terms of office are to expire shall be elected at the state-wide general election immediately preceding the expiration of such terms, shall take office on the first day of January immediately following that election, and shall serve for terms of office of four years. Members of the board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

(b) All members of the board who are elected thereto shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

(c) The commissioner of Stewart County who is in office on January 1, 1996, or any person filling a vacancy in such office, shall serve out the remainder of that person's term of office until the regular expiration of the term of office on December 31, 1996.

SECTION 5.

(a) In the event of a vacancy occurring on or after January 1, 1997, in the membership of the board for any reason other than expiration of term, that vacancy shall be filled as provided in this section.

(b) In the event a vacancy occurs on the board of commissioners when at least 180 days remain in the unexpired term of office, the election superintendent of Stewart County, within 15 days after the vacancy occurs, shall issue the call for a special election to fill the vacancy for the unexpired term. Such special election shall be called and conducted as provided in Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended. Any person elected in a special election to fill such a vacancy shall take office immediately upon certification of the results of such special election and qualification. If such vacancy is in the office of chairperson of the board of commissioners, the vice chairperson of the board shall exercise the powers and duties of the chairperson for the period beginning on the date the vacancy occurs and ending on the date the successor chairperson is elected for the unexpired term.

(c) In the event a vacancy occurs on the board of commissioners when less than 180 days remain in the unexpired term of office, the remaining members of the board of commissioners shall appoint a qualified person to fill the vacancy for the unexpired term. Any person appointed by the board to fill a vacancy as provided in this subsection shall possess the residency and other qualifications required for the office and shall take office immediately upon appointment and qualification. If such vacancy is in the office of chairperson of the board of commissioners, the vice chairperson of the board shall exercise the powers and duties of the chairperson for the period beginning on the date the vacancy occurs and ending on the date the successor member of the board takes office for the unexpired term following his or her appointment as provided for in this subsection.

(d) A vice chairperson serving as chairperson shall be authorized to vote as a member of the board of commissioners during such service.

SECTION 6.

Before entering upon the discharge of their duties, the commissioners shall subscribe an oath before the judge of the probate court of said county for the true and faithful performance of their duties and that they are not the holders of any public funds unaccounted for. In addition, the chairperson shall further give a satisfactory surety bond to the judge of the probate court of the county and payable to the judge of the probate court or that judge's successor in office and filed in the office of the judge of the probate court, in the sum of \$50,000.00, conditioned upon the faithful performance of the duties of the office. Each commissioner shall give like bond in the sum of \$10,000.00. The costs of said bonds shall be paid out of the county treasury.

SECTION 7.

(a) The chairperson shall be paid a salary equal to the annual base salary of the sheriff of Stewart County plus \$2,400.00 per annum. Commissioners, other than the chairperson, shall be paid a salary of \$250.00 per month. Such compensation shall be paid in equal monthly installments from the funds of Stewart County.

(b) The chairperson and the other commissioners may be reimbursed for reasonable expenses incurred in carrying out their duties. Expenses may be reimbursed only after the submission of receipts for said expenses to the county clerk and the approval by majority vote of the board of commissioners at a regularly scheduled meeting. The chairperson and commissioners shall be entitled to compensation for serving on any other boards or authorities for which their membership is provided by law.

SECTION 8.

At the first regular meeting of each odd-numbered year, the board of commissioners shall select from its members a vice chairperson. In the event of death, disqualification, or resignation of the chairperson, the vice chairperson shall perform the duties and exercise the authority of the chairperson until a new chairperson is chosen as provided in this Act. The vice chairperson shall preside at meetings of the board of commissioners in the absence of the chairperson and shall serve for the two-year period in which selected. In the event of a vacancy in the office of vice chairperson, the board of commissioners shall select a new vice chairperson to serve for the remainder of the two-year period.

SECTION 9.

The board of commissioners shall hold regular meetings each month at the county seat, which meetings shall be open to the public. The time, date, and place of the meetings shall be determined by the board in the first meeting of the year. Any resolution passed by the board regarding the date, time, and place of its monthly meetings shall be published in the official county organ once a week for two weeks during a period of 30 days immediately following the passage of the resolution. The board of commissioners may hold such additional meetings as shall be necessary when called by the chairperson or any two commissioners, provided all members of the board of commissioners shall have been notified at least three days in advance of such special meeting which is open to the public. Any two commissioners or the chairperson and any one commissioner shall constitute a quorum. No official action shall be taken except upon the affirmative vote of at least two members of the board of commissioners and except upon compliance with Chapter 14 of Title 50 of the O.C.G.A., relating to open meetings. The chairperson shall be entitled to vote on any question or issue before the board. All regular and called meetings shall be conducted according to Robert's Rules of Order.

SECTION 10.

The chairperson shall preside over the meetings of the board of commissioners. The policies, rules, and regulations adopted by the board of commissioners shall be carried out, executed, and enforced by the chairperson and the board of commissioners. The duties of the chairperson shall include, but shall not be limited to, the following:

- (1) Maintaining an office for the board of commissioners;
- (2) Presiding at all public meetings;
- (3) Representing the county government at ceremonial functions;
- (4) Being available to the constituency on a regular basis;
- (5) Coordinating intergovernmental activity among municipalities, other counties, the state, and the United States and any agencies thereof;
- (6) Being empowered to submit motions to the board of commissioners for action;
- (7) Taking the lead role in initiating needs assessments, evaluations of county services, and policy development; and
- (8) Appointing subcommittee chairpersons with the approval of the board of commissioners.

SECTION 11.

The board of commissioners shall have the power and authority to fix and establish, by appropriate resolution entered on its minutes, policies, rules, and regulations governing all matters reserved to its exclusive jurisdiction. Such policies, rules, and regulations, when so adopted with proper entry thereof made on the minutes of the board of commissioners, shall be conclusive and binding. The board of commissioners shall exercise only those administrative powers which are necessarily and properly incident to its functions as a policy-making or rule-making body or which are necessary to compel enforcement of its

adopted resolutions. The following powers are vested in the board of commissioners and reserved to its exclusive jurisdiction:

- (1) To levy taxes;
- (2) To ~~make appropriations;~~
- (3) To fix rates and charges for services provided by the county;
- (4) To authorize the incurring of indebtedness;
- (5) To order work done where the cost is to be assessed against benefited property and to fix the basis for such assessment;
- (6) To authorize and provide for the execution of contracts;
- (7) To establish, alter, open, close, build, repair, or abolish public roads, bridges, and ferries, according to law; provided, however, that the chairperson shall have the authority to accept subdivision plats when the requirements established by the board of commissioners for subdivisions have been met;
- (8) To establish, abolish, or change election precincts and militia districts according to law;
- (9) To accept, for the county, the provisions of any optional statute where the statute permits its acceptance by the governing authority of the county;
- (10) To exercise all powers, duty, and authority formerly imposed upon or vested in the commissioner of Stewart County in respect to zoning and planning;
- (11) To create and change the boundaries of special taxing districts authorized by law;
- (12) To fix the bonds of county officers where same are not fixed by statute;
- (13) To enact any ordinances or other legislation which the county may be given authority to enact;
- (14) To determine the priority of capital improvements;
- (15) To call elections for the voting of bonds;
- (16) To exercise all of the power and authority formerly vested by law in the commissioner of Stewart County together with the power and authority which may be delegated by law to the governing authority of the county, by whatever name designated;
- (17) To appoint retained legal counsel and an independent county auditor and provide for their compensation; and
- (18) To require all county officers to report on the general or specific conduct of the financial affairs of their respective offices.

SECTION 12.

Formal sealed bids shall be received for all purchases in amounts over \$1,000.00. Advertisements for such bids shall be published for two consecutive weeks in the official organ of Stewart County. The need for such bids may be dispensed with by the board of commissioners if it decides that an emergency exists which will not permit a delay.

SECTION 13.

The internal organization of the county government shall be established and altered by the board of commissioners. Existing departments may be abolished and their functions transferred to other departments, additional departments may be created, and any two or more departments may be consolidated.

SECTION 14.

The board of commissioners shall appoint a clerk, who shall keep a proper and accurate book of minutes. The book of minutes of the board of commissioners shall contain all the acts, orders, and proceedings of the board of commissioners in chronological order. The minutes book of the board of commissioners shall be open to the public for inspection at all times during regular office hours; and certified copies of any entries in the minutes book shall be furnished by the clerk to any person requesting same upon payment of a reasonable fee, to be paid into the county treasury as are other funds, to be assessed by the board of commissioners in an amount sufficient to defray the cost of preparing same.

SECTION 15.

The chairperson shall submit annually to the board of commissioners a proposed budget governing expenditures of all county funds, including capital outlay and public works projects for the following fiscal year. The board of commissioners shall thereafter hold a

public hearing on the budget, giving notice thereof at least ten days in advance by publication of such notice and of the proposed budget in the official organ of Stewart County and by posting same at the courthouse door. The budget shall then be reviewed and adopted or amended by the board of commissioners prior to the beginning of the new fiscal year to which it applies, which budget, when so adopted or amended by the board of commissioners, shall constitute the board's appropriation of all funds for such year. The budget so adopted may be revised during the year only by formal action of the board of commissioners in a regular meeting, and no increase shall be made therein without provision also being made for financing same. The proposed budget submitted by the chairperson shall be accompanied by a report containing information and data relating to the financial affairs of the county pertinent to arriving at and establishing the annual budget. A copy of the budget and of each revision or amendment to same shall be transmitted by the chairperson to the grand jury of the Superior Court of Stewart County within ten days from the time such budget or amendment thereof is adopted by the board of commissioners. The board of commissioners may from time to time, upon a majority vote thereof, change the ending and beginning date of the fiscal year for the county or may operate on a calendar basis; provided, however, that in the event of such change, the budget shall be submitted at least two months prior to the beginning date of the next fiscal year or January 1, whichever shall apply, and shall be adopted at least one month prior to said beginning date. The procedures for budget preparation, submission to the governing authority, review by the governing authority, public review, notice, and hearings shall be as provided for in Chapter 81 of Title 36 of the O.C.G.A.

SECTION 16.

No expenditures of county funds shall be made except in accordance with the county budget, or amendments thereto, adopted by the board of commissioners. The chairperson of the board of commissioners shall enforce compliance with this provision by all departments of county government and to this end shall institute a system of allotments of all moneys appropriated and budgeted.

SECTION 17

The board of commissioners shall on or before the final day of the month following the end of each fiscal year employ a certified public accountant for the making of an annual continuous audit of county finances and financial records. The accountant so employed shall be paid out of county funds and shall perform a complete audit of the financial records of the county for the preceding year, pointing out any irregularities found to exist, and reporting the results of such audit to the board of commissioners. Each annual report submitted to the board of commissioners shall be made available for public inspection as are other records in such office. The board of commissioners shall cause to be published in the official organ of Stewart County and posted at the courthouse door a statement of the financial condition of the county as of December 31 and June 30 of each year. Said accountant shall transmit to the grand jury of the Superior Court of Stewart County a copy of each annual report furnished by said accountant to the board of commissioners.

SECTION 18.

An Act continuing the office of commissioner of Stewart County, approved March 30, 1990 (Ga. L. 1990, p. 5025), is repealed in its entirety.

SECTION 19.

It shall be the duty of the governing authority of Stewart County to require the attorney therefor to submit this Act, pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended, to the United States Attorney General for approval.

SECTION 20.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Stewart County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Stewart County for approval or rejection. The election superintendent shall conduct that election on the date of the general primary in June, 1996, and shall issue the call and conduct that election

as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Stewart County. The ballot shall have written or printed thereon the words www.libtool.com.cn

- “() YES Shall the Act be approved which changes the governing authority of Stewart County from a single commissioner form of government to a board of commissioners to be composed of a chairperson elected by the voters of the entire county and two commissioners elected from two single-member districts by the voters residing within each district?”
- () NO

All persons desiring to vote for approval of the Act shall vote “Yes” and those persons desiring to vote against the Act shall vote “No.” If more than one-half of the votes cast are for approval of the Act, this Act shall become effective as provided in this section. If more than one-half of the votes cast are against approval of such Act or if the election is not conducted as provided in this section, then Sections 1 through 18 of this Act shall not become effective and this Act shall be automatically repealed on August 1, 1996.

If this Act is approved in the special election provided in this section, it shall become effective immediately for the sole purpose of conducting the elections required by Section 4 of this Act and for all purposes on January 1, 1997, and no further election shall be held for the office of sole commissioner of Stewart County and any person nominated in the general primary of 1996 to the office of sole commissioner, which office is abolished by this Act if approved in the special election provided in this section, shall not take office.

The expense of such election shall be borne by Stewart County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 21.

The provisions of Sections 19, 20, and 22 of this Act and this section shall become effective upon approval of this Act by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective as provided in Section 20 of this Act.

SECTION 22.

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

District No. 1

STEWART

Tract: 9501.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 219, 220, 221, 222, 223A, 223B, 285, 286, 287, 288, 289, 290, 291

Tract: 9502.

Tract: 9503.

Block: 101, 102, 103, 104, 105, 106, 107, 108A, 108B, 109, 110A, 110B, 111, 112A, 112B, 113, 114A, 114B, 115A, 115B, 116, 117, 118A, 118B, 119A, 119B, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 165, 168, 169, 215A, 215B, 216A, 216B, 217A, 217B, 219, 221, 222, 223, 224A, 227, 228A, 229, 230, 231, 240, 292

District No. 2

STEWART

Tract: 9501.

Block: 207, 208A, 208B, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 217, 218A, 218B, 224, 225, 226, 227, 228A, 228B, 229, 230A, 230B, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266,

267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284

Tract: 9503

Block: 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151A, 151B, 152, 153, 154, 155, 156A, 156B, 157, 158, 159, 160, 161, 162, 163, 164, 166, 167, 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209A, 209B, 210, 211, 212, 213A, 213B, 214A, 214B, 218A, 218B, 220, 224B, 224C, 225, 226, 228B, 232, 233, 234, 235, 236, 237, 238, 239, 241, 242, 243, 244, 245, 246, 247, 248A, 248B, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 293, 294, 295, 296, 297

Representative Greene of the 158th moved that the House disagree to the Senate substitute to HB 1902.

The motion prevailed.

HB 1898. By Representative Holland of the 157th:

A bill to provide a new charter for the City of Sycamore.

The following Senate amendment was read:

Amend HB 1898, by striking on line 29 on page 14 the following:

“2.21”

and inserting in lieu thereof the following:

“2.22”

By striking lines 6 through 13 on page 16 and by renumbering Section 2.30 as Section 2.29.

By striking on line 37 on page 19 the word “shall” and inserting in lieu thereof the word “may”

By inserting on line 12 on page 20, between the word “The” and the word “city”, the following:

“city attorney,”

By striking on line 18 on page 20 the word “shall” and inserting in lieu thereof the word “may”.

By striking line 22 on page 20 and inserting in lieu thereof the following:

“(2) The establishment and administration of a position classification”.

By striking line 37 on page 20 and inserting in lieu thereof the following:

“of city clerk, city tax collector, and city accountant or”

By striking lines 40 and 41 on page 20 and lines 1 through 14 on page 21 and inserting in lieu thereof the following:

“other positions.”

By striking line 42 on page 32 and lines 1 through 8 on page 33 and inserting in lieu thereof the following:

“and quadrennially thereafter. Two councilmembers shall be elected at the municipal election held on the Tuesday next following the first Monday in November in 1999 and

quadrennially thereafter. Such elections shall be held in compliance with Section 5.12 of this Act and with”

Representative Holland of the 157th moved that the House agree to the Senate amendment to HB 1898.

On the motion the ayes were 110, nays 0.

The motion prevailed.

The following Resolutions of the House were read and adopted:

- HR 1333. By Representative Poston of the 3rd:
A resolution commending Harrison Willis.
- HR 1334. By Representative Poston of the 3rd:
A resolution commending Elizabeth Bell.
- HR 1335. By Representatives Felton of the 43rd, Irvin of the 45th, Trense of the 44th, Ashe of the 46th and Campbell of the 42nd:
A resolution recognizing the contributions of James Kambourian.
- HR 1336. By Representatives Cummings of the 27th, Dixon of the 150th, Murphy of the 18th, Poston of the 3rd and James of the 140th:
A resolution recognizing the 300th anniversary of the birth of General James Edward Oglethorpe.
- HR 1337. By Representative Towery of the 30th:
A resolution commending Robert L. Redfearn.
- HR 1338. By Representative Towery of the 30th:
A resolution commending Rich Richardson.
- HR 1339. By Representative Towery of the 30th:
A resolution commending Bill Kinney.
- HR 1340. By Representative Towery of the 30th:
A resolution commending Charles Berry West.
- HR 1341. By Representative Bailey of the 93rd:
A resolution honoring James “Jim” H. Lindsey on the occasion of his 100th birthday.
- HR 1342. By Representatives Wall of the 82nd, Bannister of the 77th, Johnson of the 97th and Davis of the 60th:
A resolution commending Honorable Ward Edwards, Doorkeeper, Honorable Dick Lane, Assistant Doorkeeper, and the other Doorkeepers of the House of Representatives.

- HR 1343. By Representatives Buckner of the 95th and Ashe of the 46th:
A resolution commending Gordon Jones and expressing condolences on his passing.
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- HR 1344. By Representative Buckner of the 95th:
A resolution commending the roll call of Mount Zion Baptist Church pastors.
- HR 1345. By Representative Buckner of the 95th:
A resolution commending the Mount Zion Baptist Church on its 150th anniversary.
- HR 1346. By Representative Buckner of the 95th:
A resolution commending Clayton County's Olympic torchbearers.
- HR 1347. By Representative Buckner of the 95th:
A resolution commending James Lindsey.
- HR 1348. By Representative Buckner of the 95th:
A resolution commending Tom McLaughlin.
- HR 1349. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th and Johnson of the 97th:
A resolution commending Thomas J. (Tom) McLaughlin.
- HR 1350. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Pelote of the 149th, Thomas of the 148th and Day of the 153rd:
A resolution commending and congratulating Jack Milton Lewis.
- HR 1351. By Representative Powell of the 23rd:
A resolution honoring John Stanley Teasley.
- HR 1352. By Representatives Bailey of the 93rd, Murphy of the 18th, Lee of the 94th, Randall of the 127th and Crews of the 78th:
A resolution commending Susan Wilson-Tucker.
- HR 1353. By Representatives Bailey of the 93rd, Lee of the 94th and Benefield of the 96th:
A resolution commending Worshipful Brother Tom Holcomb and Riverdale Lodge No. 709 F & AM.
- HR 1354. By Representatives Mueller of the 152nd, Smith of the 174th, Pelote of the 149th, Day of the 153rd and Tillman of the 173rd:
A resolution celebrating the birth of Rachael Anna Kathleen Johnson.
- HR 1355. By Representatives Walker of the 141st, Murphy of the 18th, Connell of the 115th, Lee of the 94th, Floyd of the 138th and others:
A resolution commending Honorable Roy H. "Sonny" Watson, Jr.

- HR 1356. By Representative Smith of the 169th:
A resolution recognizing and commending Kristine Marie Banker.
- HR 1357. By Representative Smith of the 169th:
A resolution recognizing and commending Rebecca Dysart.
- HR 1358. By Representative Parrish of the 144th:
A resolution commending the Swainsboro High School Tigers boys basketball team.
- HR 1359. By Representative Parrish of the 144th:
A resolution commending Coach Leroy Jordan.
- HR 1360. By Representatives Byrd of the 170th, Barnes of the 33rd and Chambless of the 163rd:
A resolution commending Peyton Miles.
- HR 1361. By Representative Powell of the 23rd:
A resolution commending Fletcher and Frances Seabolt.
- HR 1362. By Representative Powell of the 23rd:
A resolution commending Shawn Walker and Alice Terry.
- HR 1363. By Representative Powell of the 23rd:
A resolution expressing condolences on the passing of Brad Davison Chapman.
- HR 1364. By Representatives Twiggs of the 8th, Murphy of the 18th, Hegstrom of the 66th, Dobbs of the 92nd, Walker of the 141st and others:
A resolution commending Honorable Bill Dover.
- HR 1365. By Representatives Holland of the 157th, Murphy of the 18th, Byrd of the 170th, Smyre of the 136th, Poston of the 3rd and others:
A resolution recognizing the Georgia State Employees Union.
- HR 1366. By Representatives Smith of the 169th and Byrd of the 170th:
A resolution commending Impact Ministries, Incorporated.
- HR 1367. By Representatives Smith of the 169th and Murphy of the 18th:
A resolution commending George Deen.
- HR 1368. By Representatives Buckner of the 95th, Poston of the 3rd, Barnes of the 33rd, Smith of the 175th, Klein of the 39th and others:
A resolution commending Robert Keller.

- HR 1369. By Representative Bailey of the 93rd:
A resolution in memory of Jennifer Nicole Wilson.
- HR 1370. By Representatives Teper of the 61st, Murphy of the 18th, Poston of the 3rd, Holland of the 157th and Jenkins of the 110th:
A resolution congratulating Mr. and Mrs. Philemore Teper on the occasion of their 50th wedding anniversary.
- HR 1371. By Representative Hembree of the 98th:
A resolution commending C. Ryan Smith.
- HR 1372. By Representatives Byrd of the 170th and Smith of the 169th:
A resolution commending Kristine Banker.
- HR 1373. By Representatives Byrd of the 170th and Benefield of the 96th:
A resolution commending Charis Cochran.
- HR 1374. By Representative Byrd of the 170th:
A resolution commending April Clark.
- HR 1375. By Representatives Byrd of the 170th and Cummings of the 27th:
A resolution commending Aimee Brandenburg.
- HR 1376. By Representatives Byrd of the 170th and Irvin of the 45th:
A resolution commending Danielle Thornton.
- HR 1377. By Representative Buckner of the 95th:
A resolution commending the life of Anthony A. Malizia.
- HR 1378. By Representatives Smyre of the 136th, Hugley of the 133rd, Taylor of the 134th, Culbreth of the 132nd and Buck of the 135th:
A resolution commending Arthur Thomason.
- HR 1379. By Representatives Smyre of the 136th, Taylor of the 134th, Baker of the 70th, Heard of the 89th and Jones of the 71st:
A resolution commending Eugene McCullers.
- HR 1380. By Representatives Smyre of the 136th, Taylor of the 134th, Hugley of the 133rd, Culbreth of the 132nd and Buck of the 135th:
A resolution commending Mozell Buchanan.
- HR 1382. By Representatives Holland of the 157th and Chambless of the 163rd:
A resolution expressing regret concerning the death of Joseph Alan Sledge.

- HR 1383. By Representatives Holland of the 157th and Crawford of the 129th:
A resolution expressing regrets at the passing of Thomas Douglas Rogers.
- HR 1384. By Representatives Holland of the 157th, Poston of the 3rd and Teper of the 61st:
A resolution commending Ms. Brandi Rouse.
- HR 1385. By Representatives Holland of the 157th and Teper of the 61st:
A resolution commending Representative Ken Poston of Georgia's 3rd House District.
- HR 1386. By Representative Holland of the 157th:
A resolution commending Essie and Alvin Braswell.
- HR 1387. By Representatives Holland of the 157th, Roberts of the 162nd, Chambless of the 163rd and Brooks of the 54th:
A resolution expressing regret at the passing of Mrs. Abbie Steward.
- HR 1388. By Representatives Holland of the 157th and Chambless of the 163rd:
A resolution expressing regret at the passing of Henry Hall Woolard, Sr.
- HR 1389. By Representatives Snow of the 2nd, Poston of the 3rd and Murphy of the 18th:
A resolution commending the Catoosa County 911 Center.
- HR 1391. By Representatives Jenkins of the 110th, Birdsong of the 123rd, Channell of the 111th, Parham of the 122nd, Jamieson of the 22nd and others:
A resolution urging the United States Congress to appropriate funds at the fully authorized level for payments in lieu of taxes to local governments.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

- HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st, Baker of the 70th, Bordeaux of the 151st and others:
A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1265

The Committee of Conference on HB 1265 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1265 be adopted.

Respectfully submitted,

FOR THE SENATE:

- /s/ George Hooks
Senator, 14th District
- /s/ Charles W Walker
Senator, 22nd District
- /s/ Walter S. Ray
Senator, 19th District

FOR THE HOUSE
OF REPRESENTATIVES:

- /s/ Terry L. Coleman
Representative, 142nd District
- /s/ Larry Walker
Representative, 141st District
- /s/ Thomas B. Buck, III
Representative, 135th District

A BILL

To make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997; to make and provide such appropriations for the operation of the State government, its departments, boards, bureaus, commissions, institutions, and other agencies, and for the university system, common schools, counties, municipalities, political subdivisions and for all other governmental activities, projects and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

That the sums of money hereinafter provided are appropriated for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997, as prescribed hereinafter for such fiscal year, from funds from the Federal Government and the General Funds of the State, including unappropriated surplus, reserves and a revenue estimate of \$10,629,000,000 (excluding indigent trust fund receipts and lottery receipts) for State Fiscal Year 1997.

PART I.
LEGISLATIVE BRANCH

Section 1. General Assembly.

Budget Unit: General Assembly.....	\$	26,278,571
Personal Services Staff.....	\$	14,022,258
Personal Services Elected Officials.....	\$	3,840,461
Regular Operating Expenses	\$	2,639,647
Travel Staff	\$	98,000
Travel Elected Officials.....	\$	7,000
Capital Outlay	\$	0
Per Diem Differential.....	\$	585,000
Equipment.....	\$	232,000
Computer Charges.....	\$	475,000
Real Estate Rentals	\$	5,000
Telecommunications	\$	650,500
Per Diem, Fees and Contracts Staff	\$	125,980
Per Diem, Fees and Contracts Elected Officials	\$	2,374,925
Photography.....	\$	90,000
Expense Reimbursement Account.....	\$	1,132,800
Total Funds Budgeted.....	\$	26,278,571
State Funds Budgeted.....	\$	26,278,571

Senate Functional Budgets

	Total Funds	State Funds
Senate and Research Office	\$ 4,107,790	\$ 4,107,790
Lt. Governor's Office	\$ 658,038	\$ 658,038

Secretary of the Senate's Office	\$	<u>1,181,350</u>	\$	<u>1,181,350</u>
Total	\$	5,947,178	\$	5,947,178

www.libtool.com.cn **House Functional Budgets**

	Total Funds	State Funds
House of Representatives and Research Office	\$ 10,634,940	\$ 10,634,940
Speaker of the House's Office	\$ 553,080	\$ 553,080
Clerk of the House's Office	\$ <u>1,413,794</u>	\$ <u>1,413,794</u>
Total	\$ 12,601,814	\$ 12,601,814

Joint Functional Budgets

	Total Funds	State Funds
Legislative Counsel's Office	\$ 2,781,605	\$ 2,781,605
Legislative Fiscal Office	\$ 2,272,611	\$ 2,272,611
Legislative Budget Office	\$ 1,006,538	\$ 1,006,538
Ancillary Activities	\$ 1,291,672	\$ 1,291,672
Budgetary Responsibility Oversight Committee	\$ <u>377,153</u>	\$ <u>377,153</u>
Total	\$ 7,729,579	\$ 7,729,579

For compensation, expenses, mileage, allowances, travel and benefits for members, officials, committees and employees of the General Assembly and each House thereof; for operating the offices of Lieutenant Governor and Speaker of the House of Representatives; for membership in the Council of State Governments, the National Conference of State Legislatures and the National Conference of Insurance Legislators and other legislative organizations, upon approval of the Legislative Services Committee; for membership in the Marine Fisheries Compact and other compacts, upon approval of the Legislative Services Committee; for the maintenance, repair, construction, reconstruction, furnishing and refurbishing of space and other facilities for the Legislative Branch; provided, however, before the Legislative Services Committee authorizes the reconstruction or renovation of legislative office space, committee rooms, or staff support service areas in any State-owned building other than the State Capitol, the committee shall measure the need for said space as compared to space requirements for full-time state agencies and departments and shall, prior to approval of renovation or reconstruction of legislative office space, consider the most efficient and functional building designs used for office space and related activities; for the Legislative Services Committee, the Office of Legislative Counsel, the Office of Legislative Budget Analyst and for the Legislative Fiscal Office; for compiling, publishing and distributing the Acts of the General Assembly and the Journals of the Senate and the House of Representatives; for Code Revision; for equipment, supplies, furnishings, repairs, printing, services and other expenses of the Legislative Branch of Government; and for payments to Presidential Electors. The provisions of any other law to the contrary notwithstanding, such payments to Presidential Electors shall be paid from funds provided for the Legislative Branch of Government, and the payment and receipt of such allowances shall not be in violation of any law.

The Legislative Services Committee shall seek to determine ways to effect economies in the expenditure of funds appropriated to the Legislative Branch of Government. The Committee is hereby authorized to promulgate rules and regulations relative to the expenditure of funds appropriated to the Legislative Branch which may include that no such funds may be expended without prior approval of the Committee. The Committee shall also make a detailed study of all items and programs for which payments are made from funds appropriated to the Legislative Branch of Government with a view towards determining which are legitimate legislative expenses and which should be paid from other appropriations.

Section 2. Department of Audits.

Budget Unit: Department of Audits.....	\$	19,706,494
Personal Services.....	\$	16,470,396
Regular Operating Expenses	\$	602,030
Travel.....	\$	575,000
Motor Vehicle Purchases	\$	268,695
Equipment.....	\$	15,000
Real Estate Rentals	\$	895,000
Per Diem, Fees and Contracts	\$	58,225
Computer Charges.....	\$	660,000
Telecommunications	\$	162,148
Total Funds Budgeted.....	\$	19,706,494
State Funds Budgeted.....	\$	19,706,494

PART II
JUDICIAL BRANCH

Section 3. Judicial Branch.

Budget Unit: Judicial Branch.....	\$	85,346,430
Personal Services.....	\$	12,311,126
Other Operating	\$	70,149,871
Prosecuting Attorney's Council.....	\$	2,227,465
Judicial Administrative Districts.....	\$	1,346,564
Payment to Council of Superior Court Clerks	\$	26,240
Payment to Resource Center.....	\$	300,000
Computerized Information Network	\$	683,800
Total Funds Budgeted.....	\$	87,045,066
State Funds Budgeted.....	\$	85,346,430

Judicial Branch Functional Budgets

	Total Funds	State Funds
Supreme Court	\$ 6,641,102	\$ 6,015,631
Court of Appeals	\$ 7,945,611	\$ 7,895,611
Superior Court Judges	\$ 35,735,637	\$ 35,667,637
Superior Court District Attorneys	\$ 27,700,551	\$ 26,745,386
Juvenile Court	\$ 1,053,172	\$ 1,053,172
Institute of Continuing Judicial Education	\$ 758,378	\$ 758,378
Judicial Council	\$ 2,026,094	\$ 2,026,094
Judicial Qualifications Commission	\$ 168,197	\$ 168,197
Indigent Defense Council	\$ 3,000,000	\$ 3,000,000
Georgia Courts Automation Commission	\$ 1,767,256	\$ 1,767,256
Georgia Office Of Dispute Resolution	\$ 249,068	\$ 249,068
Total	\$ 87,045,066	\$ 85,346,430

Section 4. Department of Administrative Services.

A. Budget Unit: Department of Administrative Services.....	\$	42,233,157
Personal Services.....	\$	50,508,741
Regular Operating Expenses	\$	12,758,301
Travel.....	\$	432,865
Motor Vehicle Purchases	\$	696,459
Equipment.....	\$	1,517,294
Computer Charges.....	\$	16,539,556
Real Estate Rentals	\$	3,529,997

Telecommunications	\$	2,881,122
Per Diem, Fees and Contracts	\$	2,809,296
Rents and Maintenance Expense	\$	11,792,750
Utilities.....	\$	0
Payments to DOAS Fiscal Administration	\$	2,972,744
Direct Payments to Georgia Building Authority for Capital Outlay	\$	550,000
Direct Payments to Georgia Building Authority for Operations.....	\$	540,699
Telephone Billings	\$	55,617,230
Radio Billings	\$	896,550
Materials for Resale.....	\$	21,000,000
Public Safety Officers Indemnity Fund	\$	700,000
Health Planning Review Board Operations.....	\$	35,000
Payments to Aviation Hall of Fame	\$	48,500
Payments to Golf Hall of Fame.....	\$	85,000
Total Funds Budgeted.....	\$	185,912,104
State Funds Budgeted.....	\$	42,233,157

Departmental Functional Budgets

	Total Funds	State Funds
Executive Administration	\$ 2,244,975	\$ 1,662,773
Departmental Administration	\$ 2,188,359	\$ 2,057,172
Statewide Systems	\$ 12,701,985	\$ 9,727,188
Space Management	\$ 530,934	\$ 530,934
Procurement Administration	\$ 3,061,819	\$ 3,061,819
General Services	\$ 617,501	\$ 0
Central Supply Services	\$ 20,929,144	\$ 0
Data Processing Services	\$ 44,756,080	\$ 14,069,599
Motor Vehicle Services	\$ 4,580,312	\$ 0
Communication Services	\$ 78,138,178	\$ 5,850,000
Printing Services	\$ 3,252,953	\$ 0
Surplus Property	\$ 2,662,254	\$ 0
Mail and Courier Services	\$ 1,300,879	\$ 0
Risk Management	\$ 3,652,876	\$ 700,000
State Properties Commission	\$ 668,788	\$ 668,788
Distance Learning and Telemedicine	\$ 0	\$ 0
Office of the Treasury	\$ 965,065	\$ 519,051
State Office of Administrative Hearings	\$ 3,660,002	\$ 3,385,833
Total	\$ 185,912,104	\$ 42,233,157

B. Budget Unit: Georgia Building Authority	\$	0
Personal Services.....	\$	22,260,369
Regular Operating Expenses	\$	13,236,589
Travel.....	\$	12,000
Motor Vehicle Purchases	\$	268,000
Equipment.....	\$	452,400
Computer Charges.....	\$	110,100
Real Estate Rentals	\$	15,071
Telecommunications	\$	228,970
Per Diem, Fees and Contracts	\$	405,000
Capital Outlay	\$	550,000
Utilities	\$	0
Contractual Expense.....	\$	0
Facilities Renovations and Repairs.....	\$	0

Total Funds Budgeted.....	\$	37,538,499
State Funds Budgeted.....	\$	0

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	Total Funds	State Funds
Grounds	\$ 2,035,634	\$ 0
Custodial	\$ 5,475,952	\$ 0
Maintenance	\$ 4,453,839	\$ 0
Security	\$ 6,785,722	\$ 0
Van Pool	\$ 382,451	\$ 0
Sales	\$ 4,097,175	\$ 0
Administration	\$ 12,927,239	\$ 0
Roofing	\$ 451,635	\$ 0
Facilities Program	\$ 928,852	\$ 0
Total	\$ 37,538,499	\$ 0

Section 5. Department of Agriculture.

A. Budget Unit: Department of Agriculture	\$	<u>38,270,166</u>
Personal Services.....	\$	32,289,979
Regular Operating Expenses	\$	4,514,508
Travel.....	\$	959,114
Motor Vehicle Purchases	\$	692,227
Equipment.....	\$	439,750
Computer Charges.....	\$	550,000
Real Estate Rentals	\$	814,475
Telecommunications	\$	412,585
Per Diem, Fees and Contracts	\$	992,587
Market Bulletin Postage.....	\$	1,046,000
Payments to Athens and Tifton Veterinary Laboratories	\$	2,750,466
Poultry Veterinary Diagnostic Laboratories in Canton, Dalton, Douglas, Oakwood, Statesboro, Carroll, Macon, Mitchell, and Monroe	\$	2,719,702
Veterinary Fees.....	\$	312,000
Indemnities.....	\$	60,000
Advertising Contract.....	\$	175,000
Payments to Georgia Agrirama Development Authority for Operations.....	\$	633,431
Payments to Georgia Development Authority.....	\$	250,000
Renovation, Construction, Repairs and Maintenance Projects at Major and Minor Markets.....	\$	350,000
Capital Outlay	\$	0
Contract Federation of Southern Cooperatives	\$	40,000
Boll Weevil Eradication Program.....	\$	0
Total Funds Budgeted.....	\$	50,001,824
State Funds Budgeted.....	\$	38,270,166

Departmental Functional Budgets

	Total Funds	State Funds
Plant Industry	\$ 8,278,240	\$ 7,497,240
Animal Industry	\$ 15,989,933	\$ 12,857,798
Marketing	\$ 6,875,043	\$ 3,200,043
Internal Administration	\$ 6,444,560	\$ 6,175,060

Fuel and Measures	\$	3,590,525	\$	3,460,825
Consumer Protection Field Forces	\$	8,241,420	\$	5,079,200
Seed Technology	\$	<u>582,103</u>	\$	0
Total	\$	50,001,824	\$	38,270,166

B. Budget Unit: Georgia Agrirama Development

Authority.....	\$	0
Personal Services.....	\$	894,967
Regular Operating Expenses	\$	189,313
Travel.....	\$	5,100
Motor Vehicle Purchases	\$	0
Equipment.....	\$	4,066
Computer Charges.....	\$	7,600
Real Estate Rentals	\$	0
Telecommunications	\$	7,757
Per Diem, Fees and Contracts	\$	6,380
Capital Outlay	\$	145,367
Goods for Resale	\$	<u>114,750</u>
Total Funds Budgeted.....	\$	1,375,300
State Funds Budgeted.....	\$	0

Section 6. Department of Banking and Finance.

Budget Unit: Department of Banking and Finance.....	\$	<u>9,318,265</u>
Personal Services.....	\$	7,701,330
Regular Operating Expenses	\$	455,685
Travel.....	\$	400,000
Motor Vehicle Purchases	\$	36,750
Equipment.....	\$	8,200
Computer Charges.....	\$	295,000
Real Estate Rentals	\$	335,000
Telecommunications	\$	73,000
Per Diem, Fees and Contracts	\$	<u>13,300</u>
Total Funds Budgeted.....	\$	9,318,265
State Funds Budgeted.....	\$	9,318,265

Section 7. Department of Children and Youth Services.

Budget Unit: Department of Children and Youth Services.....	\$	<u>137,198,138</u>
Personal Services.....	\$	84,478,421
Regular Operating Expenses	\$	7,488,704
Travel.....	\$	901,207
Motor Vehicle Purchases	\$	147,402
Equipment.....	\$	419,583
Computer Charges.....	\$	265,336
Real Estate Rentals	\$	1,690,885
Telecommunications	\$	934,714
Per Diem, Fees and Contracts	\$	5,045,409
Utilities	\$	2,382,853
Institutional Repairs and Maintenance	\$	509,559
Grants to County-Owned Detention Centers	\$	3,715,495
Service Benefits for Children.....	\$	17,610,980
Purchase of Service Contracts	\$	17,129,342
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	142,719,890
State Funds Budgeted.....	\$	137,198,138

Departmental Functional Budgets

	Total Funds	State Funds
Regional Youth Development		
Centers	\$ 32,131,875	\$ 30,153,314
Milledgeville State YDC	\$ 15,263,805	\$ 14,540,112
Augusta State YDC	\$ 13,211,291	\$ 12,390,355
Atlanta State YDC	\$ 6,759,822	\$ 6,428,866
Macon State YDC	\$ 5,543,517	\$ 5,206,920
Court Services	\$ 19,060,780	\$ 18,913,976
Community Treatment Centers	\$ 0	\$ 0
Day Centers	\$ 496,745	\$ 496,745
Group Homes	\$ 1,043,480	\$ 1,043,480
Purchased Services	\$ 36,005,238	\$ 34,911,033
Runaway Investigation/Interstate Compact	\$ 996,262	\$ 996,262
Assessment and Classification	\$ 591,587	\$ 591,587
Youth Services Administration	\$ 7,669,558	\$ 7,669,558
Multi-Service Centers	\$ 3,945,930	\$ 3,855,930
Total	\$ 142,719,890	\$ 137,198,138

Section 8. Department of Community Affairs.

Budget Unit: Department of Community Affairs	\$	<u>40,635,112</u>
Personal Services.....	\$	6,167,136
Regular Operating Expenses	\$	334,749
Travel.....	\$	167,696
Motor Vehicle Purchases	\$	0
Equipment.....	\$	1,368
Computer Charges.....	\$	132,424
Real Estate Rentals	\$	513,430
Telecommunications	\$	54,610
Per Diem, Fees and Contracts	\$	279,160
ARC Revolving Loan Fund	\$	0
Contracts for Regional Planning and Development	\$	2,167,374
Local Assistance Grants	\$	17,412,335
Appalachian Regional Commission Assessment.....	\$	112,439
Community Development Block Grants(Federal).....	\$	30,000,000
National and Community Service Program	\$	0
Payments to Music Hall of Fame Authority	\$	715,278
Payments to Sports Hall of Fame.....	\$	281,541
Local Development Fund.....	\$	650,000
Payment to State Housing Trust Fund.....	\$	4,625,000
Payment to Georgia Housing Finance Authority.....	\$	2,814,244
Payment to Georgia Environmental Facilities Authority	\$	2,407,840
Regional Economic Business Assistance Grants	\$	6,650,000
Local Government Efficiency Grant Program.....	\$	500,000
State Commission on National and Community Service	\$	214,856
Business Flood Disaster Recovery Program	\$	0
EZ/EC Administration	\$	209,499
Capital Felony Expenses.....	\$	0
Total Funds Budgeted.....	\$	76,410,979
State Funds Budgeted.....	\$	40,635,112

Departmental Functional Budgets**Total Funds****State Funds**

Executive and Administrative Division	\$	39,810,207	\$	35,272,840
Planning, Information and Management Division	\$	3,852,592	\$	3,678,064
Business and Financial Assistance Division	\$	<u>32,748,180</u>	\$	<u>1,684,208</u>
Total	\$	<u>76,410,979</u>	\$	<u>40,635,112</u>

Section 9. Department of Corrections.

A. Budget Unit: Administration, Institutions

and Probation.....	\$		\$	<u>675,173,004</u>
Personal Services.....	\$		\$	480,202,792
Regular Operating Expenses	\$		\$	57,578,948
Travel.....	\$		\$	2,162,244
Motor Vehicle Purchases	\$		\$	2,848,384
Equipment.....	\$		\$	4,695,277
Computer Charges.....	\$		\$	6,017,166
Real Estate Rentals	\$		\$	6,008,776
Telecommunications	\$		\$	6,850,514
Per Diem, Fees and Contracts	\$		\$	6,964,855
Capital Outlay	\$		\$	0
Utilities	\$		\$	21,267,728
Court Costs.....	\$		\$	900,000
County Subsidy	\$		\$	16,786,950
County Subsidy for Jails.....	\$		\$	6,843,750
County Workcamp Construction Grants	\$		\$	0
Central Repair Fund.....	\$		\$	1,127,250
Payments to Central State Hospital for Meals.....	\$		\$	4,059,700
Payments to Central State Hospital for Utilities.....	\$		\$	1,376,000
Payments to Public Safety for Meals	\$		\$	461,160
Inmate Release Fund.....	\$		\$	1,300,000
Health Services Purchases.....	\$		\$	66,985,723
Payments to MAG for Health Care Certification.....	\$		\$	63,420
University of Georgia College of Veterinary Medicine Contracts	\$		\$	366,244
Minor Construction Fund.....	\$		\$	894,000
Total Funds Budgeted.....	\$		\$	<u>695,760,881</u>
Indirect DOAS Funding.....	\$		\$	450,000
Georgia Correctional Industries.....	\$		\$	0
State Funds Budgeted.....	\$		\$	<u>675,173,004</u>

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 77,582,278	\$ 75,587,278
Institutions and Support	\$ 510,037,754	\$ 495,706,489
Probation	\$ <u>108,140,849</u>	\$ <u>103,879,237</u>
Total	\$ <u>695,760,881</u>	\$ <u>675,173,004</u>

B. Budget Unit: Board of Pardons and Paroles	\$	43,239,164
Personal Services.....	\$	33,387,213
Regular Operating Expenses	\$	1,615,677
Travel.....	\$	542,000
Motor Vehicle Purchases	\$	78,000
Equipment.....	\$	191,424
Computer Charges.....	\$	291,200

Real Estate Rentals	\$	2,785,000
Telecommunications	\$	930,000
Per Diem, Fees and Contracts	\$	2,743,650
County Jail Subsidy	\$	650,000
Health Services Purchases	\$	25,000
Total Funds Budgeted	\$	43,239,164
State Funds Budgeted	\$	43,239,164

Section 10. Department of Defense.

Budget Unit: Department of Defense	\$	4,230,851
Personal Services	\$	9,103,886
Regular Operating Expenses	\$	6,083,797
Travel	\$	29,375
Motor Vehicle Purchases	\$	0
Equipment	\$	28,840
Computer Charges	\$	11,125
Real Estate Rentals	\$	24,400
Telecommunications	\$	40,825
Per Diem, Fees and Contracts	\$	458,000
Capital Outlay	\$	0
Total Funds Budgeted	\$	15,780,248
State Funds Budgeted	\$	4,230,851

Departmental Functional Budgets

	Total Funds		State Funds
Office of the Adjutant General	\$ 1,443,315	\$	1,404,166
Georgia Air National Guard	\$ 5,220,673	\$	509,289
Georgia Army National Guard	\$ 9,116,260	\$	2,317,396
Total	\$ 15,780,248	\$	4,230,851

**Section 11. State Board of Education
Department of Education.**

A. Budget Unit: Department of Education	\$	4,035,960,314
Operations:		
Personal Services	\$	32,159,685
Regular Operating Expenses	\$	4,606,393
Travel	\$	932,048
Motor Vehicle Purchases	\$	80,914
Equipment	\$	287,255
Computer Charges	\$	8,141,976
Real Estate Rentals	\$	1,495,506
Telecommunications	\$	1,116,985
Per Diem, Fees and Contracts	\$	18,698,646
Utilities	\$	912,272
Capital Outlay	\$	0
QBE Formula Grants:		
Kindergarten/Grades 1 3	\$	997,621,233
Grades 4 8	\$	856,200,685
Grades 9 12	\$	350,962,605
High School Laboratories	\$	168,564,020
Vocational Education Laboratories	\$	111,007,756
Special Education	\$	384,401,822
Gifted	\$	58,064,303
Remedial Education	\$	89,508,479
Staff Development and Professional Development	\$	33,759,340
Media	\$	106,022,187

Indirect Cost	\$	691,835,455
Pupil Transportation	\$	142,429,530
Local Fair Share	\$	(673,892,309)
Mid-Term Adjustment Reserve	\$	0
Teacher Salary Schedule Adjustment	\$	0
Other Categorical Grants:		
Equalization Formula	\$	165,250,422
Sparsity Grants	\$	3,609,604
In School Suspension	\$	25,291,984
Special Instructional Assistance	\$	87,838,070
Middle School Incentive	\$	77,226,063
Special Education Low Incidence Grants	\$	563,759
Limited English-Speaking Students Program	\$	14,363,735
Non-QBE Grants:		
Education of Children of Low-Income Families	\$	143,999,894
Retirement (H.B. 272 and H.B. 1321)	\$	5,408,750
Instructional Services for the Handicapped	\$	54,732,103
Tuition for the Multi-Handicapped	\$	1,308,088
Severely Emotionally Disturbed	\$	44,078,591
School Lunch (Federal)	\$	188,375,722
School Lunch (State)	\$	29,128,663
Supervision and Assessment of Students and Beginning Teachers and Performance-Based Certification	\$	1,491,147
Regional Education Service Agencies	\$	9,722,497
Georgia Learning Resources System	\$	3,489,010
High School Program	\$	21,712,907
Special Education in State Institutions	\$	5,041,480
Governor's Scholarships	\$	1,720,000
Counselors	\$	7,580,313
Vocational Research and Curriculum	\$	293,520
Even Start	\$	2,720,906
Salaries and Travel of Public Librarians	\$	13,194,595
Public Library Materials	\$	5,828,704
Talking Book Centers	\$	974,478
Public Library M & O	\$	4,998,958
Child Care Lunch Program (Federal)	\$	25,244,070
Chapter II Block Grant Flow Through	\$	9,663,513
Payment of Federal Funds to Board of Technical and Adult Education	\$	14,395,919
Education of Homeless Children/Youth	\$	601,772
Innovative Programs	\$	1,690,215
Next Generation School Grants	\$	500,000
Drug Free School (Federal)	\$	11,625,943
At Risk Summer School Program	\$	5,979,345
Emergency Immigrant Education Program	\$	164,514
Title II Math/Science Grant (Federal)	\$	5,042,895
Robert C. Byrd Scholarship (Federal)	\$	273,723
Health Insurance Non-Cert. Personnel and Retired Teachers	\$	99,047,892
Pre-School Handicapped Program	\$	16,877,102
Mentor Teachers	\$	1,250,000
Advanced Placement Exams	\$	0
Serve America Program	\$	382,597
Youth Apprenticeship Grants	\$	4,340,000
Remedial Summer School	\$	1,875,664
Alternative Programs	\$	12,976,442

Environmental Science Grants.....	\$	100,000
Pay for Performance.....	\$	2,000,000
Mentoring Program.....	\$	500,000
Charter Schools.....	\$	55,000
Technology Specialist.....	\$	15,289,138
Migrant Education.....	\$	266,403
Total Funds Budgeted.....	\$	4,535,002,896
Indirect DOAS Services Funding.....	\$	340,000
State Funds Budgeted.....	\$	4,035,960,314

Departmental Functional Budgets

	Total Funds	State Funds
State Administration	\$ 6,133,471	\$ 5,244,236
Instructional Services	\$ 22,722,235	\$ 17,909,854
Governor's Honors Program	\$ 1,217,128	\$ 1,139,539
Administrative Services	\$ 16,255,601	\$ 11,752,413
Special Services	\$ 5,203,803	\$ 2,265,454
Professional Practices Commission	\$ 1,100,049	\$ 1,100,049
Local Programs	\$ 4,466,921,216	\$ 3,981,855,412
Georgia Academy for the Blind	\$ 5,399,800	\$ 5,146,415
Georgia School for the Deaf	\$ 5,002,287	\$ 4,773,191
Atlanta Area School for the Deaf	\$ <u>5,047,306</u>	\$ <u>4,773,751</u>
Total	\$ 4,535,002,896	\$ 4,035,960,314

B. Budget Unit: Lottery for Education.....	\$	283,218,263
Pre-Kindergarten for 4-year-olds	\$	185,136,919
Applied Technology Labs	\$	3,650,000
Next Generation Schools	\$	0
Alternative Programs.....	\$	1,100,000
Educational Technology Centers	\$	0
Distant Learning Satellite Dishes.....	\$	0
Model Technology Schools	\$	0
Capital Outlay	\$	64,726,684
Post Secondary Options	\$	1,000,000
Learning Logic Sites	\$	0
Assistive Technology.....	\$	500,000
Computers in the Classroom	\$	<u>27,104,660</u>
Total Funds Budgeted.....	\$	283,218,263
Lottery Funds Budgeted.....	\$	283,218,263

Section 12. Employees' Retirement System.

Budget Unit: Employees' Retirement System	\$	0
Personal Services.....	\$	1,884,668
Regular Operating Expenses	\$	298,500
Travel.....	\$	18,000
Motor Vehicle Purchases	\$	0
Equipment.....	\$	13,220
Computer Charges.....	\$	554,222
Real Estate Rentals	\$	302,000
Telecommunications	\$	38,362
Per Diem, Fees and Contracts	\$	1,281,000
Benefits to Retirees	\$	0
Total Funds Budgeted.....	\$	4,389,972
State Funds Budgeted.....	\$	0

Section 13. Forestry Commission.

Budget Unit: Forestry Commission	\$	<u>35,443,370</u>
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Personal Services.....	\$	29,678,437
Regular Operating Expenses	\$	5,781,558
Travel.....	\$	159,937
Motor Vehicle Purchases	\$	921,785
Equipment.....	\$	1,580,419
Computer Charges.....	\$	310,500
Real Estate Rentals	\$	54,764
Telecommunications	\$	928,106
Per Diem, Fees and Contracts	\$	604,307
Ware County Grant	\$	0
Ware County Grant for Southern Forest World.....	\$	28,500
Ware County Grant for Road Maintenance	\$	60,000
Capital Outlay	\$	241,752
Total Funds Budgeted.....	\$	40,350,065
State Funds Budgeted.....	\$	35,443,370

Departmental Functional Budgets

	Total Funds	State Funds
Reforestation	\$ 1,815,460	\$ 25,142
Field Services	\$ 34,516,822	\$ 31,568,600
General Administration and Support	\$ 4,017,783	\$ 3,849,628
Total	\$ 40,350,065	\$ 35,443,370

Section 14. Georgia Bureau of Investigation.

Budget Unit: Georgia Bureau of Investigation.....	\$	<u>46,619,323</u>
Personal Services.....	\$	35,463,836
Regular Operating Expenses	\$	3,998,630
Travel.....	\$	463,187
Motor Vehicle Purchases	\$	476,558
Equipment.....	\$	606,640
Computer Charges.....	\$	680,837
Real Estate Rentals	\$	2,086,425
Telecommunications	\$	1,090,470
Per Diem, Fees and Contracts	\$	1,268,740
Evidence Purchased.....	\$	484,000
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	46,619,323
State Funds Budgeted.....	\$	46,619,323

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 3,803,372	\$ 3,803,372
Investigative	\$ 24,683,509	\$ 24,683,509
Georgia Crime Information Center	\$ 7,965,488	\$ 7,965,488
Forensic Sciences	\$ 10,166,954	\$ 10,166,954
Total	\$ 46,619,323	\$ 46,619,323

Section 15. Office of the Governor.

A. Budget Unit: Office of the Governor.....	\$	<u>31,288,257</u>
Personal Services.....	\$	15,321,148
Regular Operating Expenses	\$	978,487
Travel.....	\$	273,239
Motor Vehicle Purchases	\$	0
Equipment.....	\$	65,776
Computer Charges.....	\$	585,327

Real Estate Rentals	\$	1,014,258
Telecommunications	\$	458,681
Per Diem, Fees and Contracts	\$	4,343,390
Cost of Operations	\$	3,432,344
Mansion Allowance	\$	40,000
Governor's Emergency Fund	\$	4,000,000
Intern Stipends and Travel	\$	165,000
Art Grants of State Funds	\$	3,850,000
Art Grants of Non-State Funds	\$	372,960
Humanities Grant State Funds	\$	150,000
Art Acquisitions State Funds	\$	0
Children and Youth Grants	\$	290,975
Juvenile Justice Grants	\$	1,187,700
Georgia Crime Victims Assistance Program	\$	100,000
Grants to Local Systems	\$	684,400
Grants Local EMA	\$	1,085,968
Grants Other	\$	0
Grants Civil Air Patrol	\$	60,000
Total Funds Budgeted	\$	38,459,653
State Funds Budgeted	\$	31,288,257

Departmental Functional Budgets

	Total Funds	State Funds
Governor's Office	\$ 7,637,344	\$ 7,637,344
Office of Fair Employment Practices	\$ 981,413	\$ 823,413
Office of Planning and Budget	\$ 7,690,762	\$ 7,590,762
Council for the Arts	\$ 5,215,130	\$ 4,420,782
Office of Consumer Affairs	\$ 3,251,629	\$ 3,251,629
Georgia Information Technology Policy Council	\$ 342,373	\$ 342,373
Criminal Justice Coordinating Council	\$ 1,361,166	\$ 421,847
Children and Youth Coordinating Council	\$ 1,884,223	\$ 531,223
Human Relations Commission	\$ 313,156	\$ 313,156
Professional Standards Commission	\$ 4,389,399	\$ 4,389,399
Georgia Emergency Management Agency	\$ 5,009,163	\$ 1,182,434
Office of State Olympic Coordination	\$ 94,895	\$ 94,895
Governor's Commission for the Privatization of Government Services	\$ 200,000	\$ 200,000
Vocational Education Advisory Council	\$ 89,000	\$ 89,000
Total	\$ 38,459,653	\$ 31,288,257

Section 16. Department of Human Resources.

A. Budget Unit: Departmental Operations	\$	<u>703,602,629</u>
1. General Administration and Support Budget:		
Personal Services	\$	51,827,306
Regular Operating Expenses	\$	2,159,717
Travel	\$	1,344,087
Motor Vehicle Purchases	\$	1,647,558
Equipment	\$	91,675
Real Estate Rentals	\$	4,826,668

Per Diem, Fees and Contracts	\$	5,890,526
Computer Charges.....	\$	1,282,446
Telecommunications	\$	734,732
Special Purpose Contracts.....	\$	284,000
Service Benefits for Children.....	\$	46,486,389
Purchase of Service Contracts	\$	36,266,342
Institutional Repairs and Maintenance	\$	73,440
Postage.....	\$	997,780
Payments to DMA-Community Care.....	\$	16,626,037
Total Funds Budgeted.....	\$	170,538,703
Indirect DOAS Services Funding	\$	412,600
State Funds Budgeted.....	\$	105,744,418

Departmental Functional Budgets

	Total Funds	State Funds
Commissioner's Office	\$ 5,723,033	\$ 5,723,033
Budget Administration	\$ 2,153,019	\$ 2,153,019
Office of Children and Youth	\$ 46,498,389	\$ 33,347,726
Administrative Support Services	\$ 20,166,502	\$ 18,523,348
Facilities Management	\$ 5,480,691	\$ 4,226,695
Regulatory Services Program		
Direction and Support	\$ 877,102	\$ 867,102
Child Care Licensing	\$ 3,198,523	\$ 3,198,523
Health Care Facilities Regulation	\$ 9,960,897	\$ 4,226,414
Fraud and Abuse	\$ 6,297,278	\$ 2,322,749
Financial Services	\$ 6,178,684	\$ 5,978,684
Auditing Services	\$ 1,845,416	\$ 1,845,416
Personnel Administration	\$ 1,792,905	\$ 1,792,905
Indirect Cost	\$ 0	\$ (8,505,487)
Public Affairs	\$ 485,785	\$ 485,785
Aging Services	\$ 56,480,871	\$ 27,891,704
State Health Planning Agency	\$ 1,695,639	\$ 1,615,639
DD Council	\$ 1,703,969	\$ 51,163
Total	\$ 170,538,703	\$ 105,744,418

2. Public Health Budget:

Personal Services.....	\$	54,525,860
Regular Operating Expenses	\$	75,544,729
Travel.....	\$	984,162
Motor Vehicle Purchases	\$	0
Equipment.....	\$	501,177
Real Estate Rentals	\$	1,483,527
Per Diem, Fees and Contracts	\$	4,182,623
Computer Charges.....	\$	1,646,431
Telecommunications	\$	1,260,661
Special Purpose Contracts.....	\$	580,732
Purchase of Service Contracts	\$	12,233,236
Grant-In-Aid to Counties.....	\$	127,749,995
Institutional Repairs and Maintenance	\$	34,500
Postage.....	\$	125,529
Medical Benefits.....	\$	4,462,872
Total Funds Budgeted.....	\$	285,316,034
Indirect DOAS Services Funding	\$	549,718
State Funds Budgeted.....	\$	155,470,170

Departmental Functional Budgets

Total Funds **State Funds**

District Health Administration	\$	12,912,404	\$	12,782,729
Newborn Follow-Up Care	\$	1,432,305	\$	1,253,109
Oral Health	\$	1,526,075	\$	1,203,900
Stroke and Heart Attack Prevention	\$	2,303,231	\$	1,232,272
Sickle Cell, Vision and Hearing	\$	4,221,570	\$	3,806,565
High-Risk Pregnant Women and Infants	\$	5,289,085	\$	5,177,085
Sexually Transmitted Diseases	\$	2,246,391	\$	310,937
Family Planning	\$	10,622,208	\$	5,755,192
Women, Infants and Children Nutrition	\$	83,023,436	\$	0
Grant in Aid to Counties	\$	66,560,208	\$	65,575,072
Children's Medical Services	\$	13,247,822	\$	5,925,874
Emergency Health	\$	3,240,976	\$	1,927,794
Primary Health Care	\$	1,921,994	\$	1,774,413
Epidemiology	\$	493,806	\$	341,024
Immunization	\$	1,009,244	\$	0
Community Tuberculosis Control	\$	6,160,873	\$	4,663,907
Family Health Management	\$	1,143,640	\$	824,068
Infant and Child Health	\$	1,189,590	\$	490,778
Maternal Health Perinatal	\$	2,455,855	\$	937,945
Chronic Disease	\$	474,068	\$	474,068
Diabetes	\$	556,495	\$	556,495
Cancer Control	\$	4,799,455	\$	4,799,455
Director's Office	\$	1,248,503	\$	1,051,278
Injury Control	\$	419,838	\$	216,973
Health Program Management	\$	1,862,931	\$	1,862,931
Vital Records	\$	1,956,452	\$	1,718,713
Health Services Research	\$	2,751,587	\$	2,528,769
Environmental Health	\$	887,072	\$	697,999
Laboratory Services	\$	6,321,774	\$	6,051,774
Community Care	\$	4,286,886	\$	1,611,282
Community Health Management	\$	136,214	\$	136,214
AIDS	\$	9,856,546	\$	5,107,508
Vaccines	\$	9,215,767	\$	745,341
Drug and Clinic Supplies	\$	3,250,000	\$	2,493,380
Adolescent Health	\$	3,259,555	\$	2,135,951
Public Health Planning Councils	\$	174,591	\$	157,094
Early Intervention	\$	12,857,587	\$	10,677,999
Public Health Division Indirect Cost	\$	0	\$	(1,535,718)
Total	\$	285,316,034	\$	155,470,170

3. Rehabilitation Services Budget:

Personal Services.....	\$	78,176,074
Regular Operating Expenses	\$	12,526,958
Travel.....	\$	1,218,988
Motor Vehicle Purchases	\$	83,000
Equipment.....	\$	743,880
Real Estate Rentals	\$	4,816,685
Per Diem, Fees and Contracts	\$	7,939,678
Computer Charges.....	\$	2,457,974
Telecommunications	\$	1,697,134
Case Services.....	\$	25,722,363
E.S.R.P. Case Services.....	\$	0
Special Purpose Contracts.....	\$	705,245
Purchase of Services Contracts.....	\$	11,323,436
Institutional Repairs and Maintenance.....	\$	215,000

Utilities	\$	937,269
Postage	\$	<u>817,786</u>
Total Funds Budgeted.....	\$	149,381,470
Indirect DOAS Services Funding	\$	100,000
State Funds Budgeted.....	\$	<u>23,764,351</u>

Departmental Functional Budgets

	Total Funds	State Funds
District Field Services	\$ 50,225,296	\$ 9,902,922
Independent Living	\$ 919,558	\$ 607,201
Sheltered Employment	\$ 1,752,185	\$ 790,266
Community Facilities	\$ 10,185,560	\$ 3,630,710
State Rehabilitation Facilities	\$ 7,074,449	\$ 1,153,558
Diversified Industries of Georgia	\$ 809,166	\$ 0
Program Direction and Support	\$ 4,449,032	\$ 1,375,106
Grants Management	\$ 714,540	\$ 714,540
Disability Adjudication	\$ 35,629,124	\$ 0
Georgia Factory for Blind	\$ 12,614,904	\$ 900,703
Roosevelt Warm Springs Institute	\$ <u>25,007,656</u>	\$ <u>4,689,345</u>
Total	\$ 149,381,470	\$ 23,764,351

4. Family and Children Services Budget:

Personal Services.....	\$	47,464,566
Regular Operating Expenses	\$	4,742,042
Travel.....	\$	967,632
Motor Vehicle Purchases	\$	0
Equipment.....	\$	400,080
Real Estate Rentals	\$	3,519,841
Per Diem, Fees and Contracts	\$	19,572,831
Computer Charges.....	\$	29,591,929
Telecommunications	\$	9,656,881
Children's Trust Fund.....	\$	2,211,103
Cash Benefits.....	\$	413,875,732
Special Purpose Contracts	\$	5,272,883
Service Benefits for Children	\$	217,877,671
Purchase of Service Contracts	\$	14,986,256
Postage	\$	4,425,956
Grants to County DFACS Operations	\$	<u>295,896,802</u>
Total Funds Budgeted.....	\$	1,070,462,205
Indirect DOAS Services Funding	\$	2,565,582
State Funds Budgeted.....	\$	<u>418,623,690</u>

Departmental Functional Budgets

	Total Funds	State Funds
Director's Office	\$ 383,413	\$ 383,413
Social Services	\$ 4,497,072	\$ 3,969,969
Administrative Support	\$ 6,322,234	\$ 5,251,960
Quality Assurance	\$ 4,048,422	\$ 4,048,422
Community Services	\$ 11,716,524	\$ 480,299
Field Management	\$ 920,036	\$ 920,036
Human Resources Management	\$ 3,364,632	\$ 2,472,615
Public Assistance	\$ 30,943,716	\$ 13,263,776
Employment Services	\$ 1,640,152	\$ 1,640,152
Child Support Recovery	\$ 66,523,060	\$ 5,226,150
AFDC Payments	\$ 402,036,612	\$ 154,222,350
SSI Supplemental Benefits	\$ 100	\$ 100

Refugee Programs	\$	2,799,420	\$	0
Energy Benefits	\$	9,893,600	\$	0
County DFACS Operations				
Eligibility	\$	113,143,816	\$	56,605,568
County DFACS Operations				
Social Services	\$	92,093,148	\$	33,032,412
Food Stamp Issuance	\$	3,190,752	\$	0
County DFACS Operations				
Homemakers Services	\$	8,435,211	\$	2,586,800
County DFACS Operations				
Joint and Administration	\$	62,945,236	\$	32,021,872
County DFACS Operations				
Employability Program	\$	19,279,391	\$	8,017,486
Employability Benefits	\$	26,830,224	\$	11,206,449
Legal Services	\$	3,190,503	\$	2,420,990
Family Foster Care	\$	32,960,883	\$	18,405,691
Institutional Foster Care	\$	10,757,999	\$	7,283,205
Specialized Foster Care	\$	5,845,856	\$	4,248,383
Adoption Supplement	\$	12,468,472	\$	9,374,838
Prevention of Foster Care	\$	11,544,785	\$	7,408,642
Day Care	\$	118,285,892	\$	38,486,937
Outreach Contracts	\$	0	\$	0
Special Projects	\$	2,189,941	\$	2,165,709
Children's Trust Fund	\$	2,211,103	\$	2,211,103
Indirect Cost	\$	0	\$	(8,731,637)
Total	\$	1,070,462,205	\$	418,623,690

Budget Unit Object Classes:

Personal Services.....	\$	231,993,806
Regular Operating Expenses	\$	94,973,446
Travel.....	\$	4,514,869
Motor Vehicle Purchases	\$	1,730,558
Equipment.....	\$	1,736,812
Real Estate Rentals	\$	14,646,721
Per Diem, Fees and Contracts	\$	37,585,658
Computer Charges.....	\$	34,978,780
Telecommunications	\$	13,349,408
Case Services.....	\$	25,722,363
Children's Trust Fund.....	\$	2,211,103
Cash Benefits.....	\$	413,875,732
Special Purpose Contracts	\$	6,842,860
Service Benefits for Children	\$	264,364,060
Purchase of Service Contracts	\$	74,809,270
Grant-In-Aid to Counties.....	\$	127,749,995
Institutional Repairs and Maintenance.....	\$	322,940
Utilities	\$	937,269
Postage.....	\$	6,367,051
Payments to DMA-Community Care.....	\$	16,626,037
Grants to County DFACS Operations	\$	295,896,802
Medical Benefits.....	\$	4,462,872
B. Budget Unit: Community Mental Health/Mental		
Retardation and Institutions.....	\$	510,059,039
Personal Services.....	\$	361,024,936
Operating Expenses	\$	57,904,598
Motor Vehicle Equipment Purchases	\$	769,533
Utilities	\$	11,595,417

Major Maintenance and Construction	\$	2,127,790
Community Services	\$	<u>273,179,392</u>
Total Funds Budgeted.....	\$	706,601,666
Indirect [DOAS] Services Funding	\$	2,404,100
State Funds Budgeted.....	\$	510,059,039

Departmental Functional Budgets

	Total Funds		State Funds
Southwestern State Hospital	\$ 41,113,165	\$	26,550,099
Brook Run	\$ 31,697,562	\$	14,859,448
Georgia Mental Health Institute	\$ 24,418,273	\$	22,500,471
Georgia Regional Hospital at Augusta	\$ 22,559,920	\$	20,673,028
Northwest Regional Hospital at Rome	\$ 28,878,781	\$	22,006,682
Georgia Regional Hospital at Atlanta	\$ 30,019,769	\$	25,464,778
Central State Hospital	\$ 135,385,724	\$	88,884,752
Georgia Regional Hospital at Savannah	\$ 20,584,213	\$	18,902,892
Gracewood State School and Hospital	\$ 53,750,312	\$	24,426,776
West Central Regional Hospital	\$ 20,408,161	\$	17,621,922
Outdoor Therapeutic Programs	\$ 3,995,292	\$	3,086,357
Metro Drug Abuse Centers	\$ 1,717,088	\$	1,521,588
Community Mental Health Services	\$ 118,725,917	\$	112,506,177
Community Mental Retardation Services	\$ 104,163,673	\$	67,848,342
Community Substance Abuse Services	\$ 54,113,451	\$	31,587,611
State Administration	\$ 10,458,385	\$	7,153,784
Regional Administration	\$ <u>4,611,980</u>	\$	<u>4,464,332</u>
Total	\$ 706,601,666	\$	510,059,039

Section 17. Department of Industry, Trade and Tourism.

Budget Unit: Department of Industry, Trade and Tourism	\$	<u>20,841,481</u>
Personal Services.....	\$	9,726,714
Regular Operating Expenses	\$	1,623,319
Travel.....	\$	347,500
Motor Vehicle Purchases	\$	31,100
Equipment.....	\$	100,375
Computer Charges.....	\$	142,000
Real Estate Rentals	\$	999,191
Telecommunications	\$	323,058
Per Diem, Fees and Contracts	\$	1,137,360
Local Welcome Center Contracts	\$	191,600
Marketing	\$	5,800,264
Georgia Ports Authority Lease Rentals.....	\$	625,000
Foreign Currency Reserve.....	\$	0
Waterway Development in Georgia.....	\$	50,000
Lanier Regional Watershed Commission.....	\$	0
Total Funds Budgeted.....	\$	21,097,481
State Funds Budgeted.....	\$	20,841,481

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 9,417,192	\$ 9,417,192
Economic Development	\$ 4,610,936	\$ 4,510,936
Trade	\$ 1,649,720	\$ 1,649,720
Tourism	\$ 5,419,633	\$ 5,263,633
Total	\$ 21,097,481	\$ 20,841,481

Section 18. Department of Insurance.

Budget Unit: Department of Insurance	\$	15,205,413
Personal Services.....	\$	13,594,230
Regular Operating Expenses	\$	723,314
Travel.....	\$	379,754
Motor Vehicle Purchases	\$	86,733
Equipment.....	\$	59,129
Computer Charges.....	\$	448,235
Real Estate Rentals	\$	804,047
Telecommunications	\$	275,334
Per Diem, Fees and Contracts	\$	141,292
Health Care Utilization Review.....	\$	0
Total Funds Budgeted.....	\$	16,512,068
State Funds Budgeted.....	\$	15,205,413

Departmental Functional Budgets

	Total Funds	State Funds
Internal Administration	\$ 4,448,673	\$ 4,448,673
Insurance Regulation	\$ 6,615,343	\$ 6,615,343
Industrial Loans Regulation	\$ 517,776	\$ 517,776
Fire Safety and Mobile Home Regulations	\$ 4,930,276	\$ 3,623,621
Total	\$ 16,512,068	\$ 15,205,413

Section 19. Department of Labor.

Budget Unit: Department of Labor.....	\$	9,628,869
Personal Services.....	\$	70,226,432
Regular Operating Expenses	\$	7,424,929
Travel.....	\$	1,346,137
Motor Vehicle Purchases	\$	0
Equipment.....	\$	844,965
Computer Charges.....	\$	7,151,101
Real Estate Rentals	\$	1,960,798
Telecommunications	\$	1,419,406
Per Diem, Fees and Contracts (JTPA).....	\$	60,500,000
Per Diem, Fees and Contracts	\$	3,161,030
W.I.N. Grants	\$	0
Payments to State Treasury.....	\$	1,774,079
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	155,808,877
State Funds Budgeted.....	\$	9,628,869

Departmental Functional Budgets

	Total Funds	State Funds
Executive Offices/Administrative Services	\$ 29,280,013	\$ 7,768,177
Employment and Training Services	\$ 126,528,864	\$ 1,860,692

Total	\$	155,808,877	\$	9,628,869
Section 20. Department of Law.				
Budget Unit: Department of Law.....	\$		\$	<u>12,521,718</u>
Personal Services.....	\$		\$	11,221,772
Regular Operating Expenses	\$		\$	638,449
Travel.....	\$		\$	129,322
Motor Vehicle Purchases	\$		\$	0
Equipment.....	\$		\$	31,350
Computer Charges.....	\$		\$	360,793
Real Estate Rentals	\$		\$	698,548
Telecommunications	\$		\$	140,424
Per Diem, Fees and Contracts	\$		\$	60,000
Books for State Library	\$		\$	147,000
Total Funds Budgeted.....	\$		\$	13,427,658
State Funds Budgeted.....	\$		\$	12,521,718

Section 21. Department of Medical Assistance.

A. Budget Unit: Medicaid Services.....	\$		\$	<u>1,162,913,186</u>
Personal Services.....	\$		\$	15,544,436
Regular Operating Expenses	\$		\$	5,994,250
Travel.....	\$		\$	188,400
Motor Vehicle Purchases	\$		\$	0
Equipment.....	\$		\$	39,500
Computer Charges.....	\$		\$	26,169,000
Real Estate Rentals	\$		\$	765,380
Telecommunications	\$		\$	425,000
Per Diem, Fees and Contracts	\$		\$	100,620,859
Medicaid Benefits, Penalties and Disallowances	\$		\$	3,204,220,602
Audit Contracts.....	\$		\$	772,500
Total Funds Budgeted.....	\$		\$	3,354,739,927
State Funds Budgeted.....	\$		\$	1,162,913,186

Departmental Functional Budgets

	Total Funds	State Funds
Commissioner's Office	\$ 1,636,825	\$ 818,413
Benefits, Penalties and Disallowances	\$ 3,204,220,602	\$ 1,118,526,507
Long Term Care	\$ 1,625,453	\$ 680,530
Systems Management	\$ 33,705,941	\$ 10,695,591
Professional Services	\$ 2,469,349	\$ 1,051,609
Maternal and Child Health	\$ 1,302,697	\$ 527,225
Reimbursement Services	\$ 8,809,009	\$ 3,671,701
General Administration	\$ 91,399,022	\$ 22,200,886
Managed Care	\$ 4,034,252	\$ 1,972,336
Legal and Regulatory	\$ <u>5,536,777</u>	\$ <u>2,768,388</u>
Total	\$ 3,354,739,927	\$ 1,162,913,186
B. Budget Unit: Indigent Trust Fund	\$	<u>148,828,880</u>
Per Diem, Fees and Contracts	\$	8,200,000
Benefits	\$	376,800,000
Total Funds Budgeted	\$	385,000,000
State Funds Budgeted	\$	148,828,880

Section 22. Merit System of Personnel Administration.

Budget Unit: Merit System of Personnel Administration	\$	0
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Personal Services.....	\$	8,806,316
Regular Operating Expenses	\$	1,815,695
Travel.....	\$	93,500
Equipment.....	\$	27,787
Real Estate Rentals	\$	863,078
Per Diem, Fees and Contracts	\$	172,478,321
Computer Charges.....	\$	3,404,105
Telecommunications	\$	450,146
Health Insurance Payments	\$	911,827,186
Total Funds Budgeted.....	\$	1,099,766,134
Other Agency Funds	\$	152,001
Agency Assessments.....	\$	11,927,339
Employee and Employer Contributions	\$	1,087,461,889
Deferred Compensation.....	\$	224,905
State Funds Budgeted.....	\$	0

Departmental Functional Budgets

	Total Funds		State Funds
Commissioner's Office	\$ 2,858,888	\$	0
Applicant Services	\$ 2,634,656	\$	0
Classification and Compensation	\$ 1,602,242	\$	0
Flexible Benefits	\$ 1,250,694	\$	0
Employee Training and Development	\$ 1,256,551	\$	0
Health Insurance Administration	\$ 1,086,460,247	\$	0
Accounting and Audits	\$ 1,089,437	\$	0
Administration and Systems	\$ 2,613,419	\$	0
Total	\$ 1,099,766,134	\$	0

Section 23. Department of Natural Resources.

A. Budget Unit: Department of Natural Resources.....	\$	<u>97,790,864</u>
Personal Services.....	\$	74,842,887
Regular Operating Expenses	\$	15,068,303
Travel.....	\$	543,147
Motor Vehicle Purchases	\$	2,087,217
Equipment.....	\$	2,455,943
Real Estate Rentals	\$	2,317,656
Per Diem, Fees and Contracts	\$	3,456,651
Computer Charges.....	\$	886,332
Telecommunications	\$	1,293,265
Authority Lease Rentals	\$	20,915
Advertising and Promotion.....	\$	575,000
Cost of Material for Resale	\$	2,878,663
Capital Outlay:		
New Construction.....	\$	818,810
Repairs and Maintenance	\$	2,907,140
Land Acquisition Support	\$	213,750
Wildlife Management Area Land Acquisition.....	\$	754,174
Shop Stock Parks.....	\$	350,000
User Fee Enhancements.....	\$	1,300,000
Buoy Maintenance	\$	26,250
Waterfowl Habitat	\$	0
Paving at State Parks and Historic Sites.....	\$	500,000
Grants:		
Land and Water Conservation.....	\$	800,000
Georgia Heritage 2000 Grants.....	\$	256,500
Recreation.....	\$	800,000

Chattahoochee River Basin Grants	\$	2,700,000
Contracts:		
Paralympic Games	\$	895,000
Technical Assistance Contract	\$	101,213
Corps of Engineers (Cold Water Creek State Park)	\$	170,047
Georgia State Games Commission.....	\$	202,448
U.S. Geological Survey for Ground Water Resources	\$	300,000
U.S. Geological Survey for Topographic Mapping	\$	0
Payments to Civil War Commission	\$	31,000
Hazardous Waste Trust Fund	\$	10,280,472
Solid Waste Trust Fund	\$	6,792,756
Payments to Georgia Agricultural Exposition Authority	\$	2,330,914
Payments to McIntosh County	\$	100,000
Georgia Boxing Commission.....	\$	6,650
Total Funds Budgeted.....	\$	139,063,103
Receipts from Jekyll Island State Park Authority	\$	888,943
Receipts from Stone Mountain Memorial Association.....	\$	3,811,965
Receipts from Lake Lanier Islands Development Authority	\$	2,663,931
Receipts from North Georgia Mountain Authority	\$	1,424,501
Indirect DOAS Funding	\$	200,000
State Funds Budgeted.....	\$	97,790,864

Departmental Functional Budgets

	Total Funds		State Funds
Internal Administration	\$ 4,610,512	\$	4,610,512
Program Support	\$ 2,724,293	\$	2,724,293
Historic Preservation	\$ 2,257,676	\$	1,767,676
Parks, Recreation and Historic Sites	\$ 42,788,158	\$	16,835,241
Coastal Resources	\$ 2,347,054	\$	2,222,336
Wildlife Resources	\$ 35,824,919	\$	30,905,498
Environmental Protection	\$ 47,405,709	\$	37,620,526
Pollution Prevention Program	\$ <u>1,104,782</u>	\$	<u>1,104,782</u>
Total	\$ 139,063,103	\$	97,790,864

B. Budget Unit: Georgia Agricultural Exposition

Authority	\$	0
Personal Services.....	\$	2,331,190
Regular Operating Expenses	\$	1,774,578
Travel.....	\$	21,059
Motor Vehicle Purchases	\$	12,000
Equipment.....	\$	85,000
Computer Charges.....	\$	15,000
Real Estate Rentals	\$	0
Telecommunications	\$	38,000
Per Diem, Fees and Contracts	\$	645,000
Capital Outlay	\$	0
Total Funds Budgeted.....	\$	4,921,827
State Funds Budgeted.....	\$	0

Departmental Functional Budgets

	Total Funds	State Funds
Georgia Agricultural Exposition Authority	\$ 4,921,827	\$ 0

Section 24. Department of Public Safety.

A. Budget Unit: Department of Public Safety	\$	<u>101,367,574</u>
1. Operations Budget:		
Personal Services.....	\$	61,440,577
Regular Operating Expenses	\$	7,676,813
Travel.....	\$	104,095
Motor Vehicle Purchases	\$	3,750,000
Equipment.....	\$	542,054
Computer Charges.....	\$	3,701,067
Real Estate Rentals	\$	28,962
Telecommunications	\$	1,680,294
Per Diem, Fees and Contracts	\$	1,285,050
State Patrol Posts Repairs and Maintenance.....	\$	145,100
Capital Outlay	\$	0
Conviction Reports	\$	<u>303,651</u>
Total Funds Budgeted.....	\$	80,657,663
Indirect DOAS Service Funding	\$	1,650,000
State Funds Budgeted.....	\$	79,007,663
2. Driver Services Budget:		
Personal Services.....	\$	18,162,449
Regular Operating Expenses	\$	1,232,457
Travel.....	\$	57,181
Motor Vehicle Purchases	\$	157,500
Equipment.....	\$	69,800
Computer Charges.....	\$	0
Real Estate Rentals	\$	47,262
Telecommunications	\$	633,853
Per Diem, Fees and Contracts	\$	41,500
Capital Outlay	\$	0
Conviction Reports	\$	0
State Patrol Posts Repairs and Maintenance.....	\$	34,900
Driver License Processing.....	\$	<u>1,923,009</u>
Total Funds Budgeted.....	\$	22,359,911
Indirect DOAS Service Funding	\$	0
State Funds Budgeted.....	\$	22,359,911

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 22,497,017	\$ 20,997,017
Driver Services	\$ 22,359,911	\$ 22,359,911
Field Operations	\$ <u>58,160,646</u>	\$ <u>58,010,646</u>
Total	\$ 103,017,574	\$ 101,367,574

B. Budget Unit: Units Attached for Administrative

Purposes Only	\$	<u>14,295,649</u>
Attached Units Budget:		
Personal Services.....	\$	7,838,383
Regular Operating Expenses	\$	2,535,831
Travel.....	\$	101,300
Motor Vehicle Purchases	\$	29,443

Equipment.....	\$	204,322
Computer Charges.....	\$	163,762
Real Estate Rentals.....	\$	166,997
Telecommunications.....	\$	166,746
Per Diem, Fees and Contracts.....	\$	565,522
Highway Safety Grants.....	\$	2,425,200
Peace Officers Training Grants.....	\$	3,972,660
Capital Outlay.....	\$	0
Total Funds Budgeted.....	\$	18,170,166
State Funds Budgeted.....	\$	14,295,649

Departmental Functional Budgets

	Total Funds	State Funds
Office of Highway Safety	\$ 3,055,003	\$ 330,486
Georgia Peace Officers Standards and Training	\$ 5,418,406	\$ 5,418,406
Police Academy	\$ 1,167,534	\$ 1,077,534
Fire Academy	\$ 1,189,356	\$ 1,079,356
Georgia Firefighters Standards and Training Council	\$ 470,299	\$ 470,299
Georgia Public Safety Training Facility	\$ 6,869,568	\$ 5,919,568
Total	\$ 18,170,166	\$ 14,295,649

Section 25. Public School Employees' Retirement System.

Budget Unit: Public School Employees' Retirement System.....	\$	<u>14,212,500</u>
Payments to Employees' Retirement System.....	\$	575,000
Employer Contributions.....	\$	<u>13,637,500</u>
Total Funds Budgeted.....	\$	<u>14,212,500</u>
State Funds Budgeted.....	\$	14,212,500

Section 26. Public Service Commission.

Budget Unit: Public Service Commission.....	\$	<u>8,487,316</u>
Personal Services.....	\$	7,211,209
Regular Operating Expenses.....	\$	586,616
Travel.....	\$	225,530
Motor Vehicle Purchases.....	\$	18,000
Equipment.....	\$	24,970
Computer Charges.....	\$	443,424
Real Estate Rentals.....	\$	311,408
Telecommunications.....	\$	149,589
Per Diem, Fees and Contracts.....	\$	<u>1,565,273</u>
Total Funds Budgeted.....	\$	10,536,019
State Funds Budgeted.....	\$	8,487,316

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 1,912,568	\$ 1,912,568
Transportation	\$ 3,556,979	\$ 1,716,480
Utilities	\$ 5,066,472	\$ 4,858,268
Total	\$ 10,536,019	\$ 8,487,316

Section 27. Board of Regents, University System of Georgia.

A. Budget Unit: Resident Instruction	\$	<u>1,163,028,475</u>
Personal Services:		
Educ., Gen., and Dept. Svcs	\$	1,241,429,484
Sponsored Operations	\$	204,000,000
Operating Expenses:		
Educ., Gen., and Dept. Svcs	\$	295,648,162
Sponsored Operations	\$	146,000,000
Special Funding Initiative	\$	20,352,506
Office of Minority Business Enterprise	\$	1,276,046
Student Education Enrichment Program	\$	359,714
Forestry Research	\$	388,344
Research Consortium	\$	6,645,000
Capital Outlay	\$	0
Total Funds Budgeted	\$	1,916,099,256
Departmental Income	\$	42,000,000
Sponsored Income	\$	350,000,000
Other Funds	\$	358,043,481
Indirect DOAS Services Funding	\$	3,027,300
State Funds Budgeted	\$	1,163,028,475
 B. Budget Unit: Regents Central Office and Other		
Organized Activities	\$	174,879,707
Personal Services:		
Educ., Gen., and Dept. Svcs	\$	274,341,856
Sponsored Operations	\$	69,874,000
Operating Expenses:		
Educ., Gen., and Dept. Svcs	\$	127,194,177
Sponsored Operations	\$	38,184,000
Fire Ant and Environmental Toxicology Research	\$	0
Agricultural Research	\$	2,397,136
Advanced Technology Development Center	\$	2,062,129
Capitation Contracts for Family		
Practice Residency	\$	3,864,204
Residency Capitation Grants	\$	2,119,378
Student Preceptorships	\$	146,400
Mercer Medical School Grant	\$	7,000,000
Morehouse School of Medicine Grant	\$	5,868,890
Capital Outlay	\$	0
Center for Rehabilitation Technology	\$	2,505,183
SREB Payments	\$	4,426,900
Medical Scholarships	\$	1,357,718
Regents Opportunity Grants	\$	600,000
Regents Scholarships	\$	200,000
Rental Payments to Georgia Military College	\$	1,122,866
CRT Inc. Contract at Georgia Tech		
Research Institute	\$	208,403
Area Health Education Centers	\$	425,000
Direct Payments to the Georgia Public		
Telecommunications Commission for Operations	\$	14,829,577
Total Funds Budgeted	\$	558,727,817
Departmental Income	\$	0
Sponsored Income	\$	109,767,000
Other Funds	\$	273,525,410
Indirect DOAS Services Funding	\$	555,700
State Funds Budgeted	\$	174,879,707
Regents Central Office and Other		
Organized Activities		

	Total Funds	State Funds
Marine Resources Extension Center	\$ 1,989,517	\$ 1,359,434
Skidaway Institute of Oceanography	\$ 3,933,780	\$ 1,519,510
Marine Institute	\$ 1,376,989	\$ 976,989
Georgia Tech Research Institute	\$ 117,578,655	\$ 13,348,554
Education Extension Services	\$ 11,038,929	\$ 2,617,757
Agricultural Experiment Station	\$ 58,790,970	\$ 38,202,317
Cooperative Extension Service	\$ 49,210,724	\$ 31,398,407
Medical College of Georgia Hospital and Clinics	\$ 253,861,493	\$ 32,956,551
Veterinary Medicine Experiment Station	\$ 2,887,931	\$ 2,887,931
Veterinary Medicine Teaching Hospital	\$ 2,827,763	\$ 527,752
Joint Board of Family Practice	\$ 24,236,155	\$ 24,236,155
Georgia Radiation Therapy Center	\$ 3,044,746	\$ 0
Athens and Tifton Veterinary Laboratories	\$ 3,128,504	\$ 128,504
Regents Central Office	\$ <u>24,821,661</u>	\$ <u>24,719,846</u>
Total	\$ 558,727,817	\$ 174,879,707

C. Budget Unit: Georgia Public Telecommunications		
Commission.....	\$	0
Personal Services.....	\$	9,387,861
Operating Expenses	\$	<u>14,325,274</u>
Total Funds Budgeted.....	\$	23,713,135
Other Funds	\$	23,713,135
State Funds Budgeted.....	\$	0

D. Budget Unit: Lottery for Education			50,254,000
Equipment, Technology and Construction			
Trust Fund	\$	16,400,000	
Chehaw Education Center	\$	2,000,000	
Georgia Public Telecommunications Commission	\$	1,500,000	
Georgia Research Alliance	\$	20,254,000	
Special Funding Initiatives.....	\$	<u>10,100,000</u>	
Total Funds Budgeted.....	\$	<u>50,254,000</u>	
Lottery Funds Budgeted.....	\$	50,254,000	

Section 28. Department of Revenue.

Budget Unit: Department of Revenue	\$	<u>91,872,904</u>
Personal Services.....	\$	57,970,695
Regular Operating Expenses	\$	5,399,457
Travel.....	\$	1,366,540
Motor Vehicle Purchases	\$	251,386
Equipment.....	\$	421,189
Computer Charges.....	\$	14,870,790
Real Estate Rentals	\$	2,855,447
Telecommunications	\$	3,267,510
Per Diem, Fees and Contracts	\$	1,106,300
County Tax Officials/Retirement and FICA	\$	3,422,795
Grants to Counties/Appraisal Staff.....	\$	0
Motor Vehicle Tags and Decals.....	\$	2,404,350
Postage.....	\$	<u>3,721,810</u>
Total Funds Budgeted.....	\$	97,058,269
Indirect DOAS Services Funding	\$	3,845,000
State Funds Budgeted.....	\$	91,872,904

Departmental Functional Budgets

	Total Funds		State Funds
Departmental Administration	\$ 7,000,705	\$	7,000,705
Internal Administration	\$ 10,984,002	\$	10,834,002
Electronic Data Processing	\$ 12,588,514	\$	11,573,314
Field Services	\$ 18,872,921	\$	18,572,921
Income Tax Unit	\$ 8,087,629	\$	7,447,629
Motor Vehicle Unit	\$ 17,820,260	\$	16,520,260
Central Audit Unit	\$ 7,901,991	\$	7,901,991
Property Tax Unit	\$ 5,076,439	\$	3,536,074
Sales Tax Unit	\$ 4,200,990	\$	3,961,190
State Board of Equalization	\$ 43,700	\$	43,700
Taxpayer Accounting	\$ <u>4,481,118</u>	\$	<u>4,481,118</u>
Total	\$ 97,058,269	\$	91,872,904

Section 29. Secretary of State.

A. Budget Unit: Secretary of State.....	\$	<u>28,561,127</u>
Personal Services.....	\$	17,954,645
Regular Operating Expenses	\$	3,416,671
Travel.....	\$	242,000
Motor Vehicle Purchases	\$	87,050
Equipment.....	\$	119,190
Computer Charges.....	\$	2,621,110
Real Estate Rentals	\$	2,462,246
Telecommunications	\$	939,859
Per Diem, Fees and Contracts	\$	1,278,356
Election Expenses	\$	485,000
Total Funds Budgeted.....	\$	<u>29,606,127</u>
State Funds Budgeted.....	\$	28,561,127

Departmental Functional Budgets

	Total Funds		State Funds
Internal Administration	\$ 3,840,529	\$	3,810,529
Archives and Records	\$ 4,695,394	\$	4,620,394
Business Services and Regulation	\$ 4,748,087	\$	3,978,087
Elections and Campaign Disclosure	\$ 4,333,544	\$	4,313,544
Drugs and Narcotics	\$ 1,128,044	\$	1,128,044
State Ethics Commission	\$ 382,676	\$	382,676
State Examining Boards	\$ 10,381,600	\$	10,231,600
Holocaust Commission	\$ 96,253	\$	96,253
Total	\$ 29,606,127	\$	28,561,127

B. Budget Unit: Real Estate Commission	\$	<u>2,185,821</u>
Personal Services.....	\$	1,302,862
Regular Operating Expenses	\$	157,100
Travel.....	\$	15,000
Motor Vehicle Purchases	\$	23,000
Equipment.....	\$	10,631
Computer Charges.....	\$	335,622
Real Estate Rentals	\$	165,300
Telecommunications	\$	41,556
Per Diem, Fees and Contracts	\$	134,750
Total Funds Budgeted.....	\$	<u>2,185,821</u>
State Funds Budgeted.....	\$	2,185,821

Departmental Functional Budgets

www.libtool.com.cn	State Funds	Cost of Operations
Real Estate Commission	\$ 2,185,821	\$ 2,225,821

Section 30. Soil and Water Conservation Commission.

Budget Unit: Soil and Water Conservation

Commission	\$ 2,122,473
Personal Services	1,150,400
Regular Operating Expenses	209,454
Travel	43,268
Motor Vehicle Purchases	25,322
Equipment	10,970
Computer Charges	12,045
Real Estate Rentals	91,563
Telecommunications	20,773
Per Diem, Fees and Contracts	797,015
County Conservation Grants	297,000
Total Funds Budgeted	2,657,810
State Funds Budgeted	2,122,473

Section 31. Student Finance Commission.

A. Budget Unit: Student Finance Commission	32,732,855
Personal Services	4,865,833
Regular Operating Expenses	597,250
Travel	81,800
Motor Vehicle Purchases	0
Equipment	16,500
Computer Charges	219,180
Real Estate Rentals	45,600
Telecommunications	234,275
Per Diem, Fees and Contracts	42,757
Payment of Interest and Fees	0
Guaranteed Educational Loans	4,076,000
Tuition Equalization Grants	25,452,487
Student Incentive Grants	2,216,321
Law Enforcement Personnel Dependents' Grants	64,000
North Georgia College ROTC Grants	321,875
Osteopathic Medical Loans	100,000
Georgia Military Scholarship Grants	730,000
Paul Douglas Teacher Scholarship Loans	0
Total Funds Budgeted	39,063,878
State Funds Budgeted	32,732,855

Departmental Functional Budgets

	Total Funds	State Funds
Internal Administration	\$ 5,547,664	\$ 0
Higher Education Assistance Corporation	\$ 0	\$ 0
Georgia Student Finance Authority	\$ 32,960,683	\$ 32,177,324
Georgia Nonpublic Postsecondary Education Commission	\$ 555,531	\$ 555,531
Total	\$ 39,063,878	\$ 32,732,855

B. Budget Unit: Lottery for Education.....\$ 159,413,161

HOPE Financial Aid Tuition	\$	79,274,984
HOPE Financial Aid Books.....	\$	21,277,807
HOPE Financial Aid Fees.....	\$	14,498,583
Tuition Equalization Grants	\$	34,620,387
Georgia Military College Scholarship	\$	567,000
LEPD Scholarship	\$	235,600
Teacher Scholarships.....	\$	10,000,000
Promise Scholarships.....	\$	3,000,000
Total Funds Budgeted.....	\$	159,413,161
Lottery Funds Budgeted.....	\$	159,413,161

Section 32. Teachers' Retirement System.

Budget Unit: Teachers' Retirement System	\$	4,130,000
Personal Services.....	\$	4,358,505
Regular Operating Expenses	\$	423,500
Travel.....	\$	20,500
Motor Vehicle Purchases	\$	0
Equipment.....	\$	8,150
Computer Charges.....	\$	877,791
Real Estate Rentals	\$	469,750
Telecommunications	\$	146,000
Per Diem, Fees and Contracts	\$	371,000
Retirement System Members.....	\$	3,750,000
Floor Fund for Local Retirement Systems	\$	380,000
Total Funds Budgeted.....	\$	10,805,196
State Funds Budgeted.....	\$	4,130,000

Section 33. Department of Technical and Adult Education.

A. Budget Unit: Department of Technical and Adult Education.....	\$	179,665,159
Personal Services.....	\$	4,245,834
Regular Operating Expenses	\$	409,948
Travel.....	\$	142,500
Motor Vehicle Purchases	\$	0
Equipment.....	\$	33,544
Computer Charges.....	\$	740,554
Real Estate Rentals	\$	379,524
Telecommunications	\$	107,099
Per Diem, Fees and Contracts	\$	692,530
Personal Services-Institutions.....	\$	139,494,113
Operating Expenses-Institutions.....	\$	35,914,741
Capital Outlay	\$	0
Quick Start Program	\$	8,213,630
Area School Program.....	\$	19,950,378
Regents Program	\$	3,390,682
Adult Literacy Grants	\$	18,778,860
Total Funds Budgeted.....	\$	232,493,937
State Funds Budgeted.....	\$	179,665,159

Departmental Functional Budgets

	Total Funds	State Funds
Administration	\$ 6,751,533	\$ 4,681,547
Institutional Programs	\$ 225,742,404	\$ 174,983,612
Total	\$ 232,493,937	\$ 179,665,159

B. Budget Unit: Lottery for Education.....	\$	53,313,349
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Computer Laboratories and Satellite	
Dishes-Adult Literacy.....	\$ 1,000,000
Capital Outlay Technical Institute	
Satellite Facilities.....	\$ 25,663,349
Equipment-Technical Institutes.....	\$ 21,355,000
Repairs and Renovations Technical	
Institutes.....	\$ 5,295,000
Total Funds Budgeted.....	\$ 53,313,349
Lottery Funds Budgeted.....	\$ 53,313,349

Section 34. Department of Transportation.

Budget Unit: Department of Transportation.....	\$ 542,896,193
Personal Services.....	\$ 254,073,176
Regular Operating Expenses	\$ 57,020,469
Travel.....	\$ 1,970,840
Motor Vehicle Purchases	\$ 2,000,000
Equipment.....	\$ 6,377,626
Computer Charges.....	\$ 3,929,287
Real Estate Rentals	\$ 1,337,073
Telecommunications	\$ 2,743,320
Per Diem, Fees and Contracts	\$ 41,559,264
Capital Outlay	\$ 780,007,661
Capital Outlay Airport Approach Aid and	
Operational Improvements	\$ 1,024,100
Capital Outlay Airport Development.....	\$ 1,267,500
Mass Transit Grants.....	\$ 9,933,053
Harbor Maintenance/Intra-Coastal	
Waterways Maintenance and Operations	\$ 700,000
Contracts with the Georgia Rail Passenger	
Authority	\$ 400,000
Total Funds Budgeted.....	\$ 1,164,343,369
State Funds Budgeted.....	\$ 542,896,193

Departmental Functional Budgets

Motor Fuel Tax Budget	Total Funds	State Funds
Planning and Construction	\$ 866,381,838	\$ 267,321,604
Maintenance and Betterments	\$ 241,935,601	\$ 230,011,616
Facilities and Equipment	\$ 14,076,201	\$ 13,516,201
Administration	\$ 24,775,579	\$ 24,150,579
Total	\$ 1,147,169,219	\$ 535,000,000

General Funds Budget

Planning and Construction	\$ 0	\$ 0
Air Transportation	\$ 2,003,250	\$ 1,616,250
Inter-Modal Transfer Facilities	\$ 14,470,900	\$ 5,579,943
Harbor/Intra-Coastal Waterways		
Activities	\$ 700,000	\$ 700,000
Total	\$ 17,174,150	\$ 7,896,193

Section 35. Department of Veterans Service.

Budget Unit: Department of Veterans Service.....	\$ 21,567,780
Personal Services.....	\$ 5,099,436
Regular Operating Expenses	\$ 147,282
Travel.....	\$ 80,629
Motor Vehicle Purchases	\$ 0
Equipment.....	\$ 114,855
Computer Charges.....	\$ 10,881

Real Estate Rentals	\$	248,700
Telecommunications	\$	62,200
Per Diem, Fees and Contracts	\$	7,078,093
Operating Expense/Payments to Central State		
Hospital.....	\$	8,187,345
Operating Expense/Payments to Medical College of Georgia	\$	7,595,980
Regular Operating Expenses for Projects and Insurance	\$	649,947
Total Funds Budgeted.....	\$	29,275,348
State Funds Budgeted.....	\$	21,567,780

Departmental Functional Budgets

	Total Funds	State Funds
Veterans Assistance	\$ 12,747,576	\$ 12,476,076
Veterans Home and Nursing Facility Milledgeville	\$ 8,528,945	\$ 3,429,071
Veterans Nursing Home-Augusta	\$ 7,998,827	\$ 5,662,633
Total	\$ 29,275,348	\$ 21,567,780

Section 36. Workers' Compensation Board.

Budget Unit: Workers' Compensation Board	\$	10,702,701
Personal Services.....	\$	8,666,608
Regular Operating Expenses	\$	372,074
Travel.....	\$	76,840
Motor Vehicle Purchases	\$	0
Equipment.....	\$	17,252
Computer Charges.....	\$	247,479
Real Estate Rentals	\$	1,079,835
Telecommunications	\$	207,613
Per Diem, Fees and Contracts	\$	225,000
Payments to State Treasury.....	\$	0
Total Funds Budgeted.....	\$	10,892,701
State Funds Budgeted.....	\$	10,702,701

Section 37. State of Georgia General Obligation Debt Sinking Fund.

A. Budget Unit: State of Georgia General Obligation Debt Sinking Fund		
State General Funds (Issued).....	\$	373,438,501
Motor Fuel Tax Funds (Issued)	\$	35,000,000
	\$	408,438,501
B. Budget Unit: State of Georgia General Obligation Debt Sinking Fund		
State General Funds (New)	\$	6,136,450
Motor Fuel Tax Funds (New).....	\$	0
	\$	6,136,450

Section 38. Provisions Relative to Section 3, Judicial Branch. The appropriations in Section 3 (Judicial) of this Act are for the cost of operating the Supreme Court of the State of Georgia, including salaries and retirement contributions for Justices and the employees of the Court, including the cost of purchasing and distributing the reports (decisions) of the appellate courts to the Judges, District Attorneys, Clerks, and others as required by Code Section 50-18-31, and including Georgia's pro rata share for the operation of the National Center for State Courts; cost of operating the Court of Appeals of the State of Georgia, including salaries and retirement contributions for judges and employees of the Court; cost of operating the Superior Courts of the State of Georgia,

including the payment of Judges' salaries, the payment of mileage authorized by law and such other salaries and expenses as may be authorized by law; for the payment of salaries, mileage and other expenses as may be authorized by law for District Attorneys, Assistant District Attorneys and District Attorneys Emeritus; for the cost of staffing and operating the Prosecuting Attorneys' Council created by Code Section 15-18-40, the Sentence Review Panel created by Code Section 17-10-6, the Council of Superior Court Judges, and the Judicial Administrative Districts created by Code Section 15-5-2, for the latter of which funds shall be allocated to the ten administrative districts by the Chairman of the Judicial Council; cost of operating the Council of Juvenile Court Judges created by Code Section 15-11-4; cost of staffing and operating the Institute of Continuing Judicial Education and the Georgia Magistrate Courts Training Council created by Code Section 15-10-132; cost of operating the Judicial Council of the State of Georgia, the Administrative Office of the Courts, the Board of Court Reporting of the Judicial Council, the Georgia Courts Automation Commission and the Office of Dispute Resolution, and for payments to the Council of Magistrate Court Judges, the Council of Probate Court Judges and the Council of State Court Judges.

Section 39. Provisions Relative to Section 4, Department of Administrative Services. It is the intent of the General Assembly that all future purchases of radio and related equipment must be compatible with the 800 mhz system. Purchases must be approved by the Office of Planning and Budget and the Department of Administrative Services.

Section 40. Provisions Relative to Section 8, Department of Community Affairs. Provided, that the funds appropriated herein to the Georgia Environmental Facilities Authority for loans shall be available for nominal or no interest loans to counties, municipalities, local water or sewer authorities, boards or political subdivisions created by the General Assembly or pursuant to the Constitution and laws of the state for emergency-type water and sewer projects.

Provided, that from the appropriation made above for "Local Assistance Grants", specific, mandatory appropriations pursuant to O.C.G.A. 50-8-8(a) are made as follows:

Recipient	Purpose	Amount
Clayton County	Recreational Equipment in Clayton County	\$ 25,000
DeKalb County	Operation of "Hot Zone Policing"	\$ 10,000
Appling County	Expenses Related to Capital Murder Trials	\$ 25,000
City of Ashburn	Construction of Sports Facilities	\$ 25,000
Cobb County	Preservation of the Hardy Pace House	\$ 20,000
Athens/Clarke County	Operating Funds for the Safe Campus Now Program	\$ 40,000
Bibb County	Operation of the Bibb County Community Action Agency	\$ 5,000
Haralson County	Equip/Operate Haralson County Recreational Facilities	\$ 15,000
City of Atlanta	Renovate and Equip the Jerico Road Project in Atlanta	\$ 30,000
City of Atlanta	Renovations to a Health Clinic	\$ 40,000
City of Augusta	Land Purchase at Historical Ezekiel Harris House	\$ 50,000
Bacon County	Renovate and Equip the Historic Courthouse	\$ 25,000
City of Barnesville	Extension of Water Lines	\$ 12,500
City of Augusta	Operation of the Augusta	

	Task Force for the Homeless	\$ 15,000
Berrien County	Construction of Lecture Hall	\$ 50,000
Brantley County	Purchase Fire and Rescue Equipment	\$ 15,000
Brooks County	Repairs and Additions to Brooks County Livestock Arena	\$ 50,000
City of Broxton	Renovation to the Fire Department and Community Center	\$ 10,000
Butts County	Equipment and Lighting at Recreational Fields	\$ 25,000
City of Byromville	Upgrade Water Mains	\$ 20,000
City of Calhoun	Renovation and Restoration of Historic Railroad Depot	\$ 25,000
City of Camilla	Renovations and Repairs to Facilities	\$ 35,000
Worth County	Construction of a Softball Complex	\$ 25,000
Candler County	Expansion of Visitors Center	\$ 10,000
City of Centerville	Construction of Fire Station	\$ 50,000
Charlton County	Purchase Fire and Rescue Equipment	\$ 15,000
Chatham County	Replant Trees Between Bryanwood and Talahi Island on Route 80	\$ 10,000
Clinch County Board of Education	Construction of a Multi-purpose Building	\$ 10,000
Clayton County	Clayton County Board of Education Prevention Plus Program	\$ 25,000
City of Cochran	Renovations to the Fire Station	\$ 25,000
Gwinnett County Board of Education	Lights and Handicapped Access for the Collins Hill High School Athletic Fields	\$ 50,000
City of Columbus	Operate the Liberty Theatre Cultural Center	\$ 75,000
City of Columbus	Renovations to the Springer Opera House	\$ 50,000
City of Commerce	Renovations to the Civic Center	\$ 35,000
Crawford County Board of Education	Heating and Plumbing System Repairs for Gymnasium	\$ 5,000
City of Columbus	Operation of the Columbus Tourism Network	\$ 25,000
City of Columbus	Operation of the Play and Learn Together Program	\$ 25,000
Crawford County	Improvements at the Crawford County Industrial Authority Park	\$ 50,000
Crisp County	Equipment for Crisp County Board of Education Middle School Laboratory	\$ 25,000
Crisp County Board of Education	Lighting for Crisp County High School Softball Field	\$ 15,000
DeKalb County	Training at DeKalb United Child Care Association	\$ 25,000
City of Fort Oglethorpe	Construction of a Historical Museum	\$ 10,000
City of Franklin Springs	Renovations to Sedimentation Pool	\$ 45,000
Franklin County	Design and Construct Franklin County/Hart County Airport	\$ 5,000
Fulton County Board	Classrooms for Fulton County	

of Education	Board of of Education	\$ 60,000
Fulton County	Operation of Center for Renewal of Democracy	\$ 25,000
City of Garden City	Improvements to Gymnasium and Stadium	\$ 8,000
City of Girard	Renovations to Gymnasium	\$ 7,500
City of Sardis	Improvements to City of Sardis	\$ 7,500
City of Grayson	Equipment Furnishings for Community Senior Center	\$ 25,000
Greene County	Purchase and Installation of chain link fence for Greene County Airport	\$ 40,000
Henry County Board of Education	Construction of a Fine Arts Building	\$ 12,500
Houston County	Operation of the Museum of Aviation	\$ 175,000
Houston County Board of Education	Athletic Field Fencing for Houston County High School	\$ 10,000
Jackson County	Erection of Monument	\$ 2,500
Jasper County Board of Education	Renovation of Elementary School Restroom and Rose Bowl Field	\$ 40,000
Jeff Davis County	Administrative Cost and Legal Fees for Jeff Davis Hospital Authority	\$ 15,000
Jeff Davis County	Renovations to Jeff Davis County Extension Service and Annex and Law Enforcement Center	\$ 15,000
Jenkins County	Asbestos Removal from Jenkins County Development Authority Facility	\$ 50,000
City of Kite	Renovations to Heating System for Community Center	\$ 4,250
Chatham County	Renovation/Restoration of the Beach Institute Building	\$ 20,000
City of LaGrange	Purchase Equipment for City of LaGrange/Troup County Recreation Commission	\$ 10,000
City of Lake City	Improvements to Park and Recreation Facilities	\$ 20,000
Lamar County	Plan/Construct Livestock Pavillion and Arena	\$ 12,500
Lanier County Board of Education	Renovations and Heating, Ventilation and Air Conditioning Addition for Facility	\$ 10,000
Long County	Purchase of Patrol Car	\$ 18,000
City of Lincolnton	Correction to Flood Control Problem	\$ 12,000
City of Lula	Renovations to Old City Hall Building	\$ 20,000
City of Gainesville	Operation of a Gainesville Community Facility	\$ 10,000
Lumpkin County	Construction of Animal Shelter	\$ 10,000
City of Lyerly	Upgrade Water System	\$ 30,000
Macon County	Purchase Equipment for Macon County Local Emergency Planning Commission	\$ 10,500

Madison County	Provide for Infrastructure Study of Water and Sewer Systems	\$ 30,000
Meriwether County	Renovate Old Greenville Railroad Depot	\$ 10,000
Meriwether County	Creation of Recreation Department	\$ 10,000
City of Monroe	Renovations to Monroe Area Comprehensive High School Athletic Track	\$ 15,000
Muscogee County	Equipment and Operating Expenses for Columbus Community Center	\$ 20,000
Muscogee County	Operation of Combined Communities of Southeast Columbus	\$ 20,000
Muscogee County	Operation of MEN of Action Mentoring Program	\$ 10,000
City of Dalton	Operating Expenses and Fire Code Renovations at Northwest Georgia Girl's Home	\$ 40,000
Oconee Regional Library	Renovations to Oconee Regional Library Facility	\$ 25,000
City of Odum	To Repair Facilities	\$ 5,000
City of Screven	To Repair Facilities	\$ 5,000
Oglethorpe County Board of Education	Extension of Water Line to New Oglethorpe County Elementary School	\$ 12,000
City of Milledgeville	Restorations to Old Governor's Mansion	\$ 75,000
Peach County	Provide Heating and Air Conditioning System for Peach County Development Authority Facility	\$ 15,000
Cobb County Board of Education	Provide External Security Lighting for Pebblebrook High School	\$ 30,000
City of Columbus	Operating Expenses for BRIDGE Program	\$ 15,000
Houston County	Perry-Houston County Airport Authority Terminal and Hangar Improvements	\$ 50,000
Pierce County	Purchase Fire and Rescue Equipment	\$ 15,000
Pulaski County	Establish a Recreation Facility	\$ 10,000
Putnam County	Repairs and Renovations to Putnam County Recreation Department Gymnasium	\$ 15,000
Rabun County	Renovations of Rabun County Gymnasium	\$ 75,000
City of Rentz	Repairs to Sewer System	\$ 10,000
City of Savannah	Construction of Community Center	\$ 20,000
Dekalb County	Purchase 36-passenger Bus for Senior Connections	\$ 62,000
Gwinnett County Board of Education	Construct Athletic Stadium at Shiloh High School in Gwinnett County	\$ 25,000
Cobb County Board of Education	Repairs and Renovation at South Cobb High School	\$ 35,000
Gwinnett County Board of Education	Recreation Equipment for Suwanee and Lanier High Schools	\$ 30,000
Emanuel County	Construct and Renovate Recreation Complex at Swainsboro/Emanuel County Recreation Authority	\$ 40,000

Talbot County Board of Education	Construct Central High School Greenhouse in Talbot County	\$ 45,000
Telfair County	Production Costs for a Historical Drama	\$ 5,000
Telfair County	Operating Expenses for Sheriff's Office	\$ 18,000
Towns County	Production Costs for Reach of Song Drama	\$ 20,000
Twiggs County Board of Education	Lights and Bleachers for Twiggs County High School Football Field	\$ 50,000
City of Tybee Island	Painting of the Historic Tybee Lighthouse	\$ 15,000
Lowndes County Board of Education	Repairs to Valdosta City School System Facilities	\$ 15,000
City of Vidalia	Create Basketball Area for Recreation Department	\$ 45,000
Ware County Board of Education	Equipment Purchases for Ware County School System	\$ 6,000
Ware County	Promotion Expenses for Waycross-Ware County Chamber Tourist Division	\$ 5,000
Wayne County	Equipment and Renovations to River Park	\$ 5,000
Wayne County	Repairs and Construction to Recreation Facility	\$ 10,000
City of Waynesboro	Acquiring and Renovating Human Development Centers	\$ 15,000
Webster County	Heating and Cooling Equipment for Webster County Agriculture Education Center	\$ 25,000
City of Willacochee	Construction of a New City Hall	\$ 30,000
City of Fitzgerald	Construction of Airport	\$ 50,000
Clayton County	Shrubbery, Trees and Concrete Pipes and Containers	\$ 15,000
City of Bowersville	Equipment for Repairs to Water System	\$ 10,000
Gwinnett County Board of Education	Improvements to Duluth High School Baseball Field	\$ 30,000
City of East Dublin	Improve City of East Dublin Water System	\$ 50,000
City of Eastman	Recreation Equipment	\$ 25,000
Echols County Board of Education	Enhancements to Echols County Board of Education Campuses	\$ 6,000
Emanuel County	Construction and Renovation at Varner 4-H Center	\$ 17,500
Fannin County	Purchase an Equipped Rescue Vehicle	\$ 15,000
City of Pelham	Improvements to Water and Sewer System	\$ 35,000
City of Atlanta	Operation of Public Access and Teacher Preparation Programs at Clark Atlanta University	\$ 250,000
City of Tallapoosa	Equip/Operate Recreational Facilities	\$ 15,000
City of Bremen	Equip/Operate Recreational Facilities	\$ 15,000
City of Cave Spring	Improvements for Rolator Park	\$ 40,000
Fulton County	Operation of Fulton County Drug Program	\$ 48,000

Dade County	Renovation to Middle School Gymnasium	\$ 20,000
Fulton County	Improvements to Fulton Industrial Boulevard at Fulton County Airport Brown Field	\$ 50,000
Twiggs County Board of Education	Lights and Bleachers for Twiggs County High School Football Field	\$ 50,000
Gwinnett County	Roof Repairs at Creative Enterprises	\$ 50,000
Hall County	Operation of Temporary Welcome Center	\$ 5,000
Richmond County	Lights for Richmond County Little League Field	\$ 20,000
Richmond County	Operation of the Richmond County Boxing Club	\$ 10,000
Cobb County	Expansion of the Marietta/Cobb YMCA Battered Women's Shelter	\$ 20,000
City of Rockmart	Renovation of Rockmart Recreation Complex	\$ 50,000
City of Aragon	Equipment/Operations of Recreational Facilities	\$ 10,000
City of Cedartown	Equipment/Operation of Recreational Facilities	\$ 15,000
Coweta County	Construction of Youth Athletic Complex	\$ 35,000
Treutlen County	Construction of Recreation Field House	\$ 35,000
Hancock County	Equipment for Volunteer Fire Department	\$ 10,000
City of Social Circle	Renovation of Gunter Hall in Social Circle	\$ 15,000
DeKalb County	Repairs to Pine Lake Dike	\$ 20,000
DeKalb County	Operation of the Soapstone Arts Center	\$ 20,000
DeKalb County	Operate the South DeKalb Business Incubator	\$ 20,000
DeKalb County	Lighting for East Lake Neighbors	\$ 20,000
Screvens County Board of Education	For Technology Equipment at the Screvens County School System	\$ 25,000
Jenkins County Board of Education	Recreational Equipment for the Jenkins County School System	\$ 7,000
City of Plains	Fire Equipment for the City of Plains	\$ 10,000
Peach County	To Purchase Welcome Signs for Peach County	\$ 8,145
City of Montezuma	Paving for Blanks Civic Complex	\$ 50,000
Chatham County	Restoration and Renovation of Building for Con-Ed., Inc.	\$ 10,000
Chatham County	Operation of Chatham County Rape Crisis Center	\$ 10,000
Chatham County	Renovation/Construction of the Savannah Lucas Theatre	\$ 35,000
McIntosh County Board of Education	Construction of Bleachers for McIntosh County School System	\$ 35,000
Long County	Purchase of Land for Long County Park	\$ 25,000
City of Greenville	Construction of Greenville Railroad Depot	\$ 50,000

Hart County	Operation of Hart County Parks	\$ 25,000
City of Cave Springs	Operation of Crossroads Program for Georgia School for the Deaf	\$ 50,000
Lumpkin County	Construction Veterans Park and Monument	\$ 15,000
Lumpkin County Board of Education	Equipment Purchases for Lumpkin County High School	\$ 15,000
Bleckley County	Construction/Renovation of Courthouse	\$ 50,000
City of Pelham	For Lighting at the Pelham Livestock Complex	\$ 15,000
City of Ellijay	Renovation/Construction for Vocational Transitions, Inc.	\$ 15,000
Fannin County	Purchase Rescue Equipment	\$ 30,000
City of Douglas	To Construct Softball/Soccer Complex	\$ 75,000
Coffee County	For Computer Programming at the Coffee County Health Department	\$ 75,000
City of Atlanta	Litter Abatement	\$ 50,000
Clayton County	Improvements to Rex Athletic Field	\$ 15,000
Pulaski County	Establish a Recreation Facility in Pulaski County	\$ 50,000
City of Riverdale	Improvements to Riverdale Recreational Facilities	\$ 15,000
City of Morrow	Improvements to Morrow Recreational Facilities	\$ 15,000
City of Forest Park	Park Improvements in Forest Park	\$ 15,000
DeKalb County	Operation of Violence Prevention Program	\$ 25,000
DeKalb County	Operation of the Winning Circle Program	\$ 25,000
City of Americus	Operation of Cultural Arts Program	\$ 25,000
City of Albany	Accessible Van for Slater King Adult Day Center	\$ 30,000
Quitman County	Renovations for the Quitman County Courthouse	\$ 25,000
DeKalb County	Equipment for Initiative for Children and Families	\$ 15,000
Lowndes County Board of Education	Vocational Equipment for Lowndes County High School	\$ 10,000
City of Valdosta	To Construct Valdosta Historic Monument	\$ 20,000
City of Sardis	Equipment/Operations for City of Sardis	\$ 15,000
City of Keysville	Equipment/Operations for City of Keysville	\$ 10,000
Glynn County	To Provide for Project SHARE	\$ 20,000
Fannin County	For Operation of Georgia Mental Health Services	\$ 37,440
Irwin County	Construction of FFA Livestock Show Barn	\$ 25,000
Seminole County Board of Education	Construction of Greenhouse for Seminole High School	\$ 40,000
DeKalb County	Equipment/Operation of Fernbank Museum	\$ 75,000
City of Milledgeville	Historical Museum	

	Operations	\$ 10,000
DeKalb County	Operation of Juvenile Court Truancy Program	\$ 40,000
City of Chamblee	Law Enforcement Radio Equipment	\$ 7,500
Augusta/Richmond County	Operation of Community-Based Organizations	\$ 50,000
Chatham County	Construction of Ralph Mark Gilbert Museum	\$ 20,000
Chatham County	Operation of Savannah Tourism Network	\$ 10,000
Bibb County	Regional Health Education Center in Macon to be operated by the Medical Center of Middle Georgia	\$ 2,000,000
Houston County	Construction of Warner Robins Engineering Facility	\$ 3,000,000
Newton County	Purchase of Land for Economic Development	\$ 7,100,000

Section 41. Provisions Relative to Section 11, State Board of Education Department of Education. The formula calculation for Quality Basic Education funding assumes a base unit cost of \$1,837.30. In addition, all local school system allotments for Quality Basic Education shall be made in accordance with funds appropriated by this Act.

Provided, that of the above appropriation relative to 13% incentive grants to local school systems for implementing middle grades programs, such grants shall be made to local school systems for only those schools containing grades seven and eight or grades six, seven and eight which provide a minimum of 85 minutes of common preparation time during the student instructional day to each interdisciplinary team of teachers responsible for instruction in language arts, mathematics, science and social studies, and which meet criteria and standards prescribed by the State Board of Education for middle school programs.

Section 42. Provisions Relative to Section 12, Employees' Retirement System. There is included in this appropriations bill funding for H.B. 244, H.B. 590, H.B. 679, H.B. 743, H.B. 852, and H.B. 1046.

Section 43. Provisions Relative to Section 16, Department of Human Resources. The Department of Human Resources is authorized to calculate all Aid to Families with Dependent Children benefit payments utilizing a factor of 66.0% of the standards of need; such AFDC payments shall be made from the date of certification and not from the date of application; and the following maximum benefits and maximum standards of need shall apply:

Number in Asst. Group	Standards of Need	Maximum Monthly Amount
1	\$ 235	\$ 155
2	356	235
3	424	280
4	500	330
5	573	378
6	621	410
7	672	444
8	713	470
9	751	496
10	804	530
11	860	568

Provided, the Department of Human Resources is authorized to transfer funds between the Personal Services object class and the Per Diem, Fees and Contracts subobject class at each of the MH/MR/SA institutions as needed to insure coverage for

physician, nursing, physical therapy, and speech and hearing therapy services. Such transfers shall not require prior budgetary approval.

Provided, that of the appropriation relative to Community Mental Health/Mental Retardation and Institutions, Regional Boards will be allocated State hospital funds equal to their DHR approved formula fair share. Regional Boards must use their fair share allocation or 90% of their base year hospital utilization funding (whichever is less) to purchase State hospital services. The balance may be used for community based care in accordance with approved Regional Plans.

Section 44. Provisions Relative to Section 21, Department of Medical Assistance. There is hereby appropriated to the Department of Medical Assistance a specific sum of money equal to all the moneys contributed to the Indigent Care Trust Fund created pursuant to Article 6 of Chapter 8 of Title 31. The sum of money is appropriated for all of those purposes for which such moneys may be appropriated pursuant to Article 6, and may be used to match federal funds which are available for such purposes.

Provided, that of the above appropriation relating to Medicaid Benefits, \$100,000 is designated for the Independent Care program for personal assistance and support.

Provided, the Department shall exclude pharmacy services in the HMO pilot, and allow acute care hospitals statewide to contract with Medicaid for services on a non-risk capitated rate.

Provided, that the Department shall implement a clinically based, automated prospective drug utilization review program.

Section 45. Provisions Relative to Section 22, Merit System of Personnel Administration. The Department is authorized to assess no more than \$173.70 per merit system budgeted position for the cost of departmental operations.

It is the intent of this General Assembly that the employer contribution rate for the state employees health benefit plan for SFY 1997 shall not exceed 12.5%.

It is the intent of this General Assembly that the employer contribution rate for the teachers health benefit plan for SFY 1997 shall not exceed 8.66%.

It is the intent of the General Assembly that the State Personnel Board implement pharmacy program modifications to establish reimbursement for independent pharmacy claims at the lower of: the State Merit System base as of January 1, 1996 pricing arrangement; the pharmacy provider's usual and customary charge; or the lowest marketplace pricing (other third party contract) accepted by the pharmacy provider.

Section 46. Provisions Relative to Section 23, Department of Natural Resources. Provided, that to the extent State Parks and Historic Sites receipts are realized in excess of the amount of such funds contemplated in this Act, the Office of Planning and Budget is authorized to use up to 50 percent of the excess receipts to supplant State funds and the balance may be amended into the budget of the Parks, Recreation and Historic Sites Division for the most critical needs of the Division. This provision shall not apply to revenues collected from a state parks parking pass implemented by the Department.

It is the intent of the General Assembly that the Department of Natural Resources do a feasibility study with existing funds to develop a natural park and/or wilderness area along the Ocmulgee River.

It is the intent of the General Assembly that the Department of Natural Resources provide grants to local governments in the Chattahoochee River Basin to deal with downstream environmental problems.

Section 47. Provisions Relative to Section 32, Teachers' Retirement System. There is included in this appropriations bill funding for H.B. 691, H.B. 977, H.B. 586, and H.B. 1025.

Section 48. Provisions Relative to Section 33, Department of Technical and Adult Education. To provide authorization for the conversion of Atlanta Area Technical Institute and Savannah Regional Technical Institute to State operated institutions.

Section 49. Provisions Relative to Section 34, Department of Transportation. For this and all future general appropriations acts, it is the intent of this General Assembly that the following provisions apply:

a.) ~~In order to meet the requirements~~ for projects on the Interstate System, the Office of Planning and Budget is hereby authorized and directed to give advanced budgetary authorization for letting and execution of Interstate Highway Contracts not to exceed the amount of Motor Fuel Tax Revenues actually paid into the Fiscal Division of the Department of Administrative Services.

b.) Objects for activities financed by Motor Fuel Tax Funds may be adjusted for additional appropriations or balances brought forward from previous years with prior approval by the Office of Planning and Budget.

c.) Interstate rehabilitation funds may be used for four-laning and passing lanes. Funds appropriated for on-system resurfacing, four-laning and passing lanes may be used to match additional Federal aid.

d.) The Fiscal Officers of the State are hereby directed as of July 1st of each fiscal year to determine the collection of Motor Fuel Tax in the immediately preceding year less refunds, rebates and collection costs and enter this amount as being the appropriation payable in lieu of the Motor Fuel Tax Funds appropriated in Section 34 of this Bill, in the event such collections, less refunds, rebates and collection costs, exceed such Motor Fuel Tax Appropriation.

e.) Functions financed with General Fund appropriations shall be accounted for separately and shall be in addition to appropriations of Motor Fuel Tax revenues required under Article III, Section IX, Paragraph VI, Subsection (b) of the State Constitution.

f.) Bus rental income may be retained to operate, maintain and upgrade department-owned buses, and air transportation service income may be retained to maintain and upgrade the quality of air transportation equipment.

g.) Income derived from the sale of intermodal aircraft may be retained to finance the expansion of the state aircraft facility at Charlie Brown Airport.

In order to aid the Department in the discharge of its powers and duties pursuant to Section 32-2-2 of the Official Code of Georgia Annotated, and in compliance with Section 32-2-41 (b)(1), O.C.G.A., the Department is authorized to transfer position counts between budget functions provided that the Department's total position count shall not exceed the maximum number of annual positions assigned by law.

It is the express intent of this General Assembly, by this Act, that the use of motor fuel funds for the purpose of providing annual debt service on existing or new general obligation debt, for road purposes, issued by the State of Georgia, is for the sole and specific purpose of addressing the State's special need appropriation.

Section 50. In addition to all other appropriations for the State fiscal year ending June 30, 1997, there is hereby appropriated \$3,600,000 for the purpose of providing funds for the operation of regional farmers' markets in the Department of Agriculture; and there is hereby appropriated \$400,000 for the purpose of providing funds for the Weights and Measures, Warehouse Auditing Programs, Animal Protection Program and Feed Division; there is hereby appropriated \$9,468,000 for the purpose of providing operating funds for the State physical health laboratories (\$120,000 Budget Unit "A") and for State mental health/mental retardation institutions (\$9,348,000 Budget Unit "B") in the Department of Human Resources; and there is hereby appropriated \$10,000,000 for the purpose of providing funds for the operation of the Employment Service and Unemployment Insurance Programs in the Department of Labor. The Office of Planning and Budget is hereby authorized to transfer funds from this section to the appropriate departmental budgets in amounts equal to the departmental remittances to the Fiscal Division of the Department of Administrative Services from agency fund collections.

Section 51. In addition to all other appropriations for the State fiscal year ending June 30, 1997, there is hereby appropriated \$12,245,000 to the Office of the Governor for transfer to budget units with appropriate powers for providing housing contracts, food service contracts, overtime payments, training and other expenses related to security operations by those State agencies for the 1996 Olympic Games. The Office of Planning and

Budget is hereby authorized and directed to transfer funds from this Section to appropriate budget units for the purpose of making such payments.

Section 52. To the extent to which Federal funds become available in amounts in excess of those contemplated in this Appropriations Act, such excess Federal funds shall be applied as follows, whenever feasible:

First, to supplant State funds which have been appropriated to supplant Federal funds, which such supplanted State funds shall thereupon be removed from the annual operating budgets; and

Second, to further supplant State funds to the extent necessary to maintain the effective matching ratio experienced in the immediately preceding fiscal year, which such supplanted State funds shall thereupon be removed from the annual operating budgets.

The Office of Planning and Budget shall utilize its budgetary and fiscal authority so as to accomplish the above stated intent to the greatest degree feasible. At the end of this fiscal year, said Office of Planning and Budget shall provide written notice to the members of the Appropriations Committees of the Senate and House of Representatives of the instances of noncompliance with the stated intent of this Section.

A nonprofit contractor, as defined in Chapter 20 of Title 50, which contracts to receive any public funds appropriated in this Act shall comply with all provisions of Chapter 20 of Title 50 and shall, in addition, deposit copies of each filing required by Chapter 20 of Title 50 with the chairmen of the House and Senate Appropriations Committees and with the Legislative Budget Office, at the same time as the filings required under Chapter 20 of Title 50. Any nonprofit entity which receives a grant of any public funds appropriated in this Act without entering into a contractual arrangement shall likewise, as a condition of such grant, comply with the provisions of Chapter 20 of Title 50 in the same manner as a state contractor and shall likewise file copies of required filings with the chairmen of the House and Senate Appropriations Committees.

Section 53. Each agency for which an appropriation is authorized herein shall maintain financial records in such a fashion as to enable the State Auditor to readily determine expenditures as contemplated in this Appropriations Act.

Section 54. In addition to all other appropriations, there is hereby appropriated as needed, a specific sum of money equal to each refund authorized by law, which is required to make refund of taxes and other monies collected in error, farmer gasoline tax refund and any other refunds specifically authorized by law.

Section 55. No State appropriations authorized under this Act shall be used to continue programs currently funded entirely with Federal funds.

Section 56. In accordance with the requirements of Article IX, Section VI, Paragraph 1a of the Constitution of the State of Georgia, as amended, there is hereby appropriated payable to each department, agency, or institution of the State sums sufficient to satisfy the payments required to be made in each year, under existing lease contracts between any department, agency, or institution of the State, and any authority created and activated at the time of the effective date of the aforesaid constitutional provision, as amended, or appropriated for the State fiscal year addressed within this Act. If for any reason any of the sums herein provided under any other provision of this Act are insufficient to make the required payments in full, there shall be taken from other funds appropriated to the department, agency or institution involved, an amount sufficient to satisfy such deficiency in full and the lease payment constitutes a first charge on all such appropriations.

Section 57. (a.) All expenditures and appropriations made and authorized under this Act shall be according to the programs and activities as specified in the Governor's recommendations contained in the Budget Report submitted to the General Assembly at the 1996 Regular Session, except as provided, however, the Director of the Budget is authorized to make internal transfers within a budget unit between objects, programs and activities subject to the conditions that no funds whatsoever shall be transferred for use in

initiating or commencing any new program or activity not currently having an appropriation of State funds, nor which would require operating funds or capital outlay funds beyond the fiscal year to which this Appropriation Act applies; and provided, further, that no funds ~~whatsoever shall be transferred~~ between object classes without the prior approval of at least eleven members of the Fiscal Affairs Subcommittees in a meeting called to consider said transfers. This Section shall apply to all funds of each budget unit from whatever source derived. The State Auditor shall make an annual report to the Appropriations Committees of the Senate and House of Representatives of all instances revealed in his audit in which the expenditures by object class of any department, bureau, board, commission, institution or other agency of this State are in violation of this Section or in violation of any amendments properly approved by the Director of the Budget.

(b.) (1.) For purposes of this Section, the term "common object classes" shall include only Personal Services, Regular Operating Expenses, Travel, Motor Vehicle Equipment Purchases, Postage, Equipment Purchases, Computer Charges, Real Estate Rentals and Telecommunications.

(b.) (2.) For each Budget Unit's common object classes in this Act, the appropriations shall be as follows: Expenditures of no more than 102% of the stated amount for each common object class are authorized. However, the total expenditure for the group may not exceed the sum of the stated amounts for the separate object classes of the group.

(b.) (3.) It is the further intent of the General Assembly that this principle shall be applied as well when common object class amounts are properly amended in the administration of the annual operating budget.

Section 58. Wherever in this Act the terms "Budget Unit Object Classes" or "Combined Object Classes For Section" are used, it shall mean that the object classification following such term shall apply to the total expenditures within the Budget Unit or combination of budget units within a designated section, respectively, and shall supersede the object classification shown in the Governor's Budget Report.

For budget units within the Legislative Branch, all transfers shall require prior approval of at least eight members of the Legislative Services Committee in a meeting of such Committee, except that no approval shall be required for transfers within the Senate Functional Budget or the House Functional Budget.

Section 59. There is hereby appropriated a specific sum of Federal grant funds, said specific sum being equal to the total of the Federal grant funds available in excess of the amounts of such funds appropriated in the foregoing sections of this Act, for the purpose of supplanting appropriated State funds, which State funds shall thereupon be unavailable for expenditure unless re-appropriated by the Georgia General Assembly. This provision shall not apply to project grant funds not appropriated in this Act.

Section 60. Provisions Relative to Section 37, State of Georgia General Obligation Debt Sinking Fund. With regard to the appropriations in Section 37 to the "State of Georgia General Obligation Debt Sinking Fund" for authorizing new debt, the maximum maturities, user agencies and user authorities, purposes, maximum principal amounts and particular appropriations of highest annual debt service requirements of the new debt are specified as follows:

From the appropriation designated "State General Funds (New)", \$299,700 is specifically appropriated for the purpose of financing projects for the Board of Regents of the University System of Georgia, by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,240,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$925,000 is specifically appropriated for the purpose of financing projects for the Georgia Building Authority, by means of the acquisition, construction, development, extension, enlargement, or

improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$10,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$1,850,000 is specifically appropriated for the purpose of financing projects for the Georgia Building Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$20,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$370,000 is specifically appropriated for the purpose of financing projects for the Georgia Building Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$323,750 is specifically appropriated for the purpose of financing George L. Smith II Georgia World Congress Center facilities for the Department of Industry, Trade and Tourism, by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$1,850,000 is specifically appropriated for the purpose of financing projects for the Department of Transportation, by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$20,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$157,250 is specifically appropriated for the purpose of financing Georgia Sports Hall of Fame Authority facilities for the Department of Community Affairs, by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$231,250 is specifically appropriated for the purpose of financing projects for the Department of Transportation, by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$37,000 is specifically appropriated for the purpose of financing facilities for the Department of Industry, Trade and Tourism by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

From the appropriation designated "State General Funds (New)", \$92,500 is specifically appropriated for the purpose of financing facilities for the Board of Regents of the

University System of Georgia, by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

Section 61. Salary Adjustments. The General Assembly has distributed to and included in the agency appropriations listed hereinbefore State funds for the purposes described herein: 1.) To provide a cost of living adjustment of 4% for employees of the Judicial, Legislative and Executive branches with the amount of the appropriation for this purpose determined according to an effective date of October 1, 1996 (proposed salary adjustments are in conformance with the implementation of the Georgia Gain pay for performance system for Executive branch employees). 2.) To provide for a cost of living adjustment of 4% for each state official (excluding members of the General Assembly) whose salary is set by Act 755 (H.B. 262) of the 1978 General Assembly, as amended, as authorized in said act, Code Section 45-7-4 with the amount of the appropriation for this purpose determined according to an effective date of October 1, 1996. 3.) To provide for a cost of living adjustment of 2% for members of the General Assembly with the amount of the appropriation for this purpose determined according to an effective date of October 1, 1996. 4.) To provide for a 6% increase in the state base salary on the local teacher salary schedule of the State Board of Education with the amount of the appropriation for this purpose determined according to an effective date of September 1, 1996. 5.) To provide for a 4% increase for local school bus drivers and lunchroom workers with the amount of the appropriation for this purpose determined according to an effective date of July 1, 1996. 6.) In addition to the cost of living adjustment in item 1, to provide for an additional 2% increase in the Technical Instructor Salary Schedule of the Department of Technical and Adult Education for instructors with the amount of the appropriation for this purpose, and for the purpose of item 1 as to this group, determined according to an effective date of September 1, 1996, such that the total increase on an annualized basis is 6 percent. 7.) In lieu of item 1 above, to provide a 6% funding level for merit increases for Regents faculty and support personnel with the amount of the appropriation for this purpose determined according to an effective date of July 1, 1996 for non-academic personnel and of September 1, 1996 for academic personnel. 8.) In addition to the cost of living adjustment in item 1 above, to provide a 5% salary increase for the Correctional Officer class series with the amount of the appropriation for this purpose determined according to an effective date of October 1, 1996, such that the total increase on an annualized basis is 9%.

Section 62. TOTAL STATE FUND APPROPRIATIONS

State Fiscal Year 1997

§ 11,341,527,653

Section 63. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

Section 64. All laws and parts of laws in conflict with this Act are repealed.

Representative Coleman of the 142nd moved that the House adopt the report of the Committee of Conference on HB 1265.

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

Y Allen	Y Barnard	Y Brooks, D	Y Byrd	Y Coleman, B
Y Anderson	Y Barnes	Y Brooks, T	Y Campbell	Y Coleman, T
Y Ashe	Y Bates	N Brown, J	Y Canty	Y Connell
Y Bailey	Y Benefield	Y Brush	Y Carter	Y Crawford
Y Baker	Y Birdsong	Y Buck	Y Chambliss	Y Crews
Y Bannister	Y Bordeaux	Y Buckner	Y Channell	Y Culbreth
Y Barfoot	Y Bostick	Y Bunn	Y Childers	Y Cummings
Y Bargeron	Y Breedlove	Y Burkhalter	Y Coker	Y Davis, G

N Davis, M	Y Holmes	Y McBee	Y Reichert	Y Stanley, P
Y Day	Y Howard	Y McCall	Y Roberts	Y Stephenson
Y DeLoach, B	Y Hudson	Y McClinton	Y Rogers	Y Streat
Y DeLoach, G	Y Hugley	Y McKinney	Y Royal	Y Taylor
Y Dix	Y Irvin	N Mills	N Sanders	Y Teague
Y Dixon, H	Y James	Y Mobley, B	Y Sauder	Y Teper
Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins	Y Thomas
Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan	Y Tillman
Y Ehrhart	Y Johnson, G	Y Mueller	Y Shaw	Y Titus
Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill	Y Towery
N Evans	Y Johnston	Y Orrock	Y Shipp	Y Trense
Y Falls	Y Jones	Y Parham	Y Simpson	Y Turnquest
Y Felton	Y Joyce	Y Parrish	Y Sinkfield	Y Twiggs
Y Floyd	N Kaye	Y Parsons	Y Skipper	Y Walker, L
Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C	Y Walker, R.L
Y Golden	Y Klein	Y Perry	N Smith, C.W	Y Wall
Goodwin	Y Ladd	N Pinholster	Y Smith, L	Y Watson
Y Greene	N Lakly	Y Polak	Y Smith, P	Y Watts
Y Grindley	Y Lane	Y Ponder	Y Smith, T	N Westmoreland
Y Hanner	Y Lawrence	Y Porter	N Smith, V	Y Whitaker
Y Harbin	Y Lee	Y Poston	Y Smith, W	Y White
N Harris	Y Lewis	Y Powell	Y Smyre	Y Wiles
Y Heard	Y Lifsey	Y Purcell, A	Y Snelling	Y Williams, B
Y Heckstall	Y Lord	Y Purcell, B	Y Snow	N Williams, J
Y Hegstrom	Y Lucas	Y Randall	Y Stallings	Y Williams, R
Y Hembree	N Maddox	Y Randolph	Y Stancil, F	Y Woods
Y Henson	Y Mann	Y Ray	N Stancil, S	N Yates
Y Holland	Y Martin	Y Reaves	Y Stanley, L	Y Murphy, Spkr

On the motion, the ayes were 162, nays 17.

The motion prevailed.

Representative Goodwin of the 79th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

House Bill 1265 contains many good and justifiable expenses; however, someone must raise the caution flag about the state's increasing bond debt and the expenses that are not justifiable. The outstanding debt as of March 12, 1996 is just over 5 billion dollars. This will require over 4 million dollars of debt service in fiscal year 1997 alone. The bond debt was increased by the conference committee even higher than when HB 1265 left the House Chamber and the Senate Chamber. Taxpayers were told no tax money would be spent on the Olympics and this document contains millions of expenditures specifically for the Olympics. There are several good expenditures such as some educational support, maintenance and operation, lunch room workers, bus drivers and janitors; however, questions continue to surface as we spend tax dollars to manage the flathead catfish population and the process local money is distributed. The Department of Community Affairs contains several good projects and several questionable. We must stop the growing state debt and my no vote expresses this, but it is incorrect to say I am opposed to the good projects.

/s/ James Mills
Rep. 21st

House of Representatives
Atlanta, Georgia 30334

Jim Woods

I voted in favor of HB 1265, the 1997 Fiscal Year budget, because I believe that it follows the precedent established by former President Ronald Reagan in that it slows the traditional rate of growth of state government. Moreover this budget is a result of a purposeful effort by the Governor to examine the continuation budget and to redirect funds based upon public priorities, which process I support and would like to see performed not just this once, but annually.

House of Representatives
Legislative Office Building, Room 404
Atlanta, Georgia 30334

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March 18, 1996

Mr. Robbie Rivers
Clerk of the House of Representatives
309 Capitol Building
Atlanta, Georgia 30334

Dear Mr. Rivers:

Pursuant to rule 137 I submit these comments to explain my "NO" vote on H.B. 1265, the FY 1997 General Appropriations Act.

I support many things in this budget, including a six percent pay raise for teachers, the governors redirection, privatization of prisons, the abolishment of the Merit System, in addition to many other properly funded items in the budget, including capital outlay for fast growing school systems that greatly benefits Cobb County. Unfortunatley, the amount of bond indebtedness in this Conference Committee report greatly exceeds both the House and Senate versions. This additional bond debt will push our total state debt to over five BILLION DOLLARS. That's right \$5,000,000,000! This deficit spending must stop, and for that reason I voted "No"

Sincerely,
/s/ Mitchell A. Kaye, Sr.

MAK:lh

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

Mr. Speaker:

The Senate has disagreed to the House amendments to the following bill of the Senate:

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

The Senate adheres to its amendment and has appointed a Committee of Conference on the following resolutions of the House:

HR 876. By Representative Jenkins of the 110th:

A resolution compensating Ms. Sylvia A. Cone.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Madden of the 47th, Ragan of the 11th and Ralston of the 51st.

HR 884. By Representative Davis of the 60th:

A resolution compensating Ms. Margaret C. Ritchie.

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The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Madden of the 47th, Ragan of the 11th and Ralston of the 51st.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Gillis of the 20th, Madden of the 47th and Marable of the 52nd.

The Senate insists on its amendment to the following bill of the House:

HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

The Senate has adopted the report of the Committee of Conference on the following bill of the House:

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st and others:

A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

The Speaker announced the House in recess until 1:15 o'clock this afternoon.

AFTERNOON SESSION

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The Speaker called the House to order.

Under the general order of business, established by the Committee on Rules, the following Resolution of the Senate was taken up for consideration and read the third time:

SR 445. By Senators Crotts of the 17th and Guhl of the 45th:

A resolution authorizing the lease of certain real property owned by the State of Georgia in Rockdale County, Georgia; to provide an effective date.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Jamieson	Y Pelote	Y Snelling
Y Bailey	Davis, G	Jenkins	Perry	Snow
Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Y Johnson, J	Y Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Dixon, H	Kaye	Powell	Stephenson
Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Taylor
Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Reichert	Titus
Y Brooks, T	Floyd	Y Lewis	Y Roberts	Towery
Y Brown, J	Y Godbee	Y Lifsey	Rogers	Trense
Brush	Golden	Lord	Y Royal	Turnquest
Y Buck	Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Walker, R.L
Burkhalter	Hanner	Martin	Shanahan	Wall
Byrd	Harbin	Y McBee	Shaw	Y Watson
Campbell	Y Harris	McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Shipp	Y Westmoreland
Y Carter	Heckstall	Y McKinney	Y Simpson	Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Childers	Henson	Mobley, J	Y Smith, C	Y Williams, B
Coker	Holland	Y Mosley	Smith, C.W	Williams, J
Y Coleman, B	Holmes	Y Mueller	Smith, L	Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 108, nays 0.

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

Representative Mobley of the 86th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 339. By Representative Barnes of the 33rd:

A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

The following Senate amendment was read:

Amend HB 339 by inserting in line 27 of page 1, immediately following the word "court" the following:

“; provided, however, that the court shall not order payment of the the guardian ad litem by the Department of Human Resources”

Representative Barnes of the 33rd moved that the House disagree to the Senate amendment to HB 339.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in amending the same:

HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

Representative Grindley of the 35th moved that the House insist on its position in disagreeing to the Senate amendment to HB 1420 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Grindley of the 35th, Snelling of the 99th and Skipper of the 137th.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitute thereto:

HB 1467. By Representative Barnes of the 33rd:

A bill to amend Code Section 15-1-9.1 of the Official Code of Georgia Annotated, relating to requesting of judicial assistance from other courts, so as to provide for the compensation, expenses, and mileage allowance for part-time state court judges providing assistance in superior courts.

The following Senate amendment was read:

Amend HB 1467 by changing "1997" on line 9 of page 2 to "1998".

The following amendment was read and adopted:

Representative Barnes of the 33rd moves to amend the Senate amendment to HB 1467 as follows: www.libtool.com.cn

By striking "1998" and inserting "1997"

And by striking after "judges" on line 27 page 1 through "compensation" on line 32 p 1 and inserting therein the following:

"shall receive from state funds appropriated by the General Assembly for the operation of the superior courts for each day of service, the state salary of a superior court judge divided by 235."

Representative Barnes of the 33rd moved that the House agree to the Senate amendment, as amended by the House, to HB 1467.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Porter	Y Stanley, L
N Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	N Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
N Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
N Brooks, D	Y Felton	Y Lee	Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Goodwin	Lucas	N Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	N Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 133, nays 15.

The motion prevailed.

HB 1583. By Representative Jones of the 71st:

A bill to amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to the adoption of rules and regulations by the Department of Human Resources, so as to provide that documents relating to nursing home surveys shall be disclosed.

The following Senate substitute was read:

A BILL

To amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to reports of cited nursing home violations, so as to provide for the disclosure of nursing home survey worksheets and documents and provide for fees; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to reports of cited nursing home violations, is amended by adding at the end thereof a new subsection (c) to read as follows:

“(c) Except as provided in Code Sections 31-8-86 and 31-5-5, all worksheets or documents prepared or compiled by Department of Human Resources surveyors in the course of nursing home surveys shall be provided upon written request to a nursing home which has received notice of intent to impose a remedy or sanction pursuant to 42 U.S.C. Section 1396r or Code Section 31-2-6; provided, however, that the names of residents and any other information that would reveal the identities of residents and the content of resident interviews shall not be disclosed except as provided in survey protocols of the federal Health Care Financing Administration. The department may charge a reasonable reproduction fee as provided in Code Section 50-18-70 et seq.”

SECTION 2.

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

Representative Jones of the 71st moved that the House disagree to the Senate substitute to HB 1583.

The motion prevailed.

HB 1683. By Representatives Mueller of the 152nd and Bordeaux of the 151st:

A bill to amend Code Section 48-5-295 of the Official Code of Georgia Annotated, relating to the terms of office of members of county boards of tax assessors and the filling of vacancies on such boards, so as to change the terms of office of members of county boards of tax assessors.

The following Senate amendment was read:

Amend HB 1683 by striking from lines 7 through 9 of page 1 the following:

“to provide that no member of a county board of tax assessors shall be eligible to serve as a county tax appraiser;”

By striking lines 31 through 33 of page 2 and inserting in lieu thereof the following:

“for regular appointment to a full term of office.”

By striking lines 34 through 37 of page 2.

By redesignating Section 3 as Section 2.

The following amendment was read and adopted:

Representatives Royal of the 164th, Mueller of the 152nd, Jamieson of the 22nd, Breedlove of the 85th and Coleman of the 142nd move to amend the Senate amendment to HB 1683 by striking lines 3 through 12 of page 1 and inserting in its place the following:

"Amend HB 1683 by striking line 1 of page 1 through line 40 of page 2 and inserting in their place the following:

"To amend Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to uniform property tax administration and equalization, so as to provide for additional powers, duties, and authority of the state revenue commissioner with respect to developing and prescribing electronic data processing systems; to change the terms of office of members of county boards of tax assessors; to provide for appointment procedures; to change the provisions relating to the filling of vacancies; to provide for records and information which shall not be subject to the authority of county boards of tax assessors to subpoena witnesses, books, papers, or documents; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to uniform property tax administration and equalization, is amended by striking Code Section 48-5-270, relating to the developing and prescribing of electronic data processing systems, and inserting in its place a new Code Section 48-5-270 to read as follows:

"48-5-270.

The commissioner is authorized, from funds appropriated to the department, to develop and prescribe systems of data collection, appraisal, and assessment and any other systems relating to property valuation and assessment utilizing electronic data processing systems and equipment for use by county boards of tax assessors. The commissioner may purchase existing systems and services from other government agencies, educational institutions, or private businesses or contract with these entities for the development of information and new systems that may be utilized by county boards of tax assessors in property valuation and assessment. The commissioner shall actively seek out technological advancements and systems that will improve the uniformity, fairness, and efficiency of property valuations and assessments and include his or her recommendations in the annual budget request."

SECTION 2.

Said article is further amended by striking subsection (a) of Code Section 48-5-295, relating to the terms of office of members of county boards of tax assessors and the filling of vacancies on such boards, and inserting in its place a new subsection (a) to read as follows:

"(a) Each member of the county board of tax assessors appointed to such office on and after July 1, 1996, shall be appointed by the county governing authority for a term of six years and until his successor is duly appointed and qualified; ~~provided, however, that on July 1, 1981, a member who has completed six years of service on such county board of tax assessors shall serve through December 31, 1981, on which date his term of office shall expire and the office shall become vacant; and provided, further, that upon a member's completing six years of service after July 1, 1981, such office shall become vacant, to be filled as provided in this part not less than three nor more than six years and until a successor is duly appointed and qualified.~~ A county governing authority shall, by resolution, within the range provided by this subsection, select the length of terms of office for members of its county board of tax assessors. Following the adoption of such resolution, all new appointments and reappointments to the county board of tax assessors shall be for the term lengths specified in the resolution; however, such resolution shall not have the effect of shortening or extending the terms of office of current members of the board of assessors whose terms have not yet expired. The county governing authority shall not be authorized to again change the term length until the expiration of the term of office of the first appointment or reappointment following the resolution that last changed such terms of office. If the resolution changing the terms

of office of members of the board of tax assessors would result in a voting majority of the board of tax assessors having their terms expire in the same calendar year, the county governing authority shall provide in the resolution for staggered initial appointments or reappointments of a duration of not less than three nor more than six years that will prevent such an occurrence. Any member of the county board of tax assessors shall be eligible for reappointment after review of his or her service on the board by the appointing authority. In case of a vacancy on the board at any time, whether caused by death, resignation, removal, or otherwise, the vacancy shall be filled ~~and the appointment shall be made in the same manner as provided by law for the appointment of the members of the board by appointment of the county governing authority.~~ Any person appointed to fill a vacancy shall be appointed only to serve for the remainder of the unexpired term of office and shall possess the same qualifications required under this part for regular appointment to a full term of office.”

SECTION 3.

Said article is further amended by striking subsection (a) of Code Section 48-5-300, relating to the authority of county boards of tax assessors to subpoena witnesses, and inserting in lieu thereof the following:

“(a)(1) The Except as otherwise provided in paragraph (2) of this subsection, the county board of tax assessors may issue subpoenas for the attendance of witnesses and may subpoena of any person any books, papers, or documents which may contain any information material to any question relative to the existence or liability of property subject to taxation or to the identity of the owner of property liable to taxation or relevant to other matters necessary to the proper assessment of taxes lawfully due the state or county. Such subpoenas may be issued in the name of the board, shall be signed by any one or more members of the board or by the secretary of the board, and shall be served upon a taxpayer or witness or any party required to produce documents or records five days before the day upon which any hearing by the board is scheduled at which the attendance of the party or witness or the production of such documents is required.

(2) The authority provided for in paragraph (1) of this subsection shall not apply to the following documents or records:

- (A) Any income tax records or returns;
- (B) Any property appraisals prior to the appeal process;
- (C) All insurance policies; or
- (D) Any individual tenant sales information.”

SECTION 4.

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

Representative Mueller of the 152nd moved that the House agree to the Senate amendment, as amended by the House, to HB 1683.

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

Y Allen	Y Bates	Y Buck	Y Childers	Davis, M
Y Anderson	Y Benefield	Y Buckner	Y Coker	Y Day
Y Ashe	Birdsong	Y Bunn	Y Coleman, B	Y DeLoach, B
Y Bailey	Y Bordeaux	Y Burkhalter	Y Coleman, T	Y DeLoach, G
Y Baker	Y Bostick	Y Byrd	Y Connell	Y Dix
Y Bannister	Y Breedlove	Y Campbell	Y Crawford	Y Dixon, H
Y Barfoot	Y Brooks, D	Y Canty	Y Crews	Dixon, S
Y Bargeron	Brooks, T	Y Carter	Y Culbreth	Y Dobbs
Y Barnard	Y Brown, J	Y Chambless	Y Cummings	Y Ehrhart
Y Barnes	Brush	Y Channell	Y Davis, G	Y Epps

Y Evans	Y Johnson, G	Y Mobley, J	Y Sanders	Y Streat
Y Falls	Y Johnson, J	Y Mosley	Y Sauder	Y Taylor
Y Felton	Y Johnston	Y Mueller	Y Scoggins	Y Teague
Y Floyd	Y Jones	Y O'Neal	Y Shanahan	Y Teper
Y Godbee	Y Joyce	Y Orrock	Y Shaw	Y Thomas
Y Golden	Y Kaye	Y Parham	Y Sherrill	Y Tillman
Y Goodwin	Y Kinnamon	Y Parrish	Y Shipp	Y Titus
Y Greene	Y Klein	Y Parsons	Y Simpson	Y Towery
Y Grindley	Y Ladd	Y Pelote	Y Sinkfield	Y Trense
Y Hanner	Y Lakly	Y Perry	Y Skipper	Y Turnquest
Y Harbin	Y Lane	Y Pinholster	N Smith, C	Y Twiggs
Y Harris	Y Lawrence	Y Polak	Y Smith, C.W	Y Walker, L
Y Heard	Y Lee	Y Ponder	Y Smith, L	Y Walker, R.L
Y Heckstall	Y Lewis	Y Porter	Y Smith, P	Y Wall
Y Hegstrom	Y Lifsey	Y Poston	Y Smith, T	Y Watson
Y Hembree	Y Lord	Y Powell	Y Smith, V	Y Watts
Y Henson	Y Lucas	Y Purcell, A	Y Smith, W	Y Westmoreland
Y Holland	Y Maddox	Y Purcell, B	Y Smyre	Y Whitaker
Y Holmes	Y Mann	Y Randall	Y Snelling	Y White
Y Howard	Y Martin	Y Randolph	Y Snow	Y Williams
Y Hudson	Y McBee	Y Ray	Y Stallings	Y Williams, B
Y Hugley	Y McCall	Y Reaves	Y Stancil, F	Y Williams, J
Y Irvin	Y McClinton	Y Reichert	Y Stancil, S	Y Williams, R
Y James	Y McKinney	Y Roberts	Y Stanley, L	Y Woods
Y Jamieson	Y Mills	Y Rogers	Y Stanley, P	Y Yates
Y Jenkins	Y Mobley, B	Y Royal	Y Stephenson	Y Murphy, Spkr

On the motion, the ayes were 149, nays 1.

The motion prevailed.

HB 1403. By Representatives Buck of the 135th, Jamieson of the 22nd, Skipper of the 137th and Culbreth of the 132nd:

A bill to amend Code Section 48-13-51 of the Official Code of Georgia Annotated, relating to county and municipal levies on the furnishing for value to the public of any rooms, lodgings, or accommodations, so as to change certain provisions regarding the levy and collection of such tax.

The following Senate amendment was read:

Amend HB 1403 by striking "50" and inserting in its place "48" on lines 1 and 11 of page 1.

By striking "supersede" and inserting in its place "control over" on line 32 of page 3.

By adding at the end of line 35 of page 3 the following:

"Any such ordinance shall not be deemed repealed by this Code section but shall be administered in conformity with this Code section."

The following amendment was read and adopted:

Representative Barnes of the 33rd moves to amend the Senate amendment to HB 1403 by adding following line 10 of page 1 the following:

"By adding following the sentence ending on line 1 of page 4 the following:

'On and after September 30, 1996, no tax shall be levied as provided in this Code section upon the fees or charges for any rooms, lodgings, or accommodations furnished for a period of more than ten consecutive days or for use as meeting rooms.'"

Representative Barnes of the 33rd moved that the House agree to the Senate amendment, as amended by the House, to HB 1403.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
N Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R. L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C. W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 150, nays 11.

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate's disagreeing to the House amendment thereto:

SB 351. By Senators Ray of the 19th and Gillis of the 20th:

A bill to amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants.

Representative Porter of 143rd moved that the House insist on its position in amending SB 351.

The motion prevailed.

The following Resolution of the House, favorably reported by the Committee on Rules, was read:

HR 1314. By Representative Hudson of the 156th:

A resolution creating the House Study Committee on the Georgia Firemen's Pension Fund.

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

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Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 160, nays 0.

The Resolution was adopted.

The following Bill of the Senate was taken up for the purpose of considering the Senate's disagreeing to the House amendment thereto:

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

Representative Porter of 143rd moved that the House insist on its position in amending SB 749.

The motion prevailed.

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

SB 655. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and others:

A bill to amend Code Section 2-12-2 of the Official Code of Georgia Annotated, relating to definitions of terms used in Article 1 of Chapter 12 of Title 2, known as the "Georgia Plant Food Act of 1989," so as to change the definition of the term "guaranteed analysis"

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, the ayes were 163, nays 0.

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

SB 227. By Senators Oliver of the 42nd, Taylor of the 12th, Brown of the 26th and others:

A bill to amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, the "Child Support Recovery Act," so as to limit the issuance or renewal of licenses and other authorizations to engage in professions, businesses, or occupations to persons who are not in compliance with orders for child support; to provide for definitions; to provide for lists of persons who are not in compliance, for the issuance of such lists to certain licensing boards.

The following Committee substitute was read:

A BILL

To amend Code Section 2-7-102 of the Official Code of Georgia Annotated, relating to grounds for denial, suspension, and revocation of various pesticide licenses so as to provide for the denial or suspension of a license for failure to comply with an order of child support; to amend Code Section 7-1-1017 of the Official Code of Georgia Annotated, relating to the suspension or revocation of licenses for mortgage lenders and brokers, so as to provide for the denial or suspension of a license for failure to comply with an order of child support; to amend Chapter 6 of Title 19 of the Official Code of Georgia Annotated, relating to alimony and child support generally, so as to provide for definitions; to authorize a court as part of a contempt proceeding to order licensing entities to suspend the licenses or deny the application or renewal of a license for any person who is not in compliance with an order for child support; to amend Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the practice of professional forestry, so as to provide for definitions; to provide for the denial or suspension of a license for failure to comply with an order for child support; to amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, the "Child Support Recovery Act," so as to provide for definitions; to provide for a certified state-wide list of persons who are not in compliance with an order for child support and for the issuance of such list to certain licensing entities; to authorize licensing entities to suspend or deny the licenses or applications for licenses for all persons whose names are on the certified list; to provide for notices, hearings, and administrative and judicial review relating to license suspension and denial; to provide for notices of release; to provide for forfeiture of certain fees; to provide for interagency agreements; to provide for a surcharge; to provide for a report; to provide for regulations; to amend Code Section 26-4-78 of the Official Code of Georgia Annotated, relating to the suspension or revocation of licenses for pharmacists, so as to provide for the suspension of a license for failure to comply with an order of child support; to amend Code Section 33-23-21 of the Official Code of Georgia Annotated, relating to grounds for refusal, suspension, or revocation of the licenses of insurance agents and others; to amend Code Section 33-23-22 of the Official Code of Georgia Annotated, relating to notice of suspension or revocation of the licenses of insurance agents and others, so as to provide for the suspension of a license for failure to comply with an order of child support; to amend Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to cancellation, suspension, and revocation of licenses, so as to provide for definitions; to provide for the denial of suspension of a driver's license for failure to comply with an order of child support; to amend Code Section 40-5-71 of the Official Code of Georgia Annotated, relating to restricted driving permits; to provide for the issuance of a restricted driving permit to a person whose license has been suspended for failure to pay child support; to amend Code Section 43-1-19 of the Official Code of Georgia Annotated, relating to grounds for refusing to grant or revoking licenses by state examining boards; to provide for the denial of suspension of a driver's license for failure to comply with an order of child support; to amend Code Section 43-39A-14 of the Official Code of Georgia Annotated, relating to the refusal of classification of real estate appraisers; so as to provide for definitions; to provide for the denial of suspension of a driver's license for failure to comply with an order of child support; to amend Code Section 43-40-15 of the Official Code of Georgia Annotated, relating to the granting, revocation, or suspension of real estate licenses, to include as a ground for refusing to grant or suspend licenses the lack of compliance with an order for child support; to provide for hearing and appeal procedures; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 2-7-102 of the Official Code of Georgia Annotated, relating to grounds for denial, suspension, and revocation of various pesticide licenses, is amended by adding at the end thereof a new subsection (c) to read as follows:

"(c) The Commissioner may suspend any pesticide contractor's license or certified commercial pesticide applicator's license, or refuse to grant or renew either license upon

notice to the Commissioner by either a court of competent jurisdiction or the child support agency within the Department of Human Resources that:

- (1) The applicant for or holder of either such license is not in compliance with an order for child support as defined in Code Section 19-6-28.1 or 19-11-9.3; and
- (2) The hearings and appeals procedures provided in Code Section 19-6-28.1 or 19-11-9.3, where applicable, shall be the only such procedures required under this article."

SECTION 2.

Code Section 7-1-1017 of the Official Code of Georgia Annotated, relating to the suspension or revocation of licenses for mortgage lenders and mortgage brokers, is amended by striking in its entirety paragraph (a) and inserting in lieu thereof the following:

"(a) The department may suspend or revoke an original or renewal license or registration on any ground on which it might refuse to issue an original license or registration or for a violation of any provision of this article or any rule or regulation issued under this article or for failure of the licensee or registrant to pay, within 30 days after it becomes final, a judgment recovered in any court within this state by a claimant or creditor in an action arising out of the licensee's or registrant's business in this state as a mortgage lender or mortgage broker. In addition to the foregoing, where an applicant or licensee has been found not in compliance with an order for child support as provided in Code Section 19-6-28.1 or 19-11-9.3, such action is sufficient grounds for refusal of a license or suspension of a license. In such actions, the hearing and appeal procedures provided for in those Code sections shall be the only such procedures required under this article."

SECTION 3.

Chapter 6 of Title 19, relating to alimony and child support generally, is amended by adding immediately following Code Section 19-6-28 a new Code section to read as follows:

"19-6-28.1.

(a) As used in this Code section, the term:

- (1) 'License' means a certificate, permit, registration, or any other authorization issued by the Department of Public Safety or any other licensing entity that allows a person to operate a motor vehicle or to engage in a profession, business, or occupation;
- (2) 'Licensing entity' means any state agency, department, or board of this state which issues or renews any license, certificate, permit, or registration to authorize a person to drive a motor vehicle, or to engage in a profession, business, or occupation including those under Article 3 of Chapter 7 of Title 2, the 'Georgia Pesticide Use and Application Act of 1976'; Article 13 of Chapter 1 of Title 7, relating to mortgage lenders and mortgage brokers; Part 2 of Chapter 6 of Title 12, relating to foresters; Part 3 of Chapter 4 of Title 26, relating to pharmacists; Chapter 23 of Title 33, relating to insurance agents, counselors, and other personnel; Chapter 1 of Title 43, relating to professions and businesses; Chapter 39A of Title 43, relating to real estate appraisers; or Chapter 40 of Title 43, relating to real estate brokers and salespersons.

(b) In any proceeding for enforcement of a judgment or order to pay child support, if the court is satisfied by competent proof that the respondent has accumulated support arrears equivalent to or greater than the current support due for 60 days and that the respondent is licensed to conduct a trade, business, profession, or occupation, licensed to drive a motor vehicle, owns a motor vehicle which is registered in this state in his or her name, or is applying for the renewal or issuance of any such license or registration, the court may order the appropriate licensing or registering entity to suspend the license or registration or deny the application for such license and to inform the court of the actions it has taken pursuant to such proceedings. Evidence relating to the ability and willingness of the respondent to comply with an order of child support shall be considered by the court prior to the entry of any order under this Code section.

(c) The court shall inform the respondent that competent proof for purposes of proving to a licensing or registering entity that the respondent is in compliance with the order for child support shall be written proof of payment by cash or a certified check, notice

issued by the court, or notice from a child support receiver, if such receiver has been appointed.”

SECTION 4.

Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the practice of professional forestry, is amended by adding immediately following Code Section 12-6-49 the following:

“12-6-49.1.

(a) As used in this Code section, the term:

(1) ‘Agency’ means the agency within the Department of Human Resources which is responsible for enforcing orders for child support pursuant to Article 1 of Chapter 11 of Title 19, the ‘Child Support Recovery Act.’

(2) ‘Compliance with an order for child support’ means, as set forth in a court order, administrative order, or contempt order for child support, the obligor is not more than 60 calendar days in arrears in making payments in full for current support, periodic payments on a support arrearage, or periodic payments on a reimbursement for public assistance.

(3) ‘Proof of compliance’ means the notice of release issued by the agency or a court of competent jurisdiction stating that the delinquent obligor is in compliance with an order for child support.

(b) The board shall suspend, as provided for in Code Sections 19-6-28.1 and 19-11-9.3, the license of any registered forester upon receipt of a record from the agency or a court of competent jurisdiction stating that such licensee is not in compliance with an order for child support.

(c) The board shall deny the application or renewal, as provided in for Code Sections 19-6-28.1 and 19-11-9.3, of any applicant or licensee upon receipt of a record that such applicant or licensee is not in compliance with an order for child support from the agency or court of competent jurisdiction.

(d) Notwithstanding any other provisions of law, the hearings and appeals procedures provided for in Code Section 19-6-28.1 or 19-11-9.3, where applicable, shall be the only such procedures required to suspend a license or deny the issuance or renewal of an application for a license under this part.”

SECTION 5.

Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, the “Child Support Recovery Act,” is amended by adding immediately following Code Section 19-11-9.2 a new Code section to read as follows:

“19-11-9.3.

(a) As used in this Code section, the term:

(1) ‘Agency’ means the agency within the Department of Human Resources which is responsible for enforcing orders for child support pursuant to this article.

(2) ‘Applicant’ means any person applying for issuance or renewal of a license.

(3) ‘Certified list’ means a list provided by the agency of the names of support obligors found to be not in compliance with an order for child support in a case being enforced under this article.

(4) ‘Compliance with an order for child support’ means, as set forth in a court order, administrative order, or contempt order for child support, the obligor is not more than 60 calendar days in arrears in making payments in full for current support, periodic payments on a support arrearage, or periodic payments on a reimbursement for public assistance.

(5) ‘Delinquent obligor’ means any obligor who is not in compliance with an order for child support and who appears on the agency’s certified list.

(6) ‘Department’ means the Department of Human Resources.

(7) ‘License’ means a certificate, permit, registration, or any other authorization issued by any licensing entity that allows a person to operate a motor vehicle or to engage in a profession, business, or occupation.

(8) ‘Licensee’ means any person holding a license.

(9) 'Licensing entity' means any state agency, department, or board of this state which issues or renews any license, certificate, permit, or registration to authorize a person to drive a motor vehicle, or to engage in a profession, business, or occupation including those under Article 3 of Chapter 7 of Title 2, the 'Georgia Pesticide Use and Application Act of 1976'; Article 13 of Chapter 1 of Title 7, relating to mortgage lenders and mortgage brokers; Part 2 of Chapter 6 of Title 12, relating to foresters; Part 3 of Chapter 4 of Title 26, relating to pharmacists; Chapter 23 of Title 33, relating to insurance agents, counselors, and other personnel; Chapter 1 of Title 43, relating to professions and businesses; Chapter 39A of Title 43, relating to real estate appraisers; or Chapter 40 of Title 43, relating to real estate brokers and salespersons.

(b) The agency shall maintain a state-wide certified list of those persons included in any case enforced under this article for whom an order for child support has been rendered and who are not in compliance with that order. The certified list must be updated on a monthly basis. The agency shall submit to each licensing entity a certified list with the name, social security number, if known, date of birth, and last known address of each person on the list.

(c) On or before January 1, 1997, all licensing entities shall implement procedures to accept and process the list provided by the agency in accordance with this Code section.

(d) Promptly after receiving the certified list from the agency, all licensing entities shall determine whether an applicant or licensee is on the most recent certified list. If an applicant or licensee is on the certified list, the licensing entity shall immediately notify the agency. That notification shall include the applicant's or licensee's last known mailing address on file with the licensing entity.

(e) After receiving notice from a licensing entity of applicants or licensees who are on the certified list, the agency shall immediately notify those individuals as specified in subsection (f) of this Code section of the agency's intent to request that all pertinent licensing entities suspend all licenses or withhold issuance or renewal of any license.

(f) Notice for purposes of this Code section shall be initiated by the department. Notice to the delinquent obligor shall include the address and telephone number of the agency and shall inform the delinquent obligor of the agency's intent to submit the obligor's name to relevant licensing entities and to request that the licensing entities withhold issuance or renewal of the license, or suspend the license. The notice must also inform the delinquent obligor of the following:

(1) The delinquent obligor has 20 days from the date of mailing to come into compliance with the order or to reach an agreement to pay the delinquency with the agency. If an agreement cannot be reached within that time or if the delinquent obligor does not respond within that time, the agency will send notice to the licensing entities requesting that the licenses be suspended or the licensure applications be denied;

(2) The obligor may request an administrative hearing and judicial review of that hearing under subsection (g) of this Code section. A request for a hearing must be made in writing and must be received by the agency within 20 days of service of notice; and

(3) If the delinquent obligor requests a hearing within 20 days of service, the department shall stay all action pending the hearing and any appeals.

(g) All delinquent obligors subject to the sanctions imposed in this Code section shall have the right to a hearing before an administrative law judge of the Office of State Administrative Hearings pursuant to Article 2 of Chapter 13 of Title 50. A delinquent obligor who requests a hearing within the time prescribed in subsection (f) of this Code section shall have the right to a hearing. The hearing shall be conducted as provided in Article 2 of Chapter 13 of Title 50 within 45 days after such demand is received. The only issues at the hearing will be the following:

(1) Whether there is an order for child support being enforced pursuant to this article;

(2) Whether the licensee or applicant is the obligor covered by that order;

(3) Whether the support obligor is or is not in compliance with the order for child support;

(4) Whether the support obligor shall be entitled to pay past due child support in periodic payments; and

(5) Whether the support obligor has been able and willing to comply with such order for support.

With respect to the issues listed in this subsection, evidence relating to the ability and willingness of ~~an obligor to~~ comply with such order for support shall be considered in making the decision to either suspend a license or deny the issuance or renewal of a license under this Code section. The administrative law judge shall be authorized to enter into an agreement or enter an order requiring such periodic payments and, in each event, the administrative law judge shall be authorized to issue a release for the obligor to obtain each license or licenses. Such an agreement will not act to modify an existing child support order, but rather only affects the payment of the arrearage.

(h) The decision at the hearing shall be subject to appeal and judicial review pursuant to Article 2 of Chapter 13 of Title 50 but only as to those issues referred to in subsection (g) of this Code section. Notwithstanding any hearing requirements for suspension and denials within each licensing entity, the hearing and appeal procedures outlined in this Code section shall be the only hearing required to suspend a license or deny the issuance or renewal of a license under this Code section.

(i) The department shall prescribe release forms for use by the agency. When the obligor is determined to be in compliance with an order for child support or is determined to be not in compliance with such order but has been determined in a hearing pursuant to subsection (g) of this Code section to be unable to comply with the order or to be not willfully out of compliance with such order, the agency shall mail to the delinquent obligor and the appropriate licensing entity a notice of release stating such determination. The receipt of a notice of release shall serve to notify the delinquent obligor and the licensing entity that, for the purpose of this Code section, he or she is in compliance with an order for child support, and the licensing entity shall promptly thereafter issue or reinstate the license, unless the agency, pursuant to subsection (b) of this Code section, certifies subsequent to the issuance of a notice of release that the delinquent obligor is once again not in compliance with an order for child support.

(j) Any payments received by the department on behalf of a child support recipient under this Code section shall be forwarded to such recipient within 15 days after any such payment is received by the department.

(k) The department may enter into interagency agreements with state agencies that have responsibility for the administration of licensing entities as necessary to implement this Code section. Those agreements shall provide for the receipt by other state agencies and boards of federal funds to cover that portion of costs allowable under federal law and regulation and incurred by state agencies and boards in implementing this Code section.

(l) In furtherance of the public policy of increasing child support enforcement and collections, on or before January 1, 1998, the department shall make a report to the General Assembly and the Governor based on data collected by the boards and the department in a format prescribed by the department. The report shall contain all of the following:

- (1) The number of delinquent obligors certified by the agency under this Code section;
- (2) The number of delinquent obligors who also were applicants for issuance or renewal of a license or licenses subject to this Code section;
- (3) The number of new licenses and renewals that were denied subject to this Code section and the number of new licenses issued and renewals granted following a licensing entity's receipt of releases;
- (4) The number of licenses suspended subject to this Code section, and the number of licenses reissued following the licensing entity's receipt of releases; and
- (5) The amount of revenue collected by the department after sending notices pursuant to this Code section.

(m) Any licensing entity receiving an inquiry as to the license status of an applicant who has had an application for issuance or renewal of a license denied under this Code section shall respond only that the license was suspended or the licensure application was denied pursuant to this Code section.

(n) The department shall, and the licensing entities as appropriate may, adopt regulations necessary to implement this Code section.”

www.libtool.com.cn **SECTION 6.**

Code Section 26-4-78 of the Official Code of Georgia Annotated, relating to the suspension or revocation of licenses for pharmacists, is amended by adding a new subsection (c) at the end thereof to read as follows:

“(c) The board shall have the power to suspend any license issued under this part when such holder is not in compliance with a court order for child support as provided in Code Section 19-6-28.1 or 19-11-9.3. The board shall also have the power to deny the application for issuance or renewal of a license under this part when such applicant is not in compliance with a court order for child support as provided in either of such Code sections. The hearings and appeals procedures provided for in such Code sections shall be the only such procedures required to suspend or deny any license issued under this part.”

SECTION 7.

Code Section 33-23-21 of the Official Code of Georgia Annotated, relating to grounds for refusal, suspension, or revocation of the licenses of insurance agents and others is amended by adding at the end thereof a new paragraph (19) to read as follows:

“(19) Is not in compliance with an order for child support as defined by Code Section 19-6-28.1 or 19-11-9.3; for violations of this paragraph only, any hearing and appeal procedures conducted pursuant to such Code Sections shall be the only such procedures required to suspend, deny, or revoke any license under this title.”

SECTION 8.

Code Section 33-23-22 of the Official Code of Georgia Annotated, relating to notice of suspension or revocation of the licenses of insurance agents and others, is amended by striking subsection (a) in its entirety and inserting in lieu thereof the following:

“(a) Any license, other than a probationary license, may be suspended or revoked as provided by Code Section 33-23-21, and the Commissioner shall give notice of such action to the applicant for or holder of the license and any insurer or agent whom the applicant or licensee represents or who desires that the applicant or licensee be licensed. The procedure for conduct of hearings set forth in Chapter 2 of this title shall be followed in all cases except those cases pursuant to paragraph (19) of Code Section 33-23-21 which shall only require the hearings provided for in that paragraph.”

SECTION 9.

Article 3 of Chapter 5 of Title 40, relating to cancellation, suspension, and revocation of licenses, is amended by adding immediately following Code Section 40-5-54 a new Code section to read as follows:

“40-5-54.1.

(a) As used in this Code section, the term:

(1) ‘Agency’ means the agency within the Department of Human Resources which is responsible for enforcing orders for child support pursuant to this article.

(2) ‘Compliance with an order for child support’ means, as set forth in a court order, administrative order, or contempt order for child support, the obligor is not more than 60 calendar days in arrears in making payments in full for current support, periodic payments on a support arrearage, or periodic payments on a reimbursement for public assistance.

(3) ‘Proof of compliance’ means the notice of release issued by the agency or court of competent jurisdiction stating that the delinquent obligor is in compliance with an order for child support.

(b) The department shall suspend, as provided in Code Sections 19-6-28.1 and 19-11-9.3, the license of any driver upon receiving a record from the agency or a court of competent jurisdiction stating that such driver is not in compliance with an order for child support.

(c) The suspension or denial of an application for issuance or renewal of a license shall be for an indefinite period and until such person shall provide proof of compliance with an order for child support. Such person's license shall be reinstated if the person submits ~~proof of compliance with~~ an order for child support from the agency or court of competent jurisdiction and pays a restoration fee of \$35.00 or \$25.00 when such reinstatement is processed by mail for the return of his or her license.

(d) Any person who receives notice from the agency that his or her registration is subject to denial or suspension may request a hearing and appeal as provided for in Code Section 19-6-28.1 or 19-11-9.3. Notwithstanding any provisions of law to the contrary, the hearings and appeal procedures provided for in such Code sections shall be the only such procedures required for purposes of this Code section.

(e) A person whose driver's license has been suspended pursuant to this Code section may apply to the Department of Public Safety for a restricted driving permit as provided in Code Section 40-5-71."

SECTION 10.

Code Section 40-5-71 of the Official Code of Georgia Annotated, relating to procedure upon notice of insurance cancellation; lapse fee; suspension of license; restricted driving permits, is amended by striking subsection (d) in its entirety and inserting in lieu thereof the following:

"(d) A person whose driver's license has been suspended pursuant to Code Section 40-5-70, 40-5-54.1, or this Code section or as a result of a conviction under Code Section 40-6-10 may apply to the Department of Public Safety for a restricted driving permit as provided in this Code section. A person whose driver's license was surrendered ~~to the court adjudicating the offense resulting in the suspension~~ may apply to the department for a restricted driving permit immediately following the conviction or suspension."

SECTION 11.

Code Section 43-1-19 of the Official Code of Georgia Annotated, relating to grounds for refusing to grant or revoking licenses, is amended in subsection (a) by striking the word "or" at the end of paragraph (9), by striking the period and inserting "; or" at the end of paragraph (10), and by adding a new paragraph (11) to read as follows:

"(11) Failed to comply with an order for child support as defined by Code Section 19-11-9.3; it shall be incumbent upon the applicant or licensee to supply a notice of release to the board from the child support agency within the Department of Human Resources indicating that the applicant or licensee has come into compliance with an order for child support so that a license may issue or be granted if all other conditions for licensure are met."

SECTION 12.

Code Section 43-39A-14 of the Official Code of Georgia Annotated, relating to the refusal of classification of real estate appraisers, is amended by adding at the end thereof a new subsection to read as follows:

"(j) Where an applicant or licensee has been found not in compliance with an order for child support as provided in Code Section 19-6-28.1 or 19-11-9.3, such action is sufficient grounds for refusal of a license or suspension of a license. For purposes of this subsection, the hearing and appeal procedures provided for in such Code sections shall be the only such procedures required under this article."

SECTION 13.

Code Section 43-40-15 of the Official Code of Georgia Annotated, relating to the granting, revocation, or suspension of real estate licenses, is amended by adding at the end thereof the following subsection (k):

"(k) Where an applicant or licensee has been found not in compliance with an order for child support as provided in Code Section 19-6-28.1 or 19-11-9.3, such action is sufficient grounds for refusal of a license or suspension of a license. In such actions, the hearing and appeal procedures provided for in those Code sections shall be the only such procedures required under this chapter."

SECTION 14.

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

The following amendment was read:

Representative Snow of the 2nd moves to amend the Committee substitute to SB 227 as follows:

Section 4 page 6 line 8 after part.

Add "suspend or revoke one's license for refusing child visitation to a non-custodial parent".

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

N Allen	N Crews	N Irvin	N Parrish	N Smith, W
Y Anderson	N Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	N Davis, G	Jenkins	N Perry	Y Snow
N Baker	N Davis, M	N Johnson, G	N Pinholster	N Stallings
Y Bannister	Y Day	N Johnson, J	N Polak	Y Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargeron	N DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	N Dix	Y Joyce	N Poston	N Stanley, P
Y Barnes	N Dixon, H	N Kaye	N Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	Y Streat
N Benefield	N Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	N Ehrhart	N Ladd	Y Randall	Teague
N Bordeaux	N Epps	N Lakly	N Randolph	N Teper
N Bostick	N Evans	N Lane	Ray	N Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	N Lewis	N Roberts	N Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trese
N Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	N Goodwin	Y Lucas	N Sanders	N Twiggs
N Buckner	N Greene	N Maddox	N Sauder	N Walker, L
N Bunn	N Grindley	Y Mann	N Scoggins	N Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	N Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	N Sherrill	N Watts
Y Canty	N Heard	N McClinton	N Shipp	N Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	Whitaker
N Chambliss	N Hegstrom	N Mills	N Sinkfield	N White
N Channell	N Hembree	N Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	N Holmes	N Mueller	N Smith, L	N Williams, R
N Coleman, T	Y Howard	N O'Neal	N Smith, P	N Woods
N Connell	N Hudson	N Orrock	N Smith, T	N Yates
N Crawford	N Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 15, nays 157.

The amendment was lost.

The following amendment was read:

Representative Snow of the 2nd moves to amend the Committee substitute to SB 227 as follows:

Page 4, line 29 change 60 to 90 days

Page 5, line 23 change 60 to 90

Page 6, line 28 change 60 to 90.

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

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N Allen	N Crews	N Irvin	N Parrish	N Smith, W
Y Anderson	N Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	N Davis, G	N Jenkins	Y Perry	Y Snow
N Baker	Y Davis, M	N Johnson, G	N Pinholster	N Stallings
Y Bannister	Y Day	N Johnson, J	N Poiak	Y Stancil, F
N Barfoot	Y DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargeron	N DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	N Dix	Y Joyce	N Poston	N Stanley, P
Y Barnes	N Dixon, H	N Kaye	N Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	Streata
N Benefield	N Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	N Ehrhart	N Ladd	Y Randall	N Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	N Evans	N Lane	Ray	N Thomas
N Breedlove	N Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	N Lewis	Roberts	N Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	Y Trense
N Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	N Goodwin	Y Lucas	N Sanders	Y Twiggs
N Buckner	N Greene	N Maddox	N Sauder	N Walker, L
Y Bunn	N Grindley	Y Mann	Y Scoggins	N Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	N Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	N Sherrill	N Watts
Y Canty	N Heard	N McClintone	N Shipp	N Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	N Mills	N Sinkfield	N White
N Channell	N Hembree	N Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
Y Coker	Y Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	N Holmes	Y Mueller	N Smith, L	N Williams, R
N Coleman, T	Y Howard	N O'Neal	N Smith, P	N Woods
N Connell	N Hudson	N Orrock	N Smith, T	N Yates
N Crawford	N Hugley	N Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 24, nays 151.

The amendment was lost.

The following amendment was read:

Representative Holland of the 157th moves to amend the Committee substitute to SB 227 as follows:

On page 9 between lines 8 and 9 insert:

“(6) Whether the party to whom the child support is to be paid is in violation of any court order.”

And in line 11 between the words “support” and “shall” insert:

“and the compliance of the party to whom the child support is to be paid is in violation of any court order”

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

N Allen	N Barfoot	N Birdsong	N Brown, J	Byrd
Y Anderson	N Bargeron	N Bordeaux	N Brush	N Campbell
N Ashe	N Barnard	N Bostick	N Buck	Y Canty
N Bailey	Y Barnes	Y Breedlove	N Buckner	N Carter
N Baker	N Bates	N Brooks, D	N Bunn	N Chambless
N Bannister	N Benefield	N Brooks, T	N Burkhalter	N Channell

N Childers	N Harbin	N Lifsey	Y Randall	Y Stancil, S
Y Coker	Y Harris	N Lord	N Randolph	N Stanley, L
N Coleman, B	Y Heard	Y Lucas	Ray	N Stanley, P
N Coleman, T	N Heckstall	N Maddox	Y Reaves	N Stephenson
N Connell	N Hegstrom	N Mann	N Reichert	N Streat
N Crawford	N Hembree	N Martin	N Roberts	N Taylor
N Crews	N Henson	N McBee	Y Rogers	N Teague
N Culbreth	Y Holland	Y McCall	N Royal	Y Teper
Y Cummings	N Holmes	N McClinton	N Sanders	N Thomas
N Davis, G	N Howard	McKinney	Sauder	Y Tillman
N Davis, M	N Hudson	N Mills	N Scoggins	N Titus
Y Day	N Hugley	N Mobley, B	N Shanahan	N Towery
N DeLoach, B	N Irvin	Y Mobley, J	N Shaw	N Trense
N DeLoach, G	Y James	N Mosley	N Sherrill	N Turnquest
N Dix	N Jamieson	N Mueller	N Shipp	N Twiggs
Dixon, H	Y Jenkins	Y O'Neal	N Simpson	N Walker, L
N Dixon, S	Y Johnson, G	N Orrock	N Sinkfield	N Walker, R.L
N Dobbs	N Johnson, J	N Parham	N Skipper	N Wall
N Ehrhart	N Johnston	N Parrish	N Smith, C	N Watson
Y Epps	N Jones	N Parsons	N Smith, C.W	N Watts
N Evans	N Joyce	N Pelote	Y Smith, L	Y Westmoreland
N Falls	N Kaye	N Perry	N Smith, P	N Whitaker
N Felton	N Kinnamon	N Pinholster	N Smith, T	Y White
N Floyd	Y Klein	N Polak	N Smith, V	N Wiles
N Godbee	N Ladd	N Ponder	N Smith, W	N Williams, B
N Golden	Y Lakly	N Porter	N Smyre	Y Williams, J
Y Goodwin	Y Lane	Y Poston	N Snelling	N Williams, R
N Greene	N Lawrence	Y Powell	Y Snow	Y Woods
N Grindley	N Lee	N Purcell, A	N Stallings	N Yates
N Hanner	N Lewis	N Purcell, B	Y Stancil, F	Murphy, Spkr

On the adoption of the amendment, the ayes were 37, nays 137.

The amendment was lost.

The following amendment was read:

Representative Murphy of the 18th moves to amend the Committee substitute to SB 227 by striking lines 22 through 24 of page 1 and inserting in lieu thereof the following:

“support; to amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, so as to provide for definitions; to provide”

By striking line 35 of page 1 and inserting in lieu thereof the following:

“provide for a report; to provide for regulations; to change provisions relating to the form of the final judgment and decree in divorce cases; to provide that certain provisions shall be included only where applicable and otherwise need not be included; to provide that findings relating to child support shall not be required where child support is not in issue; to provide that certain procedural requirements relating to determination of child support shall not apply in divorce cases in which there are no minor children; to provide for related matters; to provide for an effective date and for applicability; to amend”.

By inserting between lines 8 and 9 of page 6 the following:

“SECTION 5.

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended by striking Code Section 19-5-12, relating to judgments in divorce cases, and inserting in its place a new Code section to read as follows:

‘19-5-12.

(a) A final judgment of divorce shall be prepared so as to conform to the pleadings and the evidence and may restore a maiden or prior name, if requested. It shall be prepared in form substantially as follows:

FINAL JUDGMENT AND DECREE

Upon consideration of this case, upon evidence submitted as provided by law, it is the judgment of the court that a total divorce be granted, that is to say, a divorce a vinculo matrimonii, between the parties to the above stated case upon legal principles.

It is considered, ordered, and decreed by the court that the marriage contract heretofore entered into between the parties to this case, from and after this date, be and is set aside and dissolved as fully and effectually as if no such contract had ever been made or entered into.

Petitioner and Respondent in the future shall be held and considered as separate and distinct persons altogether unconnected by any nuptial union or civil contract whatsoever and both shall have the right to remarry.

Decree and order entered this _____ day of _____, 19____.

Judge, Superior Court

(b) Where applicable, any one or more of the following clauses shall be included in the form of the judgment: (Where applicable, add the following.)

The court restores to (Petitioner/Respondent) his/her prior or maiden name, to wit:
_____.

The court awards custody of the children of the parties as follows: _____.

The court fixes alimony as follows: _____.

(c) In any case which involves the determination of child support and only in such cases, the form of the judgment shall also include provisions substantially identical to the following:

In determining child support, the court finds as follows:

The gross income of the father is _____ dollars monthly.

The gross income of the mother is _____ dollars monthly.

In this case child support is being determined for _____ children.

The applicable percentage of gross income to be considered is

<u>Number of Children</u>	<u>Percentage Range of Gross Income</u>
1	17 percent to 23 percent
2	23 percent to 28 percent
3	25 percent to 32 percent
4	29 percent to 35 percent
5 or more	31 percent to 37 percent

Thus, _____ percent of _____ (gross income of obligor) equals _____ dollars per month.

The court has considered the existence of special circumstances and has found the following special circumstances marked with an "X" to be present in this case:

- _____ 1. Ages of the children.
- _____ 2. A child's extraordinary medical costs or needs in addition to accident and sickness insurance, provided that all such costs or needs shall be considered if no insurance is available.

- _____ 3. Educational costs.
- _____ 4. Day-care costs.
- _____ 5. Shared physical custody arrangements, including extended visitation.
- _____ 6. A party's other support obligations to another household.
- _____ 7. Income that should be imputed to a party because of suppression of income.
- _____ 8. In-kind income for the self-employed, such as reimbursed meals or a company car.
- _____ 9. Other support a party is providing or will be providing, such as payment of a mortgage.
- _____ 10. A party's own extraordinary needs, such as medical expenses.
- _____ 11. Extreme economic circumstances including but not limited to:
 - _____ (A) Unusually high debt structure; or
 - _____ (B) Unusually high income of either party or both parties, which shall be construed as individual gross income of over \$75,000.00 per annum.
- _____ 12. Historical spending in the family for children which varies significantly from the percentage table.
- _____ 13. Considerations of the economic cost-of-living factors of the community of each party, as determined by the trier of fact.
- _____ 14. In-kind contribution of either parent.
- _____ 15. The income of the custodial parent.
- _____ 16. The cost of accident and sickness insurance coverage for dependent children included in the order.
- _____ 17. Extraordinary travel expenses to exercise visitation or shared physical custody.
- _____ 18. Any other factor which the trier of fact deems to be required by the ends of justice, as described below: _____ :

Having found that no special circumstances exist, or special circumstances numbered _____ exist (delete the phrase which does not apply), the final award of child support which _____ shall pay to _____ for support of the child or children is _____ dollars per week/month other period (delete those which do not apply and insert as necessary) per child, beginning on the _____ day of _____, 19____, and payable thereafter on the _____ day of _____ until the child becomes 18 years of age, dies, marries, or otherwise becomes emancipated, except that if the child becomes 18 years of age while enrolled in and attending secondary school on a full-time basis, then such support shall continue until the child completes secondary school, provided that such support shall not be required after the child attains 20 years of age. _____ is ordered to provide accident and sickness insurance for the child or children for so long as he or she is obligated by this order to provide support (insert name of party or delete this sentence if the order does not include provision for insurance).

(d) ~~Where~~ (Where applicable, the court shall also include in the order the provisions of Code Section 19-6-30 concerning continuing garnishment for support and language in compliance with Code Section 19-6-32 concerning income deduction orders.)

Decree and order entered this _____ day of _____, 19____.

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 Judge, Superior Court'

SECTION 6.

Said title is further amended by striking subsection (a) of Code Section 19-6-15, relating to computation and award of child support, and inserting in its place a new subsection to read as follows:

'(a) The provisions of this Code section shall not apply with respect to any divorce case in which there are no minor children, except to the limited extent expressly authorized in subsection (e) of this Code section; and in a divorce case in which there are no minor children the requirements of this Code section for findings of fact and inclusion of findings in the verdict or decree shall not apply. In the final verdict or decree, the trier of fact shall specify in what amount and from which party the minor children are entitled to permanent support. The final verdict or decree shall further specify as required by Code Section 19-5-12 in what manner, how often, to whom, and until when the support shall be paid. The final verdict or decree shall further include a written finding of the gross income of the father and the mother and the presence or absence of special circumstances in accordance with subsection (c) of this Code section. The trier of fact must also determine whether the accident and sickness insurance for the child or the children involved is reasonably available at reasonable costs through employment related or other group health insurance policies to an obligor. For purposes of this Code section, accident and sickness coverage shall be deemed available if the obligor has access to any policy of insurance authorized under Title 33 through an employer or other group health insurance plan. If the accident and sickness insurance is deemed available at reasonable cost, the court shall order the obligor to obtain the coverage; provided, however, if the obligee has accident and sickness insurance for the child or children reasonably available at reasonable costs through employment related or other group health insurance policies, then the court may order that the child or children be covered under such insurance and the obligor contribute as part of the child support order such part of the cost of providing such insurance or such part of any medical expenses incurred on behalf of the child or children not covered by such insurance as the court may deem equitable or appropriate. If currently unavailable or unreasonable in cost, the court shall order the obligor to obtain coverage when it becomes available at a reasonable cost, unless such insurance is provided by the obligee as provided in this subsection. When support is awarded, the party who is required to pay the support shall not be liable to third persons for necessities furnished to the children embraced in the verdict or decree. In any contested case, the parties shall submit to the court their proposed findings regarding the gross income of the father and the mother and the presence or absence of special circumstances. In any case in which child support is determined by a jury, the court shall charge the provisions of this Code section and the jury shall be required to return a special interrogatory similar to the form of the order contained in Code Section 19-5-12 regarding the gross income of the father and the mother and the presence or absence of special circumstances. Furthermore, nothing contained within this Code section shall prevent the parties from entering into an enforceable agreement to the contrary which may be made the order of the court pursuant to the review by the court of child support amounts contained in this Code section; provided, however, any such agreement of the parties shall include a written statement regarding the gross income of the father and the mother and the presence or absence of special circumstances in accordance with subsection (c) of this Code section.'

By renumbering former Sections 5, 6, 7, 8, 9, 10, 11, 12, and 13 as Sections 7, 8, 9, 10, 11, 12, 13, 14, and 15, respectively.

By inserting between lines 37 and 38 of page 14 the following:

“SECTION 16.

(a) This Act shall become effective July 1, 1996.

(b) Sections 5 and 6 of this Act shall apply with respect to cases pending on its effective date, as well as with respect to cases initiated on or after that effective date.”

By renumbering former Section 14 as Section 17.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the amendment, the ayes were 168, nays 4.

The amendment was adopted.

The following amendment was read:

Representative Woods of the 32nd moves to amend the Committee Substitute to SB 227 by inserting before the word “to” on line 11 of page 2 the following:

“to amend Code Section 40-2-135 of the Official Code of Georgia Annotated, relating to revocation of license plates, so as to provide for revocation of license plates for failure to comply with an order of child support;”

By adding after the word and symbol “permit,” on line 37 on page 6 and line 4 on page 7 the following:

“license plate, revalidation decal,”

By adding between lines 14 and 15 on page 12 the following:

"SECTION 9.

Code Section 40-2-135 of the Official Code of Georgia Annotated, relating to revocation of license plates, is amended by striking in its entirety subsection (a) and inserting in lieu thereof the following:

“(a) The commissioner shall revoke any regular, prestige, special, or distinctive license plate which the commissioner determines was issued in error and shall revoke the special and distinctive license plate issued to a member of the General Assembly at such time as the holder ceases to hold such public office. The commissioner shall revoke any license plate purchased with a personal check which was returned for any reason. The commissioner shall revoke any license plate or renewal decal if the holder thereof has been found not in compliance with an order for child support as provided in Code Section 19-6-28.1 or 19-11-9.3. The commissioner shall notify the holder of such regular, prestige, special, or distinctive license plate or of such other license plate of such revocation. The holder of such revoked license plate shall return the license plate to the commissioner or the commissioner’s designated agent and register his or her vehicle as otherwise required by this chapter; provided, however, that a holder whose license plate or renewal decal was revoked for nonpayment of child support may not register his or her vehicle unless and until such holder comes into compliance with an applicable order for child support.”

By renumbering Sections 9 through 14 as Sections 10 through 15, respectively.

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

N Allen	N Crews	N Irvin	N Parrish	N Smith, W
N Anderson	N Culbreth	N James	N Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	N Davis, G	Y Jenkins	N Perry	N Snow
N Baker	N Davis, M	N Johnson, G	N Pinholster	N Stallings
N Bannister	N Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bergeron	N DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	N Dix	N Joyce	N Poston	N Stanley, P
Y Barnes	N Dixon, H	Y Kaye	N Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	Y Dobbs	N Klein	N Purcell, B	N Taylor
N Birdsong	Y Ehrhart	N Ladd	N Randall	N Teague
N Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
N Bostick	N Evans	N Lane	N Ray	N Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	Y Titus
N Brooks, T	N Floyd	N Lewis	Y Roberts	N Towerly
Y Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	N Goodwin	N Lucas	Y Sanders	N Twiggs
N Buckner	N Greene	Y Maddox	N Sauder	N Walker, L
Y Bunn	Y Grindley	N Mann	N Scoggins	Y Walker, R.L
N Burkhalter	N Hanner	N Martin	N Shanahan	Y Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	N Shipp	N Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	N Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	N White
N Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	Y Smith, C	Y Williams, B
N Coker	N Holland	N Mosley	Y Smith, C.W	N Williams, J
N Coleman, B	N Holmes	Y Mueller	N Smith, L	N Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
N Connell	N Hudson	N Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 25, nays 150.

The amendment was lost.

The following amendment was read:

Representative Barnes of the 33rd moves to amend the Committee substitute to SB 227 by inserting between lines 38 and 39 on page 14 the following:

“Notwithstanding anything to the contrary in this Act, upon receiving notice notifying a person that pursuant to this Act any action is contemplated or is undertaken to suspend or deny any license, such person may, within ten days of the receipt of such notice, file a demand with the department requiring all further proceedings to be conducted by the superior court issuing the child support obligation. Upon filing such demand all proceedings shall thereafter be conducted pursuant to Section 3 of this Act by the court issuing the child support order.

SECTION 15.”

The following amendment was read and adopted:

Representative Lawrence of the 64th moves to amend the Barnes amendment to SB 227 as follows:

By adding on line 14 the following:

“said further proceeding shall be considered on an expedited basis”

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

N Allen	N Crews	N Irvin	N Parrish	N Smith, W
Y Anderson	N Culbreth	N James	Y Parsons	N Smyre
N Ashe	Y Cummings	N Jamieson	Y Pelote	N Snelling
N Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
N Baker	Y Davis, M	Y Johnson, G	N Pinholster	N Stallings
Y Bannister	Y Day	N Johnson, J	N Polak	Y Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bergeron	N DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	N Dix	Y Joyce	Y Poston	N Stanley, P
Y Barnes	Y Dixon, H	N Kaye	N Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Klein	N Purcell, B	N Taylor
N Birdsong	N Ehrhart	N Ladd	Y Randall	Teague
N Bordeaux	N Epps	N Lakly	N Randolph	Y Teper
Y Bostick	N Evans	N Lane	N Ray	N Thomas
Y Breedlove	Falls	Y Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	Y Reichert	N Titus
Y Brooks, T	N Floyd	Y Lewis	N Roberts	Y Towery
N Brown, J	N Godbee	N Lifsey	N Rogers	N Trense
Y Brush	N Golden	Y Lord	N Royal	N Turnquest
Y Buck	N Goodwin	N Lucas	N Sanders	N Twiggs
N Buckner	Y Greene	N Maddox	Y Sauder	N Walker, L
N Bunn	N Grindley	Y Mann	N Scoggins	N Walker, R.L
Y Burkhalter	N Hanner	N Martin	N Shanahan	N Wall
N Byrd	Y Harbin	N McBee	N Shaw	N Watson
Y Campbell	N Harris	N McCall	N Sherrill	N Watts
Y Canty	N Heard	N McClinton	Y Shipp	N Westmoreland
N Carter	N Heckstall	N McKinney	N Simpson	N Whitaker
N Chambliss	N Hegstrom	N Mills	N Sinkfield	Y White
Y Channell	N Hembree	N Mobley, B	N Skipper	Wiles
Y Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
Y Coker	Y Holland	N Mosley	N Smith, C.W	Y Williams, J
N Coleman, B	N Holmes	N Mueller	Y Smith, L	Y Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	N Woods
N Connell	Y Hudson	N Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	N Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, as amended, the ayes were 46, nays 129.

The amendment was lost.

The following amendment was read and adopted:

Representatives Reichert of the 126th and Barnes of the 33rd move to amend the Committee substitute to SB227 by inserting on line 11 of page 8 immediately following the word and symbol "license." the following:

"Notice shall be sent by first class mail and receipt by the delinquent obligor may be presumed if the mailing is not returned to the department within 30 days from the date of mailing."

By inserting between lines 28 and 29 of page 8 a new subsection (g) to read as follows:

"(g) If no response is received from the delinquent obligor by the department within 30 days from the date of mailing of the notice and the delinquent obligor is still shown as delinquent on the next month's list prepared pursuant to subsection (b) of this Code section, the department shall request one or more licensing entities to deny or suspend a license of the delinquent obligor. Each licensing entity shall notify the delinquent obligor by certified mail of the date that the license has been denied or suspended."

By redesignating former subsections (g) through (o) on pages 8 through 11 as (h) through (p), respectively.

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:

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	N Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
N Canty	Y Heard	Y McClintony	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 175, nays 3.

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

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

Mr. Speaker:

The Senate insists on its amendment to the following bill of the House:

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

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

SB 550. By Senators Taylor of the 12th, Brown of the 26th and Middleton of the 50th:

A bill to amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedure of the Department of Administrative Services, to give the department the authority to delegate to medical facilities under the jurisdiction of the Board of Regents for the University System of Georgia the ability to purchase medical equipment and supplies necessary for medical teaching purposes.

The Senate adheres to its amendment and has appointed a Committee of Conference on the following bill of the House:

HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Land of the 16th, Farrow of the 54th and Oliver of the 42nd.

The Senate adheres to its disagreement to the House amendments and has appointed a Committee of Conference to confer with a like committee on the part of the House on the following bill of the Senate:

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Edge of the 28th, Cagle of the 49th and Clay of the 37th.

The Speaker Pro Tem assumed the Chair.

The following Bill of the Senate was taken up for the purpose of considering the Senate's appointment of a Committee of Conference thereon:

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

Representative Porter of the 143rd moved that the House adhere to its position in amending SB 749 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Hanner of the 159th, Porter of the 143rd and Dobbs of the 92nd.

The following Bill of the Senate was taken up for the purpose of considering the Senate's disagreeing to the House substitute thereto:

SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

Representative Porter of 143rd moved that the House insist on its position in substituting SB 606.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto:

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

The following Senate substitute was read:

A BILL

To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, so as to change the definition of "speed detection device"; to change certain provisions relating to certification to use speed detection devices; to provide for notice of certain suspensions or revocations; to provide for the suspension or revocation of certain permits of certain employing agencies; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for the offenses of homicide by interference with an official traffic-control device or railroad sign or signal and serious injury by interference with an official traffic-control device or railroad sign or signal; to provide for penalties; to change the definition of "speed detection device"; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for a special license plate honoring and supporting the Shriner hospitals for handicapped children; to provide for the design of such license plates; to provide for a license fee; to provide for licensing agreements; to provide that a portion of the license fee shall be paid to the Shriner organization; to change certain provisions related to permit requirements; to change certain provisions related to permit applications; to change certain provisions regarding testing of radar devices; to change certain provisions relating to warning signs required; to change certain provisions relating to unlawful use of devices; to change certain provisions relating to investigations by the commissioner of public safety; to provide for notice of certain suspensions or revocations; to provide for the suspension or revocation of certain permits of certain employing agencies; to change certain provisions relating to administrative hearings upon permit suspension or revocation; to change certain provisions relating to appeal of permit suspension or revocation; to change certain provisions relating to petition for reconsideration following permit suspension or revocation; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, is amended by striking paragraph (11) of Code Section 35-8-2, relating to definitions, and inserting in lieu thereof the following:

"(11) 'Speed detection device' means that particular device designed to measure the speed or velocity of a motor vehicle and marketed under the name 'Vascar,' any device designed to measure the speed or velocity of motor vehicles using the Doppler principle of radio detection and ranging and commonly marketed under the name 'radar,' or any similar device, including but not limited to laser, operating under the same or similar principle, which device is approved by the Department of Public Safety for the measurement of speed, including any device for the measurement of speed or velocity based upon the Doppler principle of radar or speed timing principle of laser."

SECTION 2.

Said chapter is further amended by striking Code Section 35-8-12, relating to certification to use speed detection devices, and inserting in lieu thereof the following:

"35-8-12.

(a) Persons employed or appointed by any agency, organ, or department of this state or a subdivision or municipality thereof authorized to use speed detection devices shall

be required to be certified by the council as qualified speed detection device operators. Each person operating radar speed or laser detection devices shall satisfactorily complete a course of instruction in the theory and application of speed detection device operation as a condition for certification. The council shall establish and modify the curriculum for the course of instruction, including a minimum number of hours. Persons authorized and qualified to conduct the course of instruction required by this Code section shall be certified by the council as speed detection device operator instructors upon complying with requirements prescribed by the council. The council shall have the authority to recognize instruction received by persons subject to the requirements of this Code section if, in the determination of the council, the instruction is at least equivalent to that required by this chapter. If the instruction is recognized, then it shall be accepted in lieu of part or parts of the minimum hours of instruction required for speed detection device certification by this chapter. Should any person fail to complete successfully the training requirements for operation of speed detection devices, he or she shall not perform any functions related to the use of the devices until such training shall have been successfully completed and until such time as the council shall issue appropriate certification. All persons certified to use speed detection devices shall complete an update or refresher training course of such duration and at such time as may be prescribed by the council in order for their speed detection device operators' certifications to remain in force and effect. The council is authorized to withdraw or suspend the certification of any person for failure to meet the update or refresher requirements specified in this Code section or for violation of any portion of this chapter relating to conditions which may lead to the withdrawal or suspension of peace officer certification to operate radar or laser speed detection devices.

(b) Upon the withdrawal or suspension of any certificate to operate speed detection devices for the reasons set forth in this Code section, the executive director of the council shall notify the commissioner. The notification shall contain the officer's name and employing law enforcement agency.

(c) Upon receipt from the commissioner that a speed detection device permit has been suspended or revoked pursuant to Code Section 40-14-11, the council shall withdraw or suspend the certification to operate speed detection devices for every certified operator employed by the agency whose permit has been suspended or revoked. The period of withdrawal or suspension shall be consistent with the action taken by the department."

SECTION 2A.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by adding a new Code Section immediately following Code Section 40-6-395, to be designated Code Section 40-6-396 to read as follows:

"40-6-396.

(a) Any person who, without malice aforethought, causes the death of another person through the violation of subsection (a) of Code Section 40-6-26 commits the offense of homicide by interference with an official traffic-control device or railroad sign or signal and, upon conviction thereof, shall be punished by imprisonment for not less than two nor more than 15 years.

(b) Any person who, without malice aforethought, causes bodily harm to another by depriving such other person of a member of his or her body, by rendering a member of his or her body useless, by seriously disfiguring his or her body or a member thereof, or by causing organic brain damage which renders the body or any member thereof useless through the violation of subsection (a) of Code Section 40-6-26 commits the offense of serious injury by interference with an official traffic-control device or railroad sign or signal and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years."

SECTION 3.

Said title is further amended by striking paragraph (4) of Code Section 40-14-1, relating to definitions, and inserting in lieu thereof the following:

"(4) 'Speed detection device' means, unless otherwise indicated, that particular device designed to measure the speed or velocity of a motor vehicle and marketed under the

name 'Vascar' or any similar device operating under the same or similar principle and any devices for the measurement of speed or velocity based upon the Doppler principle of radar or the speed timing principle of laser. All such devices must meet or exceed the minimum performance specifications established by the Department of Public Safety.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by adding at the end of Article 2 of Chapter 2, relating to the registration and licensing of vehicles generally, the following:

"40-2-50.

(a) Because the Shrine hospitals for handicapped children have done immeasurable good for the children of this state, it is meet and proper that there shall be issued beginning in 1997 special license plates to honor and support the Shriner hospitals for handicapped children.

(b) The commissioner shall prepare special distinctive license plates of a design appropriate to honor and support the Shriner hospitals for handicapped children. Such Shriner hospital plate must be of the same size and general design of general issue motor vehicle license plates. Such plates shall include a unique identifying number whose total characters do not exceed the sum of seven, provided that no two recipients receive identical plates. It shall not be a requirement that a county name decal be affixed and displayed on license plates issued under this Code section.

(c) Any motor vehicle owner who is a resident of Georgia, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and upon the payment of a fee of \$25.00 in addition to the regular motor vehicle registration fee, shall be issued such a special license plate.

(d) Notwithstanding the foregoing provisions of this Code section, this Code section shall not be implemented until such time as the State of Georgia has, through a licensing agreement or otherwise, received such licenses or other permissions as may be required for the use of the Shriner logo or other acceptable design or as may otherwise be necessary or appropriate to implement this Code section. The commissioner is authorized, on behalf of the state, to accept and execute the licensing agreements with the Shriner organization or its licensor allowing the state to be the beneficiary of and to receive such portion of the tag fee as exceeds the actual cost of manufacturing and issuing the tags or \$10.00 per tag, whichever is less. The commissioner may charge fees, make payments, take other actions, and agree to or impose terms and conditions which might normally be envisioned in licensing and cross-licensing agreements for the use of designs and similar intellectual property. Without limitation, the commissioner may agree to allow to others the exclusive or nonexclusive use of the design of the special license plate. The design of the special license plate, excepting only the Shriner logo and any other part of the design owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The commissioner may take steps necessary to give notice of and protect such right, including the copyright. However, such steps shall be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law, and no person shall reproduce or otherwise use such design, except as authorized by the commissioner."

SECTION 3A.

Said title is further amended by striking paragraph (4) of Code Section 40-14-1, relating to definitions, and inserting in lieu thereof the following:

"(4) 'Speed detection device' means, unless otherwise indicated, that particular device designed to measure the speed or velocity of a motor vehicle and marketed under the name 'Vascar' or any similar device operating under the same or similar principle and any devices for the measurement of speed or velocity based upon the Doppler principle of radar or the speed timing principle of laser. All such devices must meet or exceed the minimum performance specifications established by the Department of Public Safety."

SECTION 4.

Said title is further amended by striking Code Section 40-14-2, relating to permit requirements, and inserting in lieu thereof the following:

“40-14-2. www.libtool.com.cn

(a) The law enforcement officers of the various counties, municipalities, colleges, and universities may use speed detection devices only if the governing authorities of such counties and municipalities or the president of such college or university shall approve of and desire the use of such devices and shall apply to the Department of Public Safety for a permit to use such devices in accordance with this chapter.

(b) No county, municipality, college, or university shall be authorized to use speed detection devices where any arresting officer or official of the court having jurisdiction of traffic cases is paid on a fee system. This subsection shall not apply to any official receiving a recording fee.

(c) A permit shall not be issued by the Department of Public Safety to an applicant under this Code section unless the applicant employs full-time or part-time, certified peace officers.”

SECTION 5.

Said title is further amended by striking Code Section 40-14-3, relating to application for permit, and inserting in lieu thereof the following:

“40-14-3.

(a) The governing authority of any county or municipality and the president of a college or university may apply to the Department of Public Safety for a permit to authorize the use of speed detection devices for purposes of traffic control within such counties, municipalities, colleges, or universities on streets, roads, and highways, provided the city, county, college, or university shall name the street or road on which the device is to be used and the speed limits on such street or road shall have been approved by the Office of Traffic Operations of the Department of Transportation.

(b) The Department of Public Safety is authorized to prescribe by appropriate rules and regulations the manner and procedure in which applications shall be made for such permits and to prescribe the required information to be submitted by the applicants. The Department of Public Safety may deny the application or suspend the speed detection device permit for failure to provide information or documentation at the department's request.”

SECTION 6.

Said title is further amended by striking subsection (b) of Code Section 40-14-5, relating to testing of radar devices, and inserting in its place a new subsection (b) to read as follows:

“(b) Each county, municipal, or campus law enforcement officer using a radar device shall notify each person against whom the officer intends to make a case based on the use of the radar device that the person has a right to request the officer to test the radar device for accuracy. The notice shall be given prior to the time a citation and complaint or ticket is issued against the person and, if requested to make a test, the officer shall test the radar device for accuracy. In the event the radar device does not meet the minimum accuracy requirements, the citation and complaint or ticket shall not be issued against the person, and the radar device shall be removed from service and thereafter shall not be used by the county, municipal, or campus law enforcement agency until it has been serviced, calibrated, and recertified by a technician with the qualifications specified in Code Section 40-14-4.”

SECTION 7.

Said title is further amended by striking Code Section 40-14-6, relating to the requirement for warning signs, and inserting in its place a new Code Section 40-14-6 to read as follows:

“40-14-6.

(a) Each county, municipality, college, and university using speed detection devices shall erect signs on every highway which comprises a part of the state highway system at that

point on the highway which intersects the corporate limits of the municipality, the county boundary, or the boundary of the college or university campus. Such signs shall be at least 30 by 30 inches in area and shall warn approaching motorists that speed detection devices are being employed. No such devices shall be used within 500 feet of any such warning sign erected pursuant to this Code section subsection.

(b) In addition to the signs required under subsection (a) of this Code section, each county, municipality, college, and university using speed detection devices shall erect speed limit warning signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality, the county boundary, or the boundary of the college or university campus. Such signs shall be at least 30 by 30 inches in area, shall warn approaching motorists of changes in the speed limit, shall be visible plainly from every lane of traffic, shall be viewable in any traffic conditions, and shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. No such devices shall be used within 500 feet of any such warning sign erected pursuant to this subsection."

SECTION 8.

Said title is further amended by striking Code Section 40-14-10, relating to unlawful use of devices, and inserting in lieu thereof a new Code Section 40-14-10 to read as follows:

"40-14-10.

It shall be unlawful for radar speed detection devices to be used in any county or municipality or on any campus for which a permit authorizing such use has not been issued or for which a permit authorizing such use has been suspended or revoked and not reissued. It shall be unlawful for any official of such county, municipality, college, or university to order such radar speed detection devices to be used. It shall be unlawful for any law enforcement officer of any such county, municipality, college, or university to use any such radar speed detection devices. Any such official or law enforcement officer violating this Code section shall be guilty of a misdemeanor."

SECTION 9.

Said title is further amended by striking Code Section 40-14-11, relating to investigations by the commissioner of public safety, and inserting in lieu thereof a new Code Section 40-14-11 to read as follows:

"40-14-11.

(a) Upon a complaint being made to the commissioner of public safety that any county, municipality, college, or university is employing radar speed detection devices for purposes other than the promotion of the public health, welfare, and safety or in a manner which violates this chapter or violates its speed detection device permit, the commissioner or his the commissioner's designee is authorized and empowered to conduct an investigation into the acts and practices of such county, municipality, college, or university with respect to radar speed detection devices. If, as a result of this investigation, the commissioner or his the commissioner's designee finds that there is probable cause to suspend or revoke the radar speed detection device permit of such county, municipality, college, or university, he or she shall issue an order to that effect.

(b) Upon the suspension or revocation of any speed detection device permit for the reasons set forth in this Code section, the commissioner of public safety shall notify the executive director of the Georgia Peace Officer Standards and Training Council of the action taken.

(c) Upon receipt from the executive director of the Georgia Peace Officer Standards and Training Council that an officer's certification to operate speed detection devices has been withdrawn or suspended pursuant to Code Section 35-8-12, the commissioner of public safety or the commissioner's designee shall suspend the speed detection device permit for the employing agency. The period of suspension or revocation shall be consistent with the action taken by the Georgia Peace Officer Standards and Training Council."

SECTION 10.

Said title is further amended by striking Code Section 40-14-12, relating to administrative hearing upon permit suspension or revocation, and inserting in lieu thereof a new Code Section 40-14-12 to read as follows:

“40-14-12.

Upon issuance by the commissioner of public safety of an order suspending or revoking the ~~radar~~ speed detection device permit of any county, municipality, college, or university, the county, municipality, college, or university affected shall be afforded a hearing, to be held within ten days of the effective date of the order. The hearing shall be held before the commissioner or deputy commissioner of public safety, and following the hearing the county, municipality, college, or university affected shall be served with a written decision announcing whether the permit shall remain revoked or whether it shall be reinstated.”

SECTION 11.

Said title is further amended by striking Code Section 40-14-13, relating to appeal of permit suspension or revocation, and inserting in lieu thereof the following:

“40-14-13.

Any county, municipality, college, or university aggrieved by a decision of the commissioner or deputy commissioner of public safety suspending or revoking its ~~radar~~ speed detection device permit may appeal that decision within 30 days of its effective date to the Board of Public Safety, which shall schedule a hearing with respect thereto before the board. Following a hearing before the board, the county, municipality, college, or university affected shall be served with a written decision announcing whether the permit shall remain revoked or whether it shall be reinstated. An adverse decision of the board may be appealed by the county, municipality, college, or university to the superior court with appropriate jurisdiction, but the municipality, county, college, or university shall be denied the use of the ~~radar~~ speed detection device until after such appeal is decided by the court.”

SECTION 12.

Said title is further amended by striking Code Section 40-14-14, relating to petition for reconsideration following permit suspension or revocation, and inserting in lieu thereof the following:

“40-14-14.

At the expiration of six months following the suspension or revocation of a ~~radar~~ speed detection device permit by the Board of Public Safety or, if no appeal was taken, by the commissioner or deputy commissioner of public safety, the governing authority of any such county or municipality or the president of any such college or university may, upon a change of circumstances being shown to the commissioner, petition the commissioner for a reconsideration of whether such county, municipality, college, or university should be permitted to use ~~radar~~ speed detection devices within their respective jurisdictions.”

SECTION 13.

To amend Part 1 of Article 3 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, so as to provide for the establishment and operation by the Civil War Commission of a program for the acquisition, preservation, maintenance, and operation of Civil War historic sites.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 14.

Part 1 of Article 3 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions relative to historic areas, is amended by adding, following Code Section 12-3-50.2, a new Code Section 12-3-50.3 to read as follows:

“12-3-50.3.

(a) The Civil War Commission, as established by Ga. L. 1993, p. 1952, shall establish a program for the acquisition, preservation, maintenance, and operation of Civil War historic sites, including but not limited to battlefields, monuments, and other properties which are historically significant or important as being the location of events during the Civil War. To support such program, the Civil War Commission may, without limitation, promote and solicit voluntary contributions for such programs, is authorized to receive and administer funds raised through the sale of Civil War historic sites motor vehicle license plates as authorized by Code Section 40-2-50, or may employ any fund raising or other promotional techniques deemed appropriate by the Civil War Commission.

(b) There is established a special fund to be known as the 'Civil War Historic Sites Acquisition and Preservation Fund.' This fund shall consist of all moneys contributed under subsection (a) of this Code section, all moneys transferred to the Civil War Commission under Code Section 40-2-50, any moneys appropriated to this fund by the General Assembly, and all interest on any such moneys. All balances in the fund shall be deposited in an interest-bearing account identifying the fund and shall be carried forward each year so that no part thereof may be deposited in the general treasury. The Civil War Commission shall administer the fund and may expend moneys held in the fund in furtherance of its Civil War historic sites acquisition and preservation programs and related educational and promotional projects. Contributions to the fund shall be deemed supplemental to and shall in no way supplant funding that would otherwise be appropriated for these purposes. The Civil War Commission shall prepare by February 1 of each year an accounting of the funds received and expended from the fund. The report shall be made available to the members of the Board of Natural Resources and to members of the public on request."

SECTION 15.

Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, is amended by adding at the end thereof a new Code Section 40-2-50 to read as follows:

"40-2-50.

(a) In order to promote and financially benefit the acquisition, preservation, maintenance, and operation of Civil War historic sites by the Civil War Commission, there shall be issued beginning January 1, 1997, special license plates promoting the Civil War historic sites program of the Department of Natural Resources established pursuant to Code Section 12-3-50.3.

(b) The Civil War Commission shall design special distinctive license plates appropriate to promote Civil War historic sites in this state. The Civil War historic sites plate must be of the same size and general design of general issue motor vehicle license plates; such plates shall include a unique identifying number, whereby the total characters do not exceed the sum of six, provided that no two recipients shall receive identical plates. Such design shall not provide space in which to indicate the name of the county of issuance.

(c) The design of the initial edition of the Civil War historic sites license plate, as well as the design of subsequent editions and excepting only any part or parts of the designs owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The commissioner may take such steps as may be necessary to give notice of and protect such right, including the copyright or copyrights. However, such steps shall be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law, and no person shall reproduce or otherwise use such design or designs, except as authorized by the commissioner.

(d) Beginning in calendar year 1997, any Georgia resident who is the owner of a motor vehicle, except a vehicle registered under the international registration plan, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and upon the payment of a fee of not more than \$25.00 in addition to the regular motor vehicle registration fee, shall be issued a Civil War historic sites license plate. Revalidation decals shall, upon payment of fees required by law and collected by the

county tag agent and remitted to the state as provided in Code Section 40-2-34, be issued for Civil War historic sites license plates in the same manner as provided for general issue license plates.

(e) The funds derived from the sale of Civil War historic sites license plates, less a \$1.00 processing fee which shall be granted to county tag offices per plate sold, shall be transferred to the Civil War Commission and shall be deposited in the Civil War Historic Sites Acquisition and Preservation Fund established by Code Section 12-3-50.3. Such funds shall be expended only for the purposes enumerated in Code Section 12-3-50.3.

(f) An applicant may request a Civil War historic sites license plate any time during the applicant's registration period. If a Civil War historic sites license plate is to replace a current valid license plate, the department shall issue the Civil War historic sites license plate with appropriate decals attached. When an applicant requests a Civil War historic sites license plate at the beginning of the registration period, the applicant shall pay the tax together with all applicable fees.

(g) If a vehicle owner to whom the department has issued a Civil War historic sites license plate acquires a replacement vehicle within the owner's registration period, the department shall authorize a transfer of the license plate to the replacement vehicle in accordance with the provisions of Code Section 40-2-42.

(h) Civil War historic sites license plates shall be issued within 30 days of application."

SECTION 16.

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

Representative Jamieson of the 22nd moved that the House disagree to the Senate substitute to HB 1256.

The motion prevailed.

The following Bills of the House were taken up for the purpose of considering the Senate's insistence on its position in amending the same:

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

Representative Simpson of the 101st moved that the House insist on its position in disagreeing to the Senate amendment to HB 1222 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

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

Y Allen	Y Brooks, D	N Coleman, B	N Ehrhart	Y Hegstrom
Anderson	Y Brooks, T	Y Coleman, T	Y Epps	N Hembree
Y Ashe	N Brown, J	Connell	Evans	Y Henson
Y Bailey	Brush	Y Crawford	Falls	Y Holland
Y Baker	Buck	N Crews	N Felton	Holmes
Y Bannister	Y Buckner	Culbreth	Y Floyd	Y Howard
Y Barfoot	N Bunn	Cummings	Y Godbee	Y Hudson
Y Barger	N Burkhalter	Y Davis, G	Y Golden	Y Hugley
Y Barnard	Y Byrd	Davis, M	N Goodwin	Y Irvin
Y Barnes	Y Campbell	Y Day	Y Greene	Y James
Y Bates	Canty	N DeLoach, B	Grindley	Y Jamieson
Y Benefield	Y Carter	Y DeLoach, G	Y Hanner	Jenkins
Y Birdsong	Y Chambliss	N Dix	Y Harbin	Johnson, G
Y Bordeaux	Y Channell	Y Dixon, H	Harris	N Johnson, J
Bostick	Y Childers	Y Dixon, S	Y Heard	Y Johnston
Breedlove	Y Coker	Y Dobbs	Y Heckstall	Y Jones

N Joyce	N Mills	Randall	Y Smith, L	Y Titus
N Kaye	Y Mobley, B	Y Randolph	Y Smith, P	Y Towery
Y Kinnamon	N Mobley, J	Y Ray	Y Smith, T	Y Trense
Y Klein	Y Mosley	Y Reaves	N Smith, V	Y Turnquest
Y Ladd	Y Mueller	Y Reichert	Y Smith, W	Y Twiggs
N Lakly	Y O'Neal	Y Roberts	Smyre	Walker, L
Y Lane	Y Orrock	Y Rogers	N Snelling	N Walker, R.L
Y Lawrence	Y Parham	Y Royal	Y Snow	Y Wall
Y Lee	Y Parrish	Sanders	Y Stallings	Y Watson
N Lewis	Y Parsons	Y Sauder	Y Stancil, F	Y Watts
Y Lifsey	Y Pelote	Y Scoggins	Stancil, S	N Westmoreland
Y Lord	Y Perry	Y Shanahan	Stanley, L	Whitaker
Y Lucas	N Pinholster	Shaw	Stanley, P	White
N Maddox	Y Polak	Y Sherrill	Stephenson	N Wiles
Mann	Y Ponder	Y Shipp	Y Streat	Y Williams, B
Y Martin	Y Porter	Y Simpson	Y Taylor	Williams, J
Y McBee	Y Poston	Y Sinkfield	Y Teague	Y Williams, R
Y McCall	Y Powell	Y Skipper	Y Teper	N Woods
Y McClinton	Y Purcell, A	Y Smith, C	Thomas	N Yates
McKinney	Y Purcell, B	N Smith, C.W	Y Tillman	Y Murphy, Spkr

On the motion, the ayes were 115, nays 28.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Simpson of the 101st, Stallings of the 100th and Brooks of the 103rd.

HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

Representative Chambless of the 163rd moved that the House insist on its position in disagreeing to the Senate amendment to HB 1555 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Chambless of the 163rd, Poston of the 3rd and Crawford of the 129th.

The following Bills of the House were taken up for the purpose of considering the Senate substitutes thereto:

HB 1655. By Representatives Walker of the 141st, Childers of the 13th, Stephenson of the 25th and Skipper of the 137th:

A bill to amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide under certain circumstances for the pronouncement of death by registered nurses practicing in nursing homes.

The following Senate substitute was read:

A BILL

To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide under certain circumstances for the pronouncement of death by registered nurses and physician's assistants practicing in nursing homes; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, is amended by adding a new Code Section 31-7-16 to read as follows:

“31-7-16.

When a patient dies in any facility classified as a nursing home by the department and operating under a permit issued by the department, a physician's assistant or a registered professional nurse licensed in this state and employed by such nursing home at the time of apparent death of such person, in the absence of a physician, may make the determination and pronouncement of the death of said patient; provided, however, that, when said patient is a registered organ donor, only a physician may make the determination or pronouncement of death; provided, further, that when it appears that a patient died from other than natural causes, only a physician may make the determination or pronouncement of death. Such determination or pronouncement shall be made in writing on a form approved by the department.”

SECTION 2.

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

The following amendment was read and adopted:

Representative Childers of the 13th moves to amend HB 1655 Senate substitute by striking line 3 on page 1 and inserting in lieu thereof the following:

“hospitals and related institutions, so as to prohibit denial of staff privileges on the basis of certain licenses, specialties, and membership; to provide under”

By striking line 12 on page 1 and inserting in lieu thereof the following:

“related institutions, is amended by inserting at the end of Code Section 31-7-7, relating to staff privileges at public hospitals, a new subsection to read as follows:

‘(d) Notwithstanding the provisions of this Code section and Code Section 31-7-15, if a hospital offers or provides any type of service which is within the scope of practice of a person licensed as a doctor of podiatric medicine, doctor of osteopathic medicine, or doctor of dentistry, that hospital may not deny staff privileges at such hospital to any such licensee to provide such services within the scope of practice of such person's license based solely upon that person's license or specialty.’

SECTION 2.

Said article is further amended by adding a new Code”.

By renumbering Section 2 as Section 3.

Representative Westmoreland of the 104th moved that the House reconsider its action in adopting the Childers amendment.

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

Allen	Y Crews	N Irvin	N Parrish	Smith, W
Anderson	N Culbreth	N James	N Parsons	Y Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	Y Davis, G	Jenkins	N Perry	N Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	N Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	N DeLoach, G	N Jones	N Porter	Y Stanley, L
N Barnard	N Dix	Y Joyce	N Poston	Y Stanley, P
Barnes	N Dixon, H	Y Kaye	Powell	Y Stephenson
Bates	N Dixon, S	N Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Klein	Y Purcell, B	Y Taylor
N Birdsong	N Ehrhart	N Ladd	N Randall	Y Teague
Y Bordeaux	N Epps	Y Lakly	N Randolph	N Teper
Bostick	Y Evans	N Lane	N Ray	N Thomas
N Breedlove	Y Falls	N Lawrence	Y Reaves	N Tillman
Y Brooks, D	Felton	Y Lee	N Reichert	N Titus
N Brooks, T	N Floyd	N Lewis	N Roberts	N Towery
Y Brown, J	Godbee	Y Lifsey	Y Rogers	Y Trense
N Brusby	Y Golden	Lord	Royal	N Turnquest
Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
N Buckner	Y Greene	N Maddox	N Sauder	Walker, L
Y Bunn	N Grindley	Y Mann	N Scoggins	Y Walker, R.L
N Burkhalter	Y Hanner	N Martin	N Shanahan	N Wall
N Byrd	N Harbin	N McBee	Y Shaw	N Watson
Y Campbell	Y Harris	McCall	N Sherrill	Watts
Y Canty	N Heard	N McClinton	N Shipp	Y Westmoreland
Carter	Y Heckstall	N McKinney	N Simpson	N Whitaker
Y Chambless	N Hegstrom	Y Mills	Sinkfield	White
N Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Holmes	Mueller	N Smith, L	N Williams, R
Coleman, T	Howard	N O'Neal	N Smith, P	N Woods
Connell	Y Hudson	N Orrock	N Smith, T	Y Yates
Y Crawford	N Hugley	N Parbam	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 61, nays 89.

The motion was lost.

Representative Walker of the 141st moved that the House agree to the Senate substitute, as amended by the House, to HB 1655.

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

Y Allen	N Channell	Y Grindley	Y Lawrence	Y Poston
Y Anderson	Y Childers	N Hanner	N Lee	Powell
Y Asbe	N Coker	Y Harbin	Y Lewis	N Purcell, A
Y Bailey	Y Coleman, B	Harris	N Lifsey	N Purcell, B
N Baker	Y Coleman, T	Y Heard	N Lord	N Randall
N Bannister	Connell	N Heckstall	N Lucas	Y Randolph
N Barfoot	N Crawford	Y Hegstrom	Maddox	Y Ray
N Bargeron	Y Crews	N Hembree	Y Mann	Reaves
N Barnard	N Culbreth	Y Henson	Y Martin	Y Reichert
Barnes	Y Cummings	Y Holland	N McBee	Y Roberts
N Bates	Y Davis, G	Y Holmes	McCall	Y Rogers
N Benefield	Y Davis, M	Y Howard	Y McClinton	N Royal
Y Birdsong	Y Day	N Hudson	Y McKinney	N Sanders
N Bordeaux	N DeLoach, B	Y Hugley	Y Mills	Y Sauder
Bostick	Y DeLoach, G	Y Irvin	Y Mobley, B	Y Scoggins
N Breedlove	N Dix	N James	Y Mobley, J	N Shanahan
N Brooks, D	Y Dixon, H	N Jamieson	Y Mosley	N Shaw
Y Brooks, T	N Dixon, S	Y Jenkins	Mueller	N Sherrill
N Brown, J	N Dobbs	N Johnson, G	Y O'Neal	Y Shipp
Y Brusby	Y Ehrhart	N Johnson, J	Y Orrock	Y Simpson
N Buck	Y Epps	Y Johnston	Y Parham	Sinkfield
Y Buckner	N Evans	Y Jones	Y Parrish	N Skipper
Y Bunn	N Falls	Y Joyce	Y Parsons	N Smith, C
Y Burkhalter	Y Felton	Y Kaye	N Pelote	Y Smith, C.W
N Byrd	N Floyd	Y Kinnamon	Y Perry	N Smith, L
Campbell	N Godbee	Y Klein	N Pinholster	Y Smith, P
N Canty	N Golden	Y Ladd	Y Polak	Y Smith, T
N Carter	Y Goodwin	N Lakly	Y Ponder	Y Smith, V
Chambless	Greene	Y Lane	N Porter	Smith, W

Smyre	N Stanley, P	N Tillman	N Walker, R.L	Wiles
N Snelling	Stephenson	N Titus	Y Wall	N Williams, B
N Snow	N Streat	Y Towery	Y Watson	Y Williams, J
N Stallings	N Taylor	Y Trense	Watts	Y Williams, R
N Stancil, F	Y Teague	Y Turnquest	N Westmoreland	Y Woods
N Stancil, S	Y Teper	N Twiggs	Y Whitaker	N Yates
N Stanley, L	Y Thomas	N Walker, L	White	Murphy, Spkr

On the motion, the ayes were 86, nays 73.

The motion was lost.

Representative Coleman of the 80th stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

The Speaker assumed the Chair.

HB 1785. By Representatives Baker of the 70th, Orrock of the 56th and Bordeaux of the 151st:

A bill to amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," so as to add a provision dealing with the appropriation of funds for any fiscal year beginning July 1, 1996; to state legislative intent with respect to program weights; to provide for a change in the program weights allotted to state authorized instructional programs.

The following Senate substitute was read:

A BILL

To amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," so as to add a provision dealing with the appropriation of funds for any fiscal year beginning July 1, 1996; to state legislative intent with respect to program weights; to provide for a change in the program weights allotted to state authorized instructional programs for purposes of the Quality Basic Education Formula; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," is amended by adding to the end of Code Section 20-2-160, relating to the determination of funds to be appropriated, a new subsection (f) to read as follows:

"(f) For any fiscal year beginning July 1, 1996, the maximum number of full-time equivalent students eligible for funding in any school system for the high school nonvocational laboratory program shall be equal to no more than 30 percent of the sum of those students counted in the programs specified in paragraphs (5), (6), and (7) of subsection (b) of Code Section 20-2-161. Full-time equivalent students in excess of this 30 percent number shall be counted in the high school general education program."

SECTION 2.

(a) The General Assembly finds and determines that certain changes should be made in the program weights allotted to state authorized instructional programs for purposes of the Quality Basic Education Formula. This section accordingly provides for the assignment of certain program weights which shall apply beginning July 1, 1996.

b) Said part is further amended by striking subsection (b) of Code Section 20-2-161, relating to the Quality Basic Education Formula, in its entirety and inserting in its place a new subsection (b) to read as follows:

“(b) As ~~the cost of~~ instructional programs varies depending upon the teacher-student ratios and specific services typically required to address the special needs of students enrolled, state authorized instructional programs shall have the following program weights:

(1) Kindergarten program	1.3286	<u>1.3175</u>
(2) Primary grades program (1-3).....	1.2432	<u>1.2398</u>
(3) Upper elementary grades program (4-5)	1.0197	<u>1.0074</u>
(4) Middle grades program (6-8).....	1.0242	<u>1.0122</u>
(5) High school general education program (9-12).....		<u>1.0000</u>
(6) High school nonvocational laboratory program (9-12).....	1.2428	<u>1.1580</u>
(7) Vocational laboratory program (9-12).....	1.3557	<u>1.2643</u>
(8) Program for the handicapped: Category I.....	2.3419	<u>2.3359</u>
(9) Program for the handicapped: Category II.....	2.7204	<u>2.7174</u>
(10) Program for the handicapped: Category III.....	3.4579	<u>3.4517</u>
(11) Program for the handicapped: Category IV.....	5.5838	<u>5.5687</u>
(12) Program for intellectually gifted students: Category V.....	1.6374	<u>1.6366</u>
(13) Remedial education program.....	1.2985	<u>1.2884</u> ”

SECTION 3.

This Act shall become effective on July 1, 1996.

SECTION 4.

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

The following amendment was read:

Representatives Orrock of the 56th, Baker of the 70th and Bordeaux of the 151st move to amend the Senate substitute to HB 1785 by inserting after the word and symbol “Formula;” on line 9 on page 1 the following:

“to amend Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to conditions of employment for teachers, so as to provide for a salary increase for those persons who have received certification from the National Board for Professional Teaching Standards;”

By striking the phrase “the handicapped” and replacing it with the phrase “persons with disabilities” on lines 23, 25, 27, and 29 of page 2.

By inserting between lines 30 and 31 on page 2 the following:

“(12) Program for persons with disabilities: Category V..... 2.4229”

By deleting the designation “Category V” and replacing it with the designation “Category V Category VI” on line 32 on page 2.

By striking the designations “(12)” and “(13)” on lines 31 and 33 of page 2 and inserting in their respective places the designations “(12) (13)” and “~~(13)~~ (14)”

By inserting between lines 33 and 34 on page 2 the following:

“SECTION 3.

Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to conditions of employment for teachers, is amended by adding a new Code Section 20-2-212.2 to read as follows:

'20-2-212.2.

(a) As used in this Code section, "national certification" means certification obtained from the National Board for Professional Teaching Standards.

(b) Any person who:

- (1) Is currently teaching in a Georgia public school and holds a valid Georgia teaching certificate;
- (2) Has completed three years of teaching in Georgia public schools prior to receiving national certification;
- (3) Has not previously received state funds for participating in any certification area in the national certification program; and
- (4) Has successfully completed the prerequisite portfolio of student work and examination and has received national certification

shall receive a 5 percent rate increase in state salary. Such increase shall be awarded on the commencement of the school year following such certification. The increase in state salary provided by this Code section shall be in addition to any other increase for which the person is eligible.

(c) The national certification program participation fee shall be reimbursed by the state upon certification for any teacher who is eligible for an increase pursuant to subsection (a) of this Code section.

(d) A teacher for whom the State of Georgia pays the participation fee and who does not teach in a Georgia public school for at least one year after receiving certification shall repay the certification fee to the state. Repayment is not required if the teacher is unable to complete the additional year of teaching due to the death or disability of the teacher."

By redesignating Section 3 and Section 4 as Section 4 and Section 5, respectively.

The following amendment was read:

Representative Ehrhart of the 36th moves to amend the House amendment to the Senate substitute to HB 1785 as follows:

By striking all language beginning with line 25 of page 1, through line 30 of page 2.

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

N Allen	Y Brush	N Cummings	Greene	Y Johnson, G
N Anderson	N Buck	N Davis, G	Y Grindley	Y Johnson, J
N Ashe	N Buckner	Y Davis, M	Hanner	Y Johnston
N Bailey	Bunn	Y Day	Y Harbin	N Jones
N Baker	Y Burkhalter	Y DeLoach, B	N Harris	Y Joyce
Y Bannister	N Byrd	Y DeLoach, G	N Heard	Y Kaye
N Barfoot	Y Campbell	Y Dix	N Heckstall	N Kinnamon
N Bargerone	N Canty	N Dixon, H	N Hegstrom	Y Klein
Y Barnard	N Carter	N Dixon, S	Y Hembree	Y Ladd
Y Barnes	N Chambless	N Dobbs	N Henson	Y Lakly
N Bates	N Channell	Y Ehrhart	N Holland	N Lane
N Benefield	N Childers	N Epps	N Holmes	Y Lawrence
Birdsong	Y Coker	Y Evans	N Howard	N Lee
N Bordeaux	Y Coleman, B	Y Falls	N Hudson	Y Lewis
Y Bostick	N Coleman, T	Y Felton	N Hugley	Y Lifsey
Breedlove	N Connell	N Floyd	Y Irvin	N Lord
N Brooks, D	N Crawford	N Godbee	N James	Lucas
N Brooks, T	Y Crews	N Golden	N Jamieson	Y Maddox
Y Brown, J	N Culbreth	Y Goodwin	Jenkins	Y Mann

N Martin	N Pinholster	Y Sauder	Y Snelling	N Turnquest
N McBee	N Polak	Y Scoggins	N Snow	N Twiggs
Y McCall	N Ponder	Y Shanahan	N Stallings	N Walker, L
N McClinton	N Porter	N Shaw	N Stancil, F	Y Walker, R.L
McKinney	N Poston	N Sherrill	N Stancil, S	N Wall
Y Mills	N Powell	Y Shipp	N Stanley, L	N Watson
N Mobley, B	N Purcell, A	N Simpson	N Stanley, P	Watts
N Mobley, J	N Purcell, B	Sinkfield	Stephenson	Y Westmoreland
N Mosley	N Randall	Skipper	N Streat	Y Whitaker
Y Mueller	N Randolph	Y Smith, C	N Taylor	N White
N O'Neal	N Ray	Y Smith, C.W	N Teague	Y Wiles
N Orrock	N Reaves	N Smith, L	N Teper	Y Williams, B
N Parbam	N Reichert	N Smith, P	N Thomas	Y Williams, J
N Parrish	N Roberts	N Smith, T	N Tillman	Y Williams, R
Y Parsons	Rogers	Y Smith, V	Y Titus	Y Woods
N Pelote	N Royal	Smith, W	Y Towery	Y Yates
Y Perry	Y Sanders	N Smyre	Y Trense	Murphy, Spkr

On the adoption of the amendment, the ayes were 64, nays 101.

The amendment was lost.

The Orrock amendment was adopted.

Representative Orrock of the 56th moved that the House agree to the Senate substitute, as amended by the House, to HB 1785.

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

Y Allen	N Crews	N Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Asbe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	N Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	N Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
N Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	N Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	N Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	N Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 143, nays 30.

The motion prevailed.

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

Mr. Speaker:

The Senate insists on its substitute to the following bill of the House:

HB 1583. www.libtool.com.cn By Representative Jones of the 71st:

A bill to amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to the adoption of rules and regulations by the Department of Human Resources, so as to provide that documents relating to nursing home surveys shall be disclosed.

The Senate adheres to its disagreement to the House amendment and has appointed a Committee of Conference to confer with a like committee on the part of the House on the following bill of the Senate:

SB 351. By Senators Ray of the 19th and Gillis of the 20th:

A bill to amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Ray of the 19th, Gillis of the 20th and Marable of the 52nd.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 1583. By Representative Jones of the 71st:

A bill to amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to the adoption of rules and regulations by the Department of Human Resources, so as to provide that documents relating to nursing home surveys shall be disclosed.

Representative Jones of the 71st moved that the House insist on its position in disagreeing to the Senate substitute to HB 1583 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Childers of the 13th, Jones of the 71st and Randall of the 127th.

The following Bill of the Senate was taken up for the purpose of considering the Senate's appointment of a Committee of Conference thereon:

SB 351. By Senators Ray of the 19th and Gillis of the 20th:

A bill to amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants.

Representative Porter of the 143rd moved that the House adhere to its position in amending SB 351 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Watson of the 139th, Barfoot of the 155th and Porter of the 143rd.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 1754. By Representative Murphy of the 18th:

A bill to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to quality basic education, so as to change provisions relating to regional education service agencies.

Representative Coleman of the 142nd assumed the Chair.

The following Senate amendment was read:

Amend HB 1754 by adding on line 12 on page 1 immediately preceding "to provide an" the following:

"to amend Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to teachers and other school personnel, so as to provide for definitions of certain terms; to prohibit the creation, use, or procurement of a false and fraudulent certificate, license, permit, credential, or other document with intent to deceive; to provide that the same is good and sufficient cause for termination, suspension, or nonrenewal of a contract of employment; to provide that the creation, use, or procurement, with intent to deceive, of a false and fraudulent certificate, license, permit, credential, or other document shall be a felony; to provide for criminal penalties; to provide that the Professional Practices Commission shall have authority to investigate allegations concerning false and fraudulent certificates, licenses, permits, credentials, or other documents; to provide for relaying investigative reports to law enforcement agencies and district attorneys; to provide that the Professional Standards Commission shall maintain records of, and report to appropriate authorities, those persons who have created, used, or procured false and fraudulent certificates, licenses, permits, credentials, or other documents with intent to deceive;"

By renumbering Sections 2 and 3 as Sections 6 and 7, respectively, and inserting new Sections 2, 3, 4, and 5 to read as follows:

SECTION 2.

Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to teachers and other school personnel, is amended by striking 'or' at the end of paragraph (3), by substituting '; or' for the period at the end of paragraph (4), and by adding after paragraph (4) of subsection (a) of Code Section 20-2-796, relating to investigations by the Professional Practices Commission, a new paragraph (5) to read as follows:

'(5) Alleged violations by any person of Code Section 20-2-811.'

SECTION 3.

Said article is further amended by adding after subsection (b) of Code Section 20-2-797, relating to recommendations of the Professional Practices Commission, a new subsection (c) to read as follows:

'(c) Upon completion of a commission investigation of an alleged violation by any person of Code Section 20-2-811, the executive director may submit the investigative report to an appropriate law enforcement agency or district attorney for purposes of an independent ~~investigation or decision~~ whether to prosecute.'

SECTION 4.

Said article is further amended by striking in its entirety Part 2 and inserting in its place a new Part 2 to read as follows:

'Part 2

20-2-810.

As used in this part, the terms "commission," "local board," "local school system," and "local superintendent" shall have the same meanings as provided by Code Section 20-2-792 Reserved.

20-2-811.

Whoever, with intent to defraud the state or any local school system, local board, local superintendent, county, town, or city or any person, shall falsely and fraudulently make, forge, alter, or counterfeit or cause or procure to be falsely and fraudulently made, forged, altered, or counterfeited or shall willingly aid or assist in falsely and fraudulently making, forging, altering, or counterfeiting any certificate, ~~or license, permit, credential, or other document~~ issued or purportedly issued by any county school superintendent or the executive officer of any local school board to a teacher or other professional educator by the Professional Standards Commission or by any other state's certifying or licensing authority shall be guilty of a violation of this part, and such violation shall constitute good and sufficient cause for termination or suspension of an employment contract pursuant to Code Section 20-2-940 or nonrenewal of an employment contract pursuant to Code Section 20-2-942. Such violation shall be also a felony and, upon conviction, shall be punished as prescribed by Code Sections 16-9-1 and 16-9-2.'

SECTION 5.

Said article is further amended by adding after subsection (d) of Code Section 20-2-988, relating to the Professional Standards Commission, a new subsection (e) to read as follows:

'(e)(1) The commission shall maintain records of those persons who have been determined, pursuant to findings and conclusions issued in accordance with Code Section 20-2-797 or upon criminal conviction, to have violated Code Section 20-2-811.

(2) In any case provided for by paragraph (1) of this subsection, where the conclusion or conviction is based upon a fraudulent certificate, license, permit, credential, or other document issued or purportedly issued by another state's certifying or licensing authority, the commission shall have authority to notify that other state's certifying or licensing authority of the conclusion or conviction.

(3) The commission shall request the Professional Practices Commission to investigate and make recommendations regarding any application made to the commission for a valid professional certificate by any person regarding whom a record has been maintained by the commission pursuant to paragraph (1) of this subsection.'"

Representative Murphy of the 18th moved that the House disagree to the Senate amendment to HB 1754.

The motion prevailed.

Representative Klein of the 39th arose to a point of personal privilege and addressed the House.

The Speaker assumed the Chair.

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

SR 399. By Senators Marable of the 52nd, Oliver of the 42nd, Thomas of the 10th and others:

A resolution creating the Joint Guardianship Rewrite Committee.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 165, nays 0.

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

SB 674. By Senators Abernathy of the 38th, Clay of the 37th and Edge of the 28th:

A bill to amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, so as to restrict the location of commercial establishments where nudity is exhibited; to define a certain term.

The following Committee substitute was read and adopted:

A BILL

To amend Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to public property, so as to create the Georgia Land Trust; to provide for a trustee; to provide for powers and duties of the trustee; to provide for certain moneys to be paid into the trust; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to public property, is amended by striking in its entirety Code Section 50-16-144, relating to the sale or disposition of unserviceable public property, and inserting in lieu thereof the following:

“50-16-144.

When any public property becomes unserviceable, it may be sold or otherwise disposed of by order of the proper authority, and an entry of the same shall be made in the inventory book; and the money received therefrom shall be paid into the ~~treasury~~ Georgia Land Trust.”

SECTION 2.

Said chapter is further amended by inserting at the end thereof the following:

“ARTICLE 8

50-16-200.

There is created the Georgia Land Trust for the purpose of acquiring, holding, and maintaining real property for the purpose of preserving such real property in its natural state.

50-16-201.

The commissioner of natural resources shall be the trustee of the Georgia Land Trust. The trust is authorized to receive and hold moneys available to the trust and to expend the same as provided in this article.

50-16-202.

All proceeds from the sale or lease of public real property pursuant to this chapter shall be paid to the trust and shall not be paid to the state treasury. The trustee is authorized to accept grants and donations to the trust in funds or in donations of real property or services.

50-16-203.

(a) The trustee, with the approval of the Board of Natural Resources, is authorized to use any moneys in the trust to purchase privately owned or publicly owned real property in this state which he or she deems worthy of preserving in the natural state and free of development. Without limiting the scope of the trustee's authority, such property may be described as environmentally sensitive lands such as wetlands; river or stream corridors; old growth forests; mountain or coastal areas; and areas which would expand an existing state park.

(b) The trustee is authorized to expend funds available to the trust to maintain and to protect any land owned by the trust from development.

(c) The trustee is authorized, with the approval of the Board of Natural Resources, to enter into land exchanges with any person if the trustee deems such exchange to be in the best interest of carrying out the intent of this article.”

SECTION 3.

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:

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Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnson	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Street
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 165, nays 0.

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

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and others:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

The following Committee substitute was read:

A BILL

To amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide a short title; to define certain terms; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation; to require the Department

of Human Resources to develop criteria for such funds; to authorize appropriations and acceptance of federal funds and donations; to provide for administration of the Technology Related Assistance Trust Fund for Individuals with Disabilities by the director of the Office of ~~Treasury and Fiscal Services~~; to provide for the investment, disbursement, and priority of use of trust fund money; to provide an effective date; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, is amended by adding at the end thereof a new Chapter 9 to read as follows:

**“CHAPTER 9
ARTICLE 1**

30-9-1.

This chapter shall be known and may be cited as the ‘Technology Related Assistance for Individuals with Disabilities Act.’

30-9-2.

Individuals with disabilities comprise a significant and increasing percentage of Georgia’s population. The General Assembly finds and declares that action is necessary to assist these individuals in their homes, schools, employment, and communities to become more independent and productive citizens of the state. Many of these individuals require technology related devices and technology related services in order to perform functions, such as caring for themselves, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning, in order to have the ability to participate in society and the work force. The General Assembly finds that the majority of these individuals incurred permanent disabilities as a result of accidental injuries and crime related incidents. In order to meet present and increasing needs of Georgians for technology related devices and technology related services, it is necessary for the state to provide funds that neither supplant nor replace existing state or federal funds for the Technology Related Trust Fund for Individuals with Disabilities.

30-9-3.

As used in this chapter, the term:

- (1) ‘Commission’ means the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission created in Code Section 30-9-4.
- (2) ‘Individual with disability’ means any individual of any age who, for the purposes of Georgia or federal law, is considered to have a disability, including victims of crimes, injuries, and chronic health conditions, whether congenital or acquired; and who is or would be enabled by technology related devices or technology related services to maintain or improve his or her ability to function in society and the workplace.
- (3) ‘Qualifying borrower’ means any individual, nonprofit corporation, or partnership which demonstrates that the loan will assist one or more persons with disabilities to improve their independence or become more productive members of the community. The individual must demonstrate credit worthiness and repayment abilities to the satisfaction of the commission.
- (4) ‘Technology related assistance’ means either the provision of technology related devices or technology related services to improve the independence, quality of life, or productive involvement in the community of individuals with disabilities.
- (5) ‘Technology related device’ means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.
- (6) ‘Technology related service’ means any service that directly assists an individual with a disability in the selection, acquisition, or use of a technology related device, including:

- (A) The evaluation of the needs of an individual with a disability, including a functional evaluation in the individual's customary environment;
 - (B) Purchasing, leasing, or otherwise providing for the acquisition of technology related devices by individuals with disabilities;
 - (C) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing technology related devices;
 - (D) Coordinating and using other therapies, interventions, or services with technology related devices, such as those associated with existing education and rehabilitation plans and programs; and
 - (E) Training or technical assistance for an individual or the family of an individual with disabilities; for professionals, including individuals providing education and rehabilitation services; employers; or other individuals who provide services to, employ, or are otherwise substantially involved with individuals with disabilities.
- (7) 'Trust fund' means the Technology Related Assistance Trust Fund for Individuals with Disabilities established in Code Section 30-9-20.

30-9-4.

- (a) There is established the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission which is assigned to the Department of Human Resources for administrative purposes only, as prescribed in Code Section 50-4-3.
- (b) The commission shall consist of nine members appointed by the Governor. Members shall be appointed for terms of four years, their initial appointments, however, being three for four-year terms, three for three-year terms, and three for two-year terms. State officers or employees may be appointed to the commission unless otherwise prohibited by law. As a group, the citizen members shall demonstrate knowledge in the area of technology related assistance as users or providers of rehabilitative services to the extent practicable. The members shall be composed of the following groups:
- (1) The commissioner of the Department of Human Resources or a designee;
 - (2) The state auditor or a designee;
 - (3) A certified public accountant;
 - (4) An experienced consumer lender; and
 - (5) Five citizens representing persons with a range of disabilities.
- (c) In the event a commission member is unable to attend 25 percent of the scheduled meetings in a 12 month period, the commission may elect to remove that member after written notification to that member and the Governor.
- (d) In the event of death, resignation, disqualification, or removal for any reason of any member of the commission, the vacancy shall be filled in the same manner as the original appointment and the successor shall serve for the unexpired term.
- (e) The initial terms for all members shall begin July 1, 1997.
- (f) Membership on the commission does not constitute public office and no member shall be disqualified from holding public office by reason of his or her membership.
- (g) The Governor shall designate a chairperson of the commission from among the members, which chairperson shall serve in that position at the pleasure of the Governor. The commission may elect such other officers and committees as it considers appropriate.
- (h) The commission, with the approval of the Governor, may employ such professional, technical, or clerical personnel as deemed necessary to carry out the purposes of this chapter. The compensation of such personnel shall be paid from moneys in the trust fund. Such personnel may be members of the classified service of the State Merit System of Personnel Administration as defined in paragraph (2) of Code Section 45-20-2. The commission shall utilize existing state resources and staff of participating departments whenever practicable. Personnel expenses and other costs authorized in this subsection shall be paid from moneys in the trust fund.

30-9-5.

Members of the commission shall receive as compensation that which is appropriate for members of the General Assembly per meeting for each day such member of the commission is in attendance at a meeting of such commission, plus either reimbursement for

actual transportation costs while traveling by public carrier or the same mileage allowance for use of a personal car in connection with such attendance as members of the General Assembly receive. Members with disabilities shall be compensated for costs associated with personal assistance, interpreters, and disability related accommodations for the purpose of conducting the business of the commission. Expense allowances and other costs authorized in this Code section shall be paid from moneys in the trust fund.

30-9-6.

(a) The commission shall do all of the following:

- (1) Meet at such times and places as it shall determine necessary or convenient to perform its duties. The commission shall also meet on the call of the chairperson or the Governor;
- (2) Maintain minutes of its meetings;
- (3) Adopt rules and regulations for the transaction of its business;
- (4) Promulgate rules in accordance with the Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' to carry out the purposes of this chapter, which will ensure that individuals, profit and nonprofit corporations, and partnerships will be eligible for loans;
- (5) Administer and disburse funds to support purposes established by this chapter and contract with state or community based groups dealing with individuals with disabilities to assist in administering programs established by this chapter;
- (6) Maintain records of all expenditures of the commission, funds received as gifts and donations, and disbursements made from the trust fund; and
- (7) Conform to the standards and requirements prescribed by the state auditor pursuant to Chapter 6 of Title 50.

(b) The commission shall be able to enter into loan agreements with any qualifying borrower, who must demonstrate that:

- (1) The loan will assist one or more individuals with disabilities in improving their independence or in becoming more productive members of the community; and
- (2) The applicant has the ability to repay the loan.

Any necessary loan limitation shall be determined by the commission. All loans must be repaid within such terms and at such interest rates as the commission may determine to be appropriate in accordance with guidelines established by rules made pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(c) The commission may award loans to qualifying borrowers for purposes including, but not limited to, the following:

- (1) To assist one or more individuals with disabilities to improve their independence through the purchase of technology related devices; and
- (2) To assist one or more individuals with disabilities to become more independent members of the community and improve their quality of life within the community through the purchase of technology related devices.

30-9-7.

The commission may accept federal funds granted by Congress or executive order for the purposes of this chapter as well as gifts and donations from individuals, private organizations, or foundations. The acceptance and use of federal funds does not commit state funds and does not place an obligation upon the General Assembly to continue the purposes for which the federal funds are made available. All funds received in the manner described in this Code section shall be transmitted to the director of the Office of Treasury and Fiscal Services for deposit in the trust fund to be disbursed as other moneys in such trust fund.

30-9-8.

The Department of Human Resources under the direction of the commissioner of human resources and the Board of Human Resources shall develop and furnish to the commission criteria for determining disbursements from the trust fund.

ARTICLE 2

30-9-20.

The Technology Related Assistance Trust Fund for Individuals with Disabilities is created as a separate fund in the state treasury. The trust fund shall be expended only as provided in this chapter.

30-9-21. www.libtool.com.cn

The General Assembly is authorized to appropriate state moneys for the trust fund. The director of the Office of Treasury and Fiscal Services shall credit to the trust fund all amounts paid, appropriated, or donated to such trust fund. All funds appropriated to or otherwise paid into the trust fund shall be presumptively concluded to have been committed to the purpose for which they have been appropriated or paid and shall not lapse.

30-9-22.

The director of the Office of Treasury and Fiscal Services shall invest trust fund money in the same manner in which state funds are invested as authorized by the State Depository Board pursuant to Article 3 of Chapter 17 of Title 50.

30-9-23.

After determining that a disbursement should be made and after approval of such disbursement by the Governor, the commission shall forward a certified copy of the order granting the payment to the Office of Treasury and Fiscal Services, which shall be authorized to draw a warrant or warrants upon the trust fund to pay the amount of the disbursement from such trust fund.

30-9-24.

The moneys collected in the trust fund shall be used in the following order, but not limited to such order, of priority to:

- (1) Implement a revolving loan program for technology related devices;
- (2) Provide technology related devices to individuals with severe disabilities who meet economic criteria established by the commission;
- (3) Provide support for technology related assistance;
- (4) Provide technology related compensation to crime victims without resources for technology related assistance;
- (5) Provide technology related and disability prevention education and research;
- (6) Disseminate public information;
- (7) Conduct program evaluation and needs assessment;
- (8) Operate the commission; and
- (9) Conduct research and demonstration projects.”

SECTION 2.

The purpose of this Act is to implement the proposed amendment to the Constitution authorizing the creation of the Technology Related Assistance Trust Fund for Individuals with Disabilities. The provisions of this Act shall become effective only upon the ratification of such amendment by the qualified electors of this state at the 1996 general election. If such amendment is not ratified, this Act shall be automatically repealed January 1, 1997.

SECTION 3.

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

The following amendment was read:

Representatives Martin of the 47th, Irvin of the 45th and Watson of the 139th move to amend the Committee substitute to SB 510 by adding on line 2 of page 1 between the word “as” and the word “to” the following:

“to make certain changes relating to access to and use of public facilities by persons with disabilities; to provide a short title; to change the provisions relating to definitions; to provide that door standards shall apply to certain private residences constructed for

first occupancy after January 1, 1997; to provide for standards; to provide for determination of construction for first occupancy on or before January 1, 1997;"

By adding between lines 19 and 20 on page 1 the following:

"SECTION .1.

This Act shall be known and may be cited as the 'Omnibus Assistance for Persons with Disabilities Act of 1996.'

SECTION .2.

Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, is amended by striking in its entirety paragraph (8) of Code Section 30-3-2, relating to definitions, and inserting in lieu thereof a new paragraph (8) to read as follows:

'(8) "Public buildings" means all buildings, structures, streets, sidewalks, walkways, and access thereto, which are used by the public or in which persons with disabilities or elderly persons may be employed, that are constructed or renovated by the use of private funds, including rental apartment complexes of 20 units or more and temporary lodging facilities of 20 units or more, but excluding covered multifamily dwellings; provided, however, that this chapter shall require fully accessible or adaptable units in only 2 percent of the total rental apartments, or a minimum of one, whichever is greater, and this chapter shall apply to only 5 percent of the total temporary lodging units, or a minimum of one, whichever is greater; provided, further, that this chapter shall not apply to a private single-family residence or to duplexes or any complex containing fewer than 20 units, or to residential condominiums, except that Code Section 30-3-3.2 shall apply to speculative private residences. Fifty percent of the fully accessible or adaptable rental apartment units required by this paragraph shall be adaptable for a roll-in shower stall.'

SECTION .3.

Said title is further amended by adding at the end of Code Section 30-3-2, relating to definitions, a new paragraph (12) to read as follows:

'(12) "Speculative private residence" means any private single-family residence, duplex, or residential condominium designed for sale to the public for use as a private place of residence which was not purchased prior to the framing of the residence.'

SECTION .4.

Said title is further amended by adding between Code Sections 30-3-3.1 and 30-3-4 a new Code Section 30-3-3.2 to read as follows:

'30-3-3.2.

(a) All speculative private residences constructed for first occupancy after January 1, 1997, shall be designed and constructed in such a manner that if there are one or more bathrooms on the ground floor, then at least one of them must have a door that is at least 32 inches wide and shall provide at least 29 inches clear opening, provided that the construction of manufactured homes is regulated by and preempted by the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. Section 5401 et seq. and nothing contained herein shall be applicable to the construction of manufactured homes.

(b) For purposes of this Code section, a private residence shall be deemed to be designed and constructed for first occupancy after January 1, 1997, if the first building permit for the private speculative residence is issued on or after October 1, 1996."

By striking in their entirety lines 21 and 22 on page 1 and inserting in lieu thereof the following:

“Said title is further amended by adding at the end”

On the adoption of the amendment, the roll call was ordered and the vote was as follows: www.libtool.com.cn

Y Allen	N Crews	Y Irvin	Parrish	Smith, W
Anderson	N Culbreth	Y James	Parsons	Y Smyre
Y Asbe	Y Cummings	N Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargerone	N DeLoach, G	Y Jones	N Porter	Stanley, L
N Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
N Barnes	Y Dixon, H	Kaye	Y Powell	Stepbensoon
N Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Streat
Y Benefield	N Dobbs	N Klein	Y Purcell, B	Y Taylor
Y Birdsong	Ehrhart	Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Lane	Y Ray	Thomas
N Breedlove	N Falls	Y Lawrence	Y Reaves	Y Tillman
N Brooks, D	N Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	N Floyd	N Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	N Lifsey	N Rogers	Y Trense
N Brusb	N Golden	Y Lord	Y Royal	Turnquest
N Buck	N Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	N Mann	Y Scoggins	N Walker, R.L
N Burkhalter	Hanner	Y Martin	Y Shanahan	N Wall
Y Byrd	N Harbin	Y McBee	Y Shaw	Y Watson
N Campbell	N Harris	Y McCall	Y Sherrill	N Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Cbambless	Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	N Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Henson	Y Mobley, J	N Smith, C	Y Williams, B
N Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	Y Mueller	N Smith, L	N Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Yates
Y Crawford	Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 97, nays 55.

The amendment was adopted.

The following amendment was read and adopted:

Representative Ray of the 128th moves to amend the Committee substitute to SB 510 by striking in its entirety line 17 of page 1 and inserting in lieu thereof the following:

“provide an effective date; to provide for automatic repeal; to provide for legislative findings; to provide for definitions; to provide for the creation of Community Trusts; to provide that the assets and noncash distributions of such trusts shall not reduce eligibility of life beneficiaries for public assistance; to provide that assets, income, and operations of Community Trusts shall be exempt from state and local taxation; to provide what organizations are eligible to create Community Trusts and joint Community Trusts; to provide for boards of trustees and their appointment, qualifications, reimbursement for expenses, rules, and powers and duties; to provide for the contents of the documents establishing a Community Trust; to provide for the administration of contributions and earnings; to provide for separate accounts for each life beneficiary and for administrative fees; to provide for co-trustees and successor co-trustees and their appointment and powers and duties; to provide for additional conditions if the donor designates himself or herself or his or her spouse as the life beneficiary; to provide for revocation of contributions, waiver of the right to revoke, and distribution of assets upon revocation; to provide for noncash distributions and permissible benefits; to provide for withdrawal and termination of the

trust and distributions; to provide for distributions upon the death of the life beneficiary and modifications to remain eligible for government benefits; to provide for successor trusts; to provide that no life beneficiary, donor, co-trustee, successor co-trustee, or trustee shall have ~~vested or property~~ rights or interests in the trust; to provide for exceptions; to provide that assets and income of the trust shall not be liable for the debts or subject to seizure by the creditors of the life beneficiary, donor, co-trustee, or trustee; to provide for immunity for trustees, co-trustees, and successor trustees; to provide for exceptions; to provide for distributions upon dissolution; to provide for certain actions by the attorney general; to provide that community trusts are not subject to principles of law against perpetuities or restraints on alienation; to provide that this Act does not impair or limit the creation of other charitable trusts; to amend Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance, so as to provide for disregard of assets and noncash distributions from Community Trusts and similar trusts in determining eligibility for public assistance; to provide for exceptions; to amend Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, so as to provide for the validity of certain spendthrift provisions in a Community Trust; to provide for related matters;”

By striking in their entirety lines 20 and 21 of page 8 and inserting in lieu thereof the following:

“SECTION 2.

Said title is further amended by inserting a new chapter to be designated Chapter 10 to read as follows:

‘CHAPTER 10

30-10-1.

The General Assembly finds and declares the following:

- (1) It is an essential function of state government to provide basic support for persons with one or more mental or physical impairments that substantially limit one or more major life activities, whether the impairments are congenital or occur by reason of accident, injury, age, or disease;
- (2) The cost of providing basic support for persons with mental or physical impairments is difficult for many citizens to afford, and they are forced to rely upon the government to provide that support;
- (3) The families and friends of persons with mental or physical impairments desire to supplement, but not replace, the basic support provided by state government and other governmental programs;
- (4) Medical, social, and other supplemental services are often provided by family members and friends of persons with mental or physical impairments for the lifetime of the impaired persons; and
- (5) It is necessary and desirable for the public health, safety, and welfare of the citizens of this state to encourage, enhance, and foster the ability of family members and friends of those individuals with mental or physical impairments to supplement, but not to replace, the basic support provided by state government and other governmental programs and to provide for medical, social, or other supplemental services for those persons with impairments.

30-10-2.

As used in this chapter, the following words shall have the following meanings:

- (1) ‘Board of trustees’ means a board of trustees of a Community Trust established pursuant to this chapter.

(2) 'Community Trust' means a trust administered in accordance with this chapter by a nonprofit organization that qualifies as a tax-exempt organization under Section 501(c)(3) of the United States Internal Revenue Code for the benefit of persons with impairments. libtool.com.cn

(3) 'Co-trustee' means any person named by the donor to work with the board of trustees in providing benefits to a life beneficiary; provided, however, that neither the donor nor the donor's spouse shall be the co-trustee if the donor or the donor's spouse is the life beneficiary.

(4) 'Donor' means any person who contributes assets to a Community Trust to establish an account for a life beneficiary.

(5) 'Impairment' means a mental or physical disability that substantially limits one or more major life activities, whether the impairment is congenital or acquired by accident, injury, age, or disease, and where the impairment is verified by medical findings.

(6) 'Life beneficiary' means a beneficiary designated by a donor to a Community Trust.

(7) 'Successor trust' means the trust established upon distribution by the board of trustees pursuant to notice of agreement of withdrawal or termination with a co-trustee and administered as set forth in this chapter.

(8) 'Successor trustee' means the trustee as designated by the donor who shall administer the successor trust.

(9) 'Trustee' means a member of a Community Trust board of trustees.

30-10-3.

(a) Donors may supplement the care, support, habilitation, rehabilitation, and treatment of persons with impairments pursuant to this chapter. Neither the contribution to a Community Trust for the benefit of a life beneficiary nor the use of Community Trust income or principal to provide benefits shall in any way reduce, impair, or diminish the benefits for which a person is otherwise eligible by law.

(b) The assets held by the board of trustees of any Community Trust and its income and operations shall be exempt from all state and local taxation.

30-10-4.

Nonprofit organizations which qualify as tax-exempt organizations under Section 501 (c)(3) of the United States Internal Revenue Code and which have expertise regarding the care, support, habilitation, rehabilitation, and treatment of persons with impairments are eligible to create Community Trusts in accordance with the provisions of this chapter. Two or more organizations which qualify as tax-exempt organizations under Section 501 (c)(3) of the United States Internal Revenue Code and which have expertise regarding the care, support, habilitation, rehabilitation, and treatment of impaired persons are eligible to create joint Community Trusts in accordance with the provisions of this chapter.

30-10-5.

Each Community Trust shall have a board of trustees appointed by the governing body of the nonprofit organization forming the trust, which shall include persons with expertise in business and investments and persons with expertise regarding the care, support, habilitation, rehabilitation, and treatment of persons with impairments. The members of the board of trustees shall serve without compensation but shall be reimbursed by the Community Trust for their actual expenses relating to the trust. The board of trustees shall administer the Community Trust and establish policies and rules and regulations necessary to exercise its powers in accordance with this chapter.

30-10-6.

(a) The board of trustees shall take all steps necessary to satisfy all federal and state laws to ensure that the Community Trust is qualified to supplement the provision of government funding for persons with one or more impairments and, where necessary, is qualified as a tax-exempt entity under the United States Internal Revenue Code.

(b) The documents establishing a Community Trust shall include and be limited by the following:

(1) To be eligible to participate in a Community Trust, a life beneficiary must suffer from one or more impairments as defined in this chapter;

(2) A Community Trust may accept contributions from any source, so long as basic eligibility requirements are satisfied, to be held, administered, managed, invested, and distributed in order to facilitate the coordination and integration of private financing for individuals who have one or more impairments, while maintaining the eligibility of those individuals for government funding. All contributions and the earnings of a Community Trust shall be administered as one trust for purposes of investment and management of funds. Notwithstanding the administration as one trust for investment and management, separate accounts shall be established for each designated life beneficiary. The net income earned after deducting administrative expenses shall be credited to the accounts of the life beneficiaries, in proportion to the amount of the contribution made for each life beneficiary to the total contributions made for all life beneficiaries. Administrative fees charged to an account of a life beneficiary shall not exceed the income allocated to that account;

(3) Every donor shall designate a specific person as the life beneficiary of the contribution made by the donor. In addition, each donor shall name a co-trustee and a successor or successors to the co-trustee to act with the trustees of the Community Trust on behalf of the designated life beneficiary. A life beneficiary or the spouse of a life beneficiary shall not be eligible to be a co-trustee or a successor co-trustee;

(4) If a donor designates himself or herself or his or her spouse as the life beneficiary, then the account of the life beneficiary shall, regardless of any other provision of this chapter, meet the following additional conditions:

(A) The contribution to the Community Trust shall be irrevocable;

(B) The funds remaining in the life beneficiary's account upon the death of the life beneficiary shall be retained by the Community Trust; and

(C) Neither the donor nor the donor's spouse shall serve as co-trustee;

(5) During his or her lifetime, any donor who has not designated himself or herself or his or her spouse as the life beneficiary may revoke any contribution made to a Community Trust. Notwithstanding the first sentence of this paragraph, any donor may, at any time, voluntarily waive the right to revoke. Upon revocation, an amount equal to the current fair market value of the balance of the life beneficiary's account in the Community Trust as determined on the date of revocation shall be returned to the donor;

(6) The co-trustee and the trustees annually shall agree on the amount of income or principal, or both, to be used to provide noncash benefits and the nature and type of benefits to be provided to the life beneficiary. Such permissible benefits shall include, but not be limited to: more sophisticated dental, medical, and diagnostic work or treatment than is otherwise available from public assistance; private rehabilitative training; supplementary education aid; entertainment; periodic vacations and outings; expenditures to foster the interests, talents, and hobbies of the life beneficiary; and expenditures to purchase personal property and services which will make life more comfortable and enjoyable for the life beneficiary but which will not defeat the life

beneficiary's eligibility for public assistance. Expenditures may include payment of the funeral and burial costs of the life beneficiary. The trustees and co-trustee may exercise discretion to make payments from time to time for a person to accompany the life beneficiary on vacations and outings and for the transportation of the life beneficiary or of friends and relatives of the life beneficiary to visit the life beneficiary. Expenditures shall not be made for the primary support or maintenance of the life beneficiary, including basic food, shelter, and clothing if, as a result, the life beneficiary would no longer be eligible to receive public benefits or assistance for which the life beneficiary would otherwise be eligible. Any net income which is not used shall be added annually to the principal;

(7) Any co-trustee other than the donor may, for good and sufficient reason upon written notice to the trustees, withdraw all of the current fair market value of the balance of the life beneficiary's account in the trust as determined on the date of withdrawal. In no event shall a co-trustee be entitled to withdraw only a portion of the current fair market value of the life beneficiary's account in the trust. In the event of withdrawal, the current fair market value of the balance of the life beneficiary's account in the trust shall be distributed to the trustee of the successor trust;

(8) If a life beneficiary for whose benefit a contribution has been made to the trust ceases to be eligible to participate in the trust, and neither the donor nor the co-trustee revokes or withdraws the contribution, then the board of trustees may, by written notice to the donor or co-trustee, terminate the trust as to such life beneficiary. Upon termination, the board of trustees shall distribute the fair market value of such life beneficiary's account in the trust to the trustee of the successor trust to be held, administered, and distributed by the successor trustee in accordance with the successor trust described in paragraph (10) of this subsection;

(9) Upon the death of the life beneficiary, then an amount equal to the current fair market value of the balance of the life beneficiary's account in the trust, as determined on the date of death, less payment of funeral and burial costs of the life beneficiary, shall be distributed to the person or persons the donor has designated. To the extent this provision must be modified for the life beneficiary to remain eligible for government benefits, such modifications shall be made; and

(10) Upon receipt of a notice of withdrawal from a co-trustee other than the donor and a determination by the board of trustees that the reason for the withdrawal is good and sufficient or upon the issuance of a notice of termination by the board of trustees, the board of trustees shall distribute and pay over to the trustee of the successor trust the current fair market value of the life beneficiary's account in the trust. The trustee of the successor trust shall hold, administer, and distribute the principal and income of the successor trust, in the discretion of the trustee, for the maintenance, support, health, education, and general well-being of the life beneficiary, recognizing that it is the purpose of the successor trust to supplement, not replace, any government benefits for the life beneficiary's basic support for which the life beneficiary may be eligible and to improve the quality of the life beneficiary's life by providing him or her with those amenities which cannot otherwise be provided by public assistance or other available sources. Permissible expenditures include, but are not limited to: more sophisticated dental, medical, and diagnostic work or treatment than is otherwise available from public assistance; private rehabilitative training; supplementary education aid; entertainment; periodic vacations and outings; expenditures to foster the interests, talents, and hobbies of the life beneficiary; and expenditures to purchase personal property and services which will make life more comfortable and enjoyable for the life beneficiary but which will not defeat his or her eligibility for public assistance. Expenditures may include payment of the funeral and burial costs of the life beneficiary. The trustee of the successor trust, in his or her discretion, may make payments from time to time for a person to accompany the life beneficiary on vacations and outings and for the transportation of the life beneficiary or of friends or relatives of the life beneficiary to visit the life beneficiary. Any undistributed

income of the successor trust shall be added to the principal from time to time. Expenditures shall not be made for the primary support or maintenance of the life beneficiary, including basic food, shelter, and clothing, if, as a result, the life beneficiary ~~would no longer be eligible~~ to receive public benefits or assistance for which the life beneficiary would otherwise be eligible. After the death and burial of the life beneficiary, the remaining balance of the successor trust shall be distributed to the person or persons as the donor has designated.

30-10-7.

(a) No life beneficiary shall have any vested or property rights or interests in a Community Trust. No life beneficiary shall have the power to anticipate, assign, convey, alienate, or otherwise encumber any interest in the income or principal of a Community Trust. The income or principal or any interest of any life beneficiary under a Community Trust shall not be liable for any debt incurred by the life beneficiary. The principal or income of a Community Trust shall not be subject to seizure by any creditor of any life beneficiary under any writ or proceeding in law or in equity.

(b) Except for the right of a donor other than a donor or a donor's spouse who is a life beneficiary to revoke any contribution made to a Community Trust, pursuant to paragraph (5) of subsection (b) of Code Section 30-10-6, and the right of any co-trustee other than the donor, to withdraw all or a portion of the contribution made to the account of a life beneficiary, pursuant to paragraph (7) of subsection (b) of Code Section 30-10-6, neither the donor nor any co-trustee has the right to sell, assign, convey, alienate, or otherwise encumber, for consideration or otherwise, any interest in the income or the principal of a Community Trust. The income or the principal or any interest of any life beneficiary in the trust shall not be liable for any debt incurred by the donor or any co-trustee. The principal or income of a Community Trust shall not be subject to seizure by any creditor of any donor or any co-trustee under any writ or proceeding in law or in equity.

30-10-8.

No trustee, co-trustee, or successor trustee serving pursuant to the provisions of this chapter shall at any time be liable for any mistake of law or fact, or of both law and fact, or errors of judgment, or for any loss sustained by a Community Trust, or by any life beneficiary, or by any other person, except through actual fraud or willful misconduct on the part of such trustee, co-trustee, or successor co-trustee.

30-10-9.

(a) Upon the dissolution of any organization administering a Community Trust, the remaining balance of each trust account shall be distributed to other Community Trusts. The attorney general may bring an action in the superior courts for the dissolution of a nonprofit organization or a Community Trust for the purpose of terminating the trust or merging it with another Community Trust.

(b) Community Trusts shall not be subject to or held to be in violation of any principle of law against perpetuities or restraints on alienation, including the Uniform Statutory Rule Against Perpetuities.

(c) Nothing contained in this chapter shall be construed so as to impair or limit the creation of other forms of trusts or charitable trusts, whether or not similar to Community Trusts permitted by this chapter.'

SECTION 3.

Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance, is amended by inserting in Code Section 49-4-6, relating to reserves, income, and resources to be disregarded in determining eligibility for public assistances, a new subsection to be designated subsection (c) to read as follows:

'(c) Notwithstanding any other provision of this Code section, this chapter, or state law, to the extent that such disregard does not violate federal law or terminate or decrease the state's eligibility for federal funding for public assistance or for disabled persons, the Department of Human Resources, the Department of Medical Assistance, and their successors shall disregard for the purpose of eligibility for public assistance or assistance for disabled persons any funds or property held in trust for a disabled person by a Community Trust created and administered in accordance with Chapter 10 of Title 30, a trust for a person with one or more impairments with substantially similar provisions for distributions, or any noncash distributions from such trusts.'

SECTION 4.

Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, is amended by striking in its entirety Code Section 53-12-28, relating to spendthrift provisions, and inserting in lieu thereof the following:

'53-12-28.

(a) A spendthrift provision is a provision in a trust that the interest of the beneficiary in the income or in the principal or in both may not be voluntarily or involuntarily transferred before payment or delivery of the interest to the beneficiary by the trustee.

(b) A spendthrift provision prohibiting voluntary transfers is valid and enforceable.

(c) Except as otherwise provided in this subsection, a spendthrift provision prohibiting involuntary transfers is valid and enforceable. Except with regard to a Community Trust established pursuant to Chapter 10 of Title 30, a A spendthrift provision prohibiting involuntary transfers is not valid if the beneficiary is the settlor. A spendthrift provision prohibiting involuntary transfers is not valid as to the following claims against a distribution to a beneficiary, other than a beneficiary who has a medically determined physical or mental disability that substantially impairs the beneficiary's ability to provide for the beneficiary's care or custody and constitutes a substantial handicap or in the case of a life beneficiary of a Community Trust, to the extent the distribution would be subject to garnishment under the laws of this state if the distribution were disposable earnings:

- (1) Tort judgments;
- (2) Taxes;
- (3) Governmental claims;
- (4) Alimony;
- (5) Child support; or
- (6) Judgment for necessities not voluntarily provided by the claimant.

(d) Notwithstanding any other provision in this Code section to the contrary, a spendthrift provision in a bona fide pension or retirement trust is valid and enforceable with reference to the entire interest of the beneficiary in the income or in the principal or in both, even if the beneficiary is also the settlor of the trust, except where a claim is made pursuant to a qualified domestic relations order as defined in 26 U.S.C. Section 414(p), or any subsequent statute of similar import.'

SECTION 5.

The purpose of Section 1 of this Act is to implement the proposed"

By striking in its entirety line 24 of page 8 and inserting in lieu thereof the following:

"with Disabilities. The provisions of Section 1 of this Act shall become"

By striking in its entirety line 27 of page 8 and inserting in lieu thereof the following:

"election. If such amendment is not ratified, Section 1 of this Act shall".

By renumbering Section 3 as Section 6.

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Representative Brush of the 112th moved that the House reconsider its action in adopting the Martin amendment.

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

N Allen	Y Crews	N Irvin	Y Parrish	Smith, W
Anderson	Y Culbreth	N James	Y Parsons	N Smyre
N Ashe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	Y Jenkins	N Perry	Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	N Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	Y DeLoach, G	N Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	N Stanley, P
Y Barnes	N Dixon, H	Y Kaye	Powell	Stephenson
Y Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Y Klein	Y Purcell, B	Taylor
Y Birdsong	Ehrhart	Y Ladd	Randall	N Teague
N Bordeaux	N Epps	N Lakly	N Randolph	N Teper
Bostick	Y Evans	Lane	N Ray	N Thomas
Y Breedlove	Y Falls	N Lawrence	Y Reaves	N Tillman
Y Brooks, D	Y Felton	N Lee	N Reichert	Y Titus
Brooks, T	N Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Lord	N Royal	Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	N Twiggs
N Buckner	N Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	N Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	N Martin	N Shanahan	Y Wall
N Byrd	Y Harbin	N McBee	Y Shaw	N Watson
Y Campbell	Y Harris	Y McCall	N Sherrill	N Watts
N Canty	N Heard	N McClintony	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	McKinney	N Simpson	Y Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	N White
N Channell	Y Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	Y Smith, C	N Williams, B
Coker	N Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	N Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	N O'Neal	N Smith, P	Y Woods
N Connell	N Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 79, nays 80.

The motion was lost.

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:

Allen	Y Benefield	Y Bunn	Y Coleman, T	N Dix
Anderson	Y Birdsong	N Burkhalter	Y Connell	Y Dixon, H
Y Ashe	Y Bordeaux	Y Byrd	Y Crawford	Y Dixon, S
Y Bailey	Y Bostick	Y Campbell	N Crews	Y Dobbs
Y Baker	N Breedlove	Y Canty	N Culbreth	Ehrhart
N Bannister	Y Brooks, D	Y Carter	N Cummings	Y Epps
Y Barfoot	Brooks, T	Y Chambless	Y Davis, G	N Evans
Y Bargeron	Y Brown, J	Y Channell	N Davis, M	N Falls
Y Barnard	N Brush	Y Childers	N Day	Y Felton
Y Barnes	Y Buck	Coker	Y DeLoach, B	Y Floyd
N Bates	Y Buckner	Y Coleman, B	N DeLoach, G	Y Godbee

N Golden	N Joyce	Y O'Neal	Y Scoggins	Y Taylor
N Goodwin	N Kaye	Y Orrock	Y Shanahan	Y Teague
Y Greene	Y Kinnamon	Y Parham	N Shaw	Y Teper
N Grindley	N Klein	Y Parrish	Y Sherrill	Y Thomas
Y Hanner	N Ladd	N Parsons	N Shipp	Y Tillman
N Harbin	N Lakly	Y Pelote	Y Simpson	N Titus
N Harris	Lane	Y Perry	Y Sinkfield	Towery
Y Heard	Y Lawrence	N Pinholster	Y Skipper	Y Trense
Y Heckstall	Y Lee	Y Polak	Y Smith, C	Turnquest
Y Hegstrom	N Lewis	Y Ponder	N Smith, C.W	Y Twiggs
N Hembree	N Lifsey	Y Porter	Y Smith, L	Y Walker, L
Y Henson	Y Lord	Poston	Y Smith, P	N Walker, R.L
Y Holland	Y Lucas	Y Powell	Y Smith, T	N Wall
Y Holmes	N Maddox	Y Purcell, A	N Smith, V	Y Watson
Howard	N Mann	Purcell, B	Smith, W	Y Watts
Y Hudson	Y Martin	Randall	Y Smyre	N Westmoreland
Y Hugley	Y McBee	Y Randolph	N Snelling	N Whitaker
Y Irvin	Y McCall	Y Ray	Snow	Y White
Y James	Y McClinton	Y Reaves	Y Stallings	N Wiles
Y Jamieson	McKinney	Y Reichert	Y Stancil, F	Y Williams, B
Y Jenkins	N Mills	Y Roberts	N Stancil, S	N Williams, J
N Johnson, G	Y Mobley, B	N Rogers	Y Stanley, L	N Williams, R
N Johnson, J	Y Mobley, J	Y Royal	Y Stanley, P	N Woods
Y Johnston	Y Mosley	Sanders	Stephenson	Yates
Y Jones	Y Mueller	N Sauder	Y Streat	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 110, nays 51.

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

House of Representatives
Atlanta, Georgia 30334

I voted against SB 510 because as amended it redefined new houses as public buildings but did not also clearly state that those houses once again become private dwellings once they are sold to homeowners. Allowing private residences to remain defined as "public buildings" invites an unwarranted intrusion of the state into private homes. This threat to civil liberties is a cost that exceeds the potential benefit of handicapped access to a restroom on the first floor of a dwelling.

/s/ Jim Woods

SB 751. By Senators Dean of the 31st, Ray of the 19th, Marable of the 52nd and others:

A bill to amend Article 6 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to agreements for probation services, so as to require that approval to privatize probation services by the governing authority of a county, a municipality, or a consolidated government be by resolution with a copy of the final contract attached as an exhibit thereto.

The following Committee substitute was read:

A BILL

To amend Article 6 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to agreements for probation services, so as to require that approval to privatize probation services by the governing authority of a county, a municipality, or a consolidated government be accompanied by a copy of the final contract; to change the qualifications for one member of the County and Municipal Probation Advisory Council; to amend the uniform professional standards for private corporations, enterprises, and agencies providing private probation services; to authorize the County and Municipal Probation Advisory Council to promulgate regulations requiring private probation entities to conduct criminal

record checks of private probation officers; to prohibit any person convicted of a felony from being employed as a private probation officer; to establish financial standards for private probation providers; 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.

Article 6 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to agreements for probation services, is amended by striking in its entirety Code Section 42-8-100, relating to agreements between chief judges of county courts or judges of municipal courts and corporations, enterprises, or agencies for probation services, and inserting in lieu thereof the following:

“42-8-100.

(a)(1) The chief judge of any court within the county, with the approval of the governing authority of that county, is authorized to enter into written contracts with corporations, enterprises, or agencies to provide ~~general~~ probation supervision, counseling, collection services for all moneys to be paid by a defendant according to the terms of the sentence imposed on the defendant as well as any moneys which by operation of law are to be paid by the defendant in consequence of the conviction, and other probation services for persons convicted of a misdemeanor in that court and placed on probation in the county. In no case shall a private probation corporation or enterprise be charged with the responsibility for supervising a felony sentence. The final contract negotiated by the chief judge with the private probation entity shall be attached to the approval by the governing authority of the county to privatize probation services as an exhibit thereto.

(2) The chief judge of any court within the county, with the approval of the governing authority of that county, is authorized to establish a county probation system to provide ~~general~~ probation supervision, counseling, collection services for all moneys to be paid by a defendant according to the terms of the sentence imposed on the defendant as well as any moneys which by operation of law are to be paid by the defendant in consequence of the conviction, and other probation services for persons convicted of a misdemeanor in that court and placed on probation in the county.

(b)(1) The judge of the municipal court of any municipality or consolidated government of a municipality and county of this state, with the approval of the governing authority of that municipality or consolidated government, is authorized to enter into written contracts with private corporations, enterprises, or agencies to provide ~~general~~ probation supervision, counseling, collection services for all moneys to be paid by a defendant according to the terms of the sentence imposed and any moneys which by operation of law are to be paid by the defendant in consequence of the conviction, and other probation services for persons convicted in such court and placed on probation. The final contract negotiated by the judge with the private probation entity shall be attached to the approval by the governing authority of the municipality or consolidated government to privatize probation services as an exhibit thereto.

(2) The judge of the municipal court of any municipality or consolidated government of a municipality and county of this state, with the approval of the governing authority of that municipality or consolidated government, is authorized to establish a probation system to provide ~~general~~ probation supervision, counseling, collection services for all moneys to be paid by a defendant according to the terms of the sentence imposed and any moneys which by operation of law are to be paid by the defendant in consequence of the conviction, and other probation services for persons convicted in such court and placed on probation.”

SECTION 2.

Said article is further amended by striking in its entirety subsection (a) of Code Section 42-8-101, relating to the County and Municipal Probation Advisory Council, and inserting in lieu thereof the following:

“(a) There is created the County and Municipal Probation Advisory Council, to be composed of one superior court judge designated by The Council of Superior Court Judges of Georgia, one state court judge designated by The Council of State Court Judges of Georgia, ~~one municipal court judge~~ appointed by the Governor, one sheriff appointed by the Governor, one probate court judge designated by The Council of Probate Court Judges of Georgia, one magistrate designated by the Council of Magistrate Court Judges, the commissioner of corrections or his or her designee, one public probation officer appointed by the Governor, one private probation officer or individual with expertise in private probation services by virtue of his or her training or employment appointed by the Governor, one mayor or member of a municipal governing authority appointed by the Governor, and one county commissioner appointed by the Governor. Members of the council appointed by the Governor shall be appointed for terms of office of four years. With the exceptions of the public probation officer, the county commissioner, the sheriff, the mayor or member of a municipal governing authority, and the commissioner of corrections, each designee or representative shall be employed in their representative capacity in a judicial circuit operating under a contract with a private corporation, enterprise, or agency as provided under Code Section 42-8-100. No person shall serve beyond the time he or she holds the office or employment by reason of which he or she was initially eligible for appointment. In the event of death, resignation, disqualification, or removal for any reason of any member of the council, the vacancy shall be filled in the same manner as the original appointment and any successor shall serve for the unexpired term. Such council shall promulgate rules and regulations regarding contracts or agreements for probation services and the conduct of business by private entities providing probation services as authorized by this article.”

SECTION 3.

Said article is further amended by striking in its entirety subsection (e) of Code Section 42-8-101, relating to the County and Municipal Probation Advisory Council, and inserting in lieu thereof the following:

“(e) The council shall have the following powers and duties:

- (1) To promulgate rules and regulations for the administration of the council, including rules of procedure for its internal management and control;
- (2) To review the uniform professional standards for private probation officers and uniform contract standards for private probation contracts established in Code Section 42-8-102 and submit a report with its recommendations to the General Assembly;
- (3) To promulgate rules and regulations establishing a 40 hour initial orientation for newly hired private probation officers and for 20 hours per annum of continuing education for private probation officers, provided that the 40 hour initial orientation shall not be required of any person who has successfully completed a probation or parole officer basic course of training certified by the Georgia Peace Officer Standards and Training Council;
- (4) To promulgate rules and regulations relative to the enforcement of the provisions of this article, which enforcement mechanisms may include, but are not limited to, the imposition of sanctions and fines and the voiding of contracts;
- (5) To promulgate rules and regulations establishing registration for any private corporation, enterprise, or agency providing probation services under the provisions of this article, subject to the provisions of subsection (a) of Code Section 42-8-107; ~~and~~
- (6) To produce an annual summary report. Such report shall not contain information identifying individual private corporations, nonprofit corporations, or enterprises or their contracts; ~~and~~
- (7) To promulgate rules and regulations requiring criminal record checks of private probation officers and establishing procedures for such criminal record checks. Such rules and regulations shall require a private probation entity to conduct a criminal history records check, as provided in Code Section 35-3-34, for all private probation officers employed by that entity; and to certify the results of such criminal history records check to the council, in such detail as the council may require. Notwithstanding Code Section 35-3-38 or any other provision of law, a private probation entity

shall, upon request, communicate criminal history record information on a private probation officer to the Administrative Office of the Courts and the County and Municipal Probation Advisory Council."

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SECTION 4.

Said article is further amended by striking in its entirety subsection (a) of Code Section 42-8-102, relating to uniform professional and contract standards, and inserting in lieu thereof the following:

"(a) The uniform professional standards contained in this subsection shall be met by any person employed as and using the title of a private probation officer. Any such person shall be at least 21 years of age at the time of appointment to the position of private probation officer and must have completed a standard two-year college course. Every private probation officer shall receive an initial 40 hours of orientation upon employment and shall receive 20 hours of continuing education per annum as approved by the County and Municipal Probation Advisory Council, provided that the 40 hour initial orientation shall not be required of any person who has successfully completed a probation or parole officer basic course of training certified by the Peace Officer Standards and Training Council. In no event shall any person convicted of a felony be employed as a private probation officer or utilize the title of private probation officer."

SECTION 5.

Said article is further amended by inserting a new Code section to be designated Code Section 42-8-108 to read as follows:

"42-8-108.

The probation providers standards contained in this Code section shall be met by corporations, enterprises, or agencies who enter into written contracts for probation services under the authority of Code Section 42-8-100 on or after January 1, 1997. Any corporation, enterprise, or agency who fails to meet the standards established in this Code section on or after January 1, 1997, shall not be eligible to provide probation services in this state. All corporations, enterprises, or agencies who enter into written contracts for probation services under the authority of Code Section 42-8-100 on or after January 1, 1997, shall:

- (1) Maintain no less than \$1 million coverage in professional liability insurance;
- (2) Maintain no less than \$1 million coverage in general liability insurance;
- (3) Not own or control any finance business or lending institution which makes loans to probationers under its supervision for the payment of probation fees or fines; and
- (4) Employ at least one person who is responsible for the direct supervision of probation officers employed by the corporation, enterprise, or agency and who shall have at least five years' experience in corrections, parole, or probation services."

SECTION 6.

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

SECTION 7.

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

The following amendments were read and adopted:

Representatives Brush of the 112th and Dobbs of the 92nd move to amend the Committee substitute to SB 751 by striking lines 1 through 3 of page 1 and inserting in lieu thereof the following:

"To amend Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to probation, so as to prohibit public probation officers, private probation officers, and private corporations, enterprises, and agencies providing probation services from owning, operating, having a financial interest in, instructing at, or being employed by any private entity which provides drug or alcohol education services; to prohibit public probation

officers, private probation officers, and private corporations, enterprises, and agencies providing probation services from referring a probationer to a specific alcohol or drug education program; to provide for criminal penalties; to require that approval to”

By striking www.libtool.com.cn lines 21 through 24 of page 1 and inserting in lieu thereof the following:

“SECTION 1.

Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to probation, is amended by striking in its entirety subsection (c) of Code Section 42-8-26, relating to probation supervisors, and inserting in lieu thereof the following:

‘(c)(1) No supervisor shall engage in any other employment, business, or activities which interfere or conflict with his or her duties and responsibilities as probation supervisor.

(2) No supervisor shall own, operate, have any financial interest in, be an instructor at, or be employed by any private entity which provides drug or alcohol education services or offers a DUI Alcohol or Drug Use Risk Reduction Program certified by the Department of Human Resources.

(3) No supervisor shall specify, directly or indirectly, a particular DUI Alcohol or Drug Use Risk Reduction Program which a probationer may or shall attend. This paragraph shall not prohibit any supervisor from furnishing any probationer, upon request, the names of certified DUI Alcohol or Drug Use Risk Reduction Programs. Any supervisor violating this paragraph shall be guilty of a misdemeanor.’

SECTION 2.

Said chapter is further amended by striking in its entirety Code”

By striking line 11 of page 3 and inserting in lieu thereof the following:

“SECTION 3”.

By striking the word “article” and inserting in lieu thereof the word “chapter” on line 12 of page 3.

By striking line 9 of page 4 and inserting in lieu thereof the following:

“SECTION 4”

By striking the word “article” and inserting in lieu thereof the word “chapter” on line 10 of page 4.

By striking line 20 of page 5 and inserting in lieu thereof the following:

“SECTION 5”

By striking the word “article” and inserting in lieu thereof the word “chapter” on line 21 of page 5.

By striking line 1 of page 6 and inserting in lieu thereof the following:

“SECTION 6.

Said chapter is further amended by inserting at the end of Code Section 42-8-104, relating to conflicts of interests for private probation service providers, the following:

‘(c)(1) No private corporation, enterprise, or agency contracting to provide probation services under the provisions of this article on or after January 1, 1997, nor any employees of such entities, shall own, operate, have any financial interest in, be an instructor at, or be employed by any private entity which provides drug or alcohol education services or offers a DUI Alcohol or Drug Use Risk Reduction Program certified by the Department of Human Resources.

(2) No private corporation, enterprise, or agency contracting to provide probation services under the provisions of this article nor any employees of such entities shall specify, directly or indirectly, a particular DUI Alcohol or Drug Use Risk Reduction Program which a probationer may or shall attend. This paragraph shall not prohibit furnishing any probationer, upon request, with the names of certified DUI Alcohol or Drug Use Risk Reduction Programs. Any person violating this paragraph shall be guilty of a misdemeanor.'

SECTION 7"

By striking the word "article" and inserting in lieu thereof the word "chapter" on line 2 of page 6.

By striking lines 18 through 19 of page 6 and redesignating the remaining paragraphs as paragraphs (1) through (3).

By redesignating Sections 6 and 7 as Sections 8 and 9.

Representatives Barnard of the 154th, DeLoach of the 172nd, Smith of the 109th and Dobbs of the 92nd move to amend the Committee substitute to SB 751 by adding on line 32 of page 4 between the word "Council" and the semicolon the following:

"or any private probation officer who has been employed by a private probation corporation, enterprise, or agency for at least six months as of July 1, 1996".

By adding on line 31 of page 5 between the word "course" and the period the following:

"; provided, however, that any person who is currently employed as a private probation officer as of July 1, 1996, and who has at least six months of experience as a private probation officer shall be exempt from such college requirements"

By adding on line 39 of page 5 between the word "Council" and the period the following:

"or any private probation officer who has been employed by a private probation corporation, enterprise, or agency for at least six months as of July 1, 1996"

By adding on line 30 of page 6 between the word "services" and the period the following:

"; provided, however, that the five-year experience requirement shall not apply to any corporation, enterprise, or agency which is currently engaged in the provision of private probation services in this state on the effective date of this Code section"

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:

Y Allen	Y Bostick	Y Chambless	Y DeLoach, B	Y Goodwin
Anderson	Y Breedlove	Y Channell	Y DeLoach, G	Y Greene
Ashe	Y Brooks, D	Y Childers	Y Dix	Y Grindley
Y Bailey	Brooks, T	Y Coker	Y Dixon, H	Y Hanner
Y Baker	Y Brown, J	Y Coleman, B	Y Dixon, S	Y Harbin
Y Bannister	Y Brush	Y Coleman, T	Y Dobbs	Y Harris
Y Barfoot	Y Buck	Y Connell	Y Ehrhart	Y Heard
Y Barger	Y Buckner	Crawford	Y Epps	Y Heckstall
Y Barnard	Y Bunn	Y Crews	Y Evans	Hegstrom
Y Barnes	Y Burkhalter	Y Culbreth	Y Falls	Y Hembree
Y Bates	Y Byrd	Y Cummings	Felton	Y Henson
Y Benefield	Y Campbell	Y Davis, G	Y Floyd	Y Holland
Y Birdsong	Y Canty	Y Davis, M	Y Godbee	Y Holmes
Bordeaux	Y Carter	Y Day	Y Golden	Howard

Y Hudson	Lucas	Ponder	Y Sinkfield	N Thomas
Y Hugley	Y Maddox	Porter	Y Skipper	Y Tillman
Y Irvin	Y Mann	Poston	Y Smith, C	Y Titus
Y James	Y Martin	Y Powell	Y Smith, C.W	Y Towery
Y Jamieson	Y McBee	Y Purcell, A	Y Smith, L	Y Trense
Y Jenkins	Y McCall	Y Purcell, B	Y Smith, P	Turnquest
Y Johnson, G	Y McClinton	Y Randall	Y Smith, T	Y Twiggs
Y Johnson, J	Y McKinney	Y Randolph	Y Smith, V	Y Walker, L
Y Johnston	Y Mills	Y Ray	Y Smith, W	Y Walker, R.L
Y Jones	Y Mobley, B	Y Reaves	Smyre	Y Wall
Y Joyce	Y Mobley, J	Y Reichert	Y Snelling	Y Watson
Y Kaye	Y Mosley	Y Roberts	Y Snow	Y Watts
Y Kinnamon	Y Mueller	Y Rogers	Stallings	Y Westmoreland
Y Klein	O'Neal	Y Royal	Y Stancil, F	Y Whitaker
Y Ladd	Y Orrock	Sanders	Y Stancil, S	Y White
Y Lakly	Y Parham	Y Sauder	Y Stanley, L	Y Wiles
Y Lane	Y Parrish	Y Scoggins	Stanley, P	Y Williams, B
Y Lawrence	Y Parsons	Y Shanahan	Stephenson	Y Williams, J
Y Lee	Y Pelote	Y Shaw	Y Streat	Y Williams, R
Y Lewis	Y Perry	Y Sherrill	Y Taylor	Y Woods
Y Lifsey	Y Pinholster	Y Shipp	Y Teague	Yates
Y Lord	Y Polak	Simpson	Y Teper	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 152, nays 1.

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

Representative McBee of the 88th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

The Speaker Pro Tem assumed the Chair.

SB 607. By Senators Marable of the 52nd, Pollard of the 24th and Thomas of the 10th:

A bill to amend Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to criminal obstruction of public administration, so as to change provisions relating to criminal interference with emergency medical technicians; to provide for applicability of such provisions to other emergency medical personnel; to define terms; to define criminal offenses and prescribe penalties.

The following Committee substitute was read and adopted:

A BILL

To amend Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public administration, so as to provide for the offense of obstructing or hindering emergency medical professionals or persons working under the direction of emergency medical professionals; to clarify certain terms; to provide a definition; to provide penalties; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public administration, is amended in Article 2 by striking in its entirety Code Section 16-10-24.2, relating to obstructing or hindering emergency medical technicians, and inserting in lieu thereof the following:

"16-10-24.2.

(a) As used in this Code section, the term:

(1) 'Emergency medical technician' means any person who has been certified as an emergency medical technician, cardiac technician, paramedic, or first responder pursuant to ~~Chapter 11 of Title 31.~~

(2) 'Emergency medical professional' means any person performing emergency medical services who is licensed or certified to provide health care in accordance with the provisions of Chapter 11, Chapter 26, or Chapter 34 of Title 43.

(b) Except as otherwise provided in subsection (c) of this Code section, a person who knowingly and willfully obstructs or hinders any emergency medical technician, any emergency medical professional, or any properly identified person working under the direction of an emergency medical professional in the lawful discharge of the ~~emergency medical technician's~~ official duties of such emergency medical technician, emergency medical professional, or properly identified person working under the direction of an emergency medical professional is guilty of a misdemeanor.

(c) Whoever knowingly and willfully resists; ~~or obstructs; or opposes~~ any emergency medical technician, any emergency medical professional, or any properly identified person working under the direction of an emergency medical professional in the lawful discharge of the ~~emergency medical technician's~~ official duties of the emergency medical technician, emergency medical professional, or properly identified person working under the direction of an emergency medical professional by ~~offering~~ threatening or doing violence to the person of such emergency medical technician, emergency medical professional, or properly identified person working under the direction of an emergency medical professional is guilty of a felony and shall, upon conviction thereof, be punished by imprisonment for not less than one nor more than five years."

SECTION 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 Allen	Y Coleman, B	Y Hegstrom	Y McBee	Y Sanders
Anderson	Y Coleman, T	Y Hembree	Y McCall	Y Sauder
Ashe	Connell	Henson	Y McClintone	Y Scoggins
Y Bailey	Crawford	Y Holland	McKinney	Y Shanahan
Y Baker	Y Crews	Y Holmes	Y Mills	Y Shaw
Y Bannister	Y Culbreth	Howard	Y Mobley, B	Y Sherrill
Y Barfoot	Y Cummings	Y Hudson	Y Mobley, J	Y Shipp
Y Bargerion	Y Davis, G	Y Hugley	Y Mosley	Y Simpson
Y Barnard	Y Davis, M	Y Irvin	Y Mueller	Y Sinkfield
Y Barnes	Y Day	Y James	Y O'Neal	Y Skipper
Y Bates	Y DeLoach, B	Y Jamieson	Y Orrock	Y Smith, C
Y Benefield	Y DeLoach, G	Y Jenkins	Y Parham	Y Smith, C.W
Y Birdsong	Y Dix	Y Johnson, G	Y Parrish	Y Smith, L
Bordeaux	Y Dixon, H	Y Johnson, J	Y Parsons	Y Smith, P
Y Bostick	Y Dixon, S	Y Johnston	Y Pelote	Y Smith, T
Y Breedlove	Y Dobbs	Y Jones	Y Perry	Smith, V
Y Brooks, D	Y Ehrhart	Y Joyce	Y Pinholster	Y Smith, W
Brooks, T	Y Epps	Y Kaye	Y Polak	Y Smyre
Y Brown, J	Y Evans	Y Kinnamon	Y Ponder	Y Snelling
Brush	Falls	Y Klein	Porter	Snow
Y Buck	Y Felton	Ladd	Poston	Y Stallings
Y Buckner	Y Floyd	Y Lakly	Y Powell	Y Stancil, F
Y Bunn	Y Godbee	Y Lane	Y Purcell, A	Y Stancil, S
Y Burkhalter	Y Golden	Y Lawrence	Purcell, B	Y Stanley, L
Y Byrd	Y Goodwin	Y Lee	Y Randall	Y Stanley, P
Y Campbell	Y Greene	Y Lewis	Y Randolph	Stephenson
Y Canty	Grindley	Y Lifsey	Y Ray	Y Streat
Y Carter	Y Hanner	Y Lord	Y Reaves	Y Taylor
Y Chambliss	Y Harbin	Lucas	Y Reichert	Teague
Y Channell	Y Harris	Y Maddox	Roberts	Y Teper
Y Childers	Y Heard	Y Mann	Y Rogers	Y Thomas
Y Coker	Y Heckstall	Y Martin	Y Royal	Y Tillman

Y Titus	Twiggs	Y Watson	Y White	Y Williams, R
Towery	Walker, L	Watts	Y Wiles	Y Woods
Trense	Y Walker, R.L	Y Westmoreland	Y Williams, B	Y Yates
Turnquest	Y Wall	Y Whitaker	Y Williams, J	Murphy, Spkr

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On the passage of the Bill, by substitute, the ayes were 151, nays 0.

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

SB 670. By Senators Starr of the 44th and Glanton of the 34th:

A bill to amend Article 4 of Chapter 13 of Title 9 of the Official Code of Georgia Annotated, relating to the satisfaction or discharge of judgment and execution, so as to provide that executions shall be canceled within a certain time.

The following Committee substitute was read and adopted:

A BILL

To amend Article 4 of Chapter 13 of Title 9 of the Official Code of Georgia Annotated, relating to the satisfaction or discharge of judgment and execution, so as to provide for timely cancellation of executions; to provide for a private right of action; to provide for prima-facie evidence of untimeliness; to provide procedures; to provide for presumed damages and actual damages; to limit recovery; 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 4 of Chapter 13 of Title 9 of the Official Code of Georgia Annotated, relating to the satisfaction or discharge of judgment and execution, is amended by striking in its entirety Code Section 9-13-80, relating to the cancellation of executions, and inserting in lieu thereof the following:

“9-13-80.

(a) Upon the satisfaction of the entire debt upon which an execution has been issued, the plaintiff in execution or his or her attorney shall timely direct the clerk to cancel the execution and mark the judgment satisfied.

(b) A private right of action shall be granted to a judgment debtor upon the failure of such plaintiff or counsel to comply with the provisions of subsection (a) of this Code section.

(1) Failure to direct cancellation and satisfaction within 60 days after satisfaction of the entire debt shall be prima-facie evidence of untimeliness;

(2) Recovery may be had by way of motion in the action precipitating the judgment and execution or by separate action in any court of competent jurisdiction; and

(3) Damages shall be presumed in the amount of \$100.00. Actual damages may be recovered, but in no event shall recovery exceed \$500.00.”

SECTION 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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Jones	Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClintock	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Chambless	Y Hegstrom	Mills	Y Sinkfield	Y White
Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 146, nays 0.

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

SR 101. By Senator James of the 35th:

A resolution creating the Joint Study Commission on Economic Development and Revitalization in South Fulton County.

The following Committee substitute was read:

A RESOLUTION

Creating the Joint Study Commission on Economic Development and Revitalization in South Fulton County; and for other purposes.

WHEREAS, the fiscal solvency of the nation depends upon the economic vitality of its states, and the fiscal solvency of the State of Georgia depends upon the economic vitality of its counties and cities; and

WHEREAS, Fulton County is located in the State of Georgia; and

WHEREAS, the economies of North and South Fulton County, respectively, differ in degree and range from each other; and

WHEREAS, the economy of South Fulton County experienced considerable regression in recent years despite a steady increase in population; and

WHEREAS, the economy of South Fulton County has been burdened by increased competition for services despite a corresponding decrease in industry and business expansion; and

WHEREAS, although many studies have been conducted relating to the economic development and revitalization of South Fulton County and many plans based on the conclusions reached by such studies have been formulated and disseminated, little progress has been made towards integrating the divergent points of such plans and implementing a comprehensive plan that will effectuate actual growth and economic progress in South Fulton County; and

WHEREAS, the economic outlook of South Fulton County deserves meaningful and immediate consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that there is created the Joint Study Commission on Economic Development and Revitalization in South Fulton County to be composed of three members of the House of Representatives to be appointed by the Speaker of the House of Representatives and three members of the Senate to be appointed by the President of the Senate. The Speaker of the House of Representatives shall designate a member of the House of Representatives and the President of the Senate shall designate a member of the Senate who shall serve as cochairpersons of the commission. The Governor shall appoint 15 additional members, three of whom shall represent the Atlanta Chamber of Commerce, the banking community, and the real estate development community; one elected official, or the designee of such official, representing each area comprising a distinct political entity affected by development in South Fulton County, including the Cities of Hapeville, East Point, College Park, Union City, Fairburn, Palmetto, and the areas of Southeast Atlanta comprising City Council District 12, and the areas of Southwest Atlanta comprising City Council District 11, and including the Fulton County Commissioner representing Fulton County Commission District 7 or such person's designee; and three private citizens who are residents of South Fulton County. The commission shall meet at the call of the cochairpersons.

BE IT FURTHER RESOLVED that the commission shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and shall include as integral to its undertaking a study of any existing plans related to economic development and revitalization in South Fulton County which may have been developed as a result of previous studies conducted by an affected municipality or other governmental entity, a civic organization, a business enterprise, or other interested party. The commission shall recommend any actions or legislation which the commission deems necessary or appropriate for achieving the goal of implementation of a comprehensive economic development and revitalization plan for South Fulton County. The commission may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution. In the event the commission makes a report of its findings and recommendations, with suggestions for proposed legislation, if any, such report shall be made on or before December 31, 1996. The commission shall stand abolished on December 31, 1996.

The following amendment was read and adopted:

Representative Dixon of the 150th, et al. move to amend the Committee substitute to SR 101 by inserting on line 2 of page 1, following the word and symbol "County;", the following:

"creating the James Edward Oglethorpe Tercentenary Commission;"

By striking the period at the end of line 30 on page 1 and inserting in lieu thereof the following:

"; and"

By inserting immediately following line 30 on page 1 the following:

“WHEREAS, James Edward Oglethorpe was born in England to Theophilus and Eleanor Oglethorpe in 1696; and

WHEREAS, James Edward Oglethorpe was elected to Parliament, where he successfully led a humanitarian movement for the founding of a new British colony in America as a home for England’s worthy poor; and

WHEREAS, on April 12, 1732, King George II signed a charter creating the new colony of Georgia and naming James Edward Oglethorpe as one of 21 trustees for the colony; and

WHEREAS, James Edward Oglethorpe personally led the first shipload of colonists to settle in Georgia, arriving in 1733; and

WHEREAS, James Edward Oglethorpe chose the site and laid out the plan for Savannah, Georgia’s first settlement, and in 1736 for the town and fort of Augusta; and

WHEREAS, James Edward Oglethorpe was responsible for the defense of Georgia, successfully repelling a Spanish invasion force on St. Simons Island in 1742, thus ensuring Georgia’s future as a British colony and, ultimately, as a member of the United States of America; and

WHEREAS, 1996 marks the 300th anniversary of the birth of Georgia’s founder and defender, and it is only fitting and proper that Georgia recognize and honor its founder on this historic occasion.”

By inserting immediately following line 4 on page 3 the following:

“BE IT FURTHER RESOLVED that there is created the James Edward Oglethorpe Tercentenary Commission to be composed of 20 members as provided in this resolution. The following persons shall serve as ex officio members of the commission: the president of Oglethorpe University; the chairperson of the Oglethorpe County Commission; the mayors of the Cities of Oglethorpe, Fort Oglethorpe, and Savannah; the chairperson-mayor of Augusta-Richmond County; the president of the Georgia Historical Society; and the executive secretary of the Friends of Oglethorpe, who shall serve as executive secretary of the commission. Ex officio members may name a designee to serve in their places or in their absence. The remaining 12 members of the commission shall be appointed as follows: eight members of the commission shall be appointed by the Governor, one of whom shall be designated chairperson of the commission; two members by the Speaker of the House of Representatives; and two members by the President of the Senate. These 12 members of the commission may include officials or representatives of public or private organizations, businesses, schools, or sites bearing the Oglethorpe name. Vacancies on the commission shall be filled in the same manner in which the original appointments were made.

BE IT FURTHER RESOLVED that it shall be the duty of the commission to plan, coordinate, encourage, and conduct an observance of the 300th anniversary of the birth of James Edward Oglethorpe throughout 1996. Such observances may include official, unofficial, cultural, historical, educational, charitable, and other activities and projects designed to promote a proper awareness and appreciation for Georgia’s founder. Furthermore, the commission is directed to coordinate commemorative activities undertaken by the State of Georgia or by organizations, educational institutions, or private citizens within the state in conjunction with those that may be conducted by public officials, organizations, educational institutions, or private citizens in London, Godalming, Oxford, Cranham, or any other site in Great Britain associated with the life or death of James Edward Oglethorpe.

BE IT FURTHER RESOLVED that the commission is authorized and empowered to accept grants or gifts from any level of government; from any board, commission, or other unit of government; from any public corporation or authority; from any organization, public or private; from any business; from any group; or from any individual. The commission shall be further empowered to hold, invest, reinvest, and disburse such grants and gifts and any income derived therefrom in carrying out the objectives and purposes of the commission and shall not be required to pay such grants and gifts or income into the general

fund of the state treasury. The commission shall be further authorized to adopt such rules and regulations and perform such other activities as necessary or appropriate for carrying out its purposes and duties.

BE IT FURTHER RESOLVED that the James Edward Oglethorpe Tercentenary Commission is further authorized to have printed or reprinted portraits or biographies of Georgia's founder, General James Edward Oglethorpe, and to take such other commemorative steps that will promote the knowledge of and appreciation for the contributions of General James Edward Oglethorpe throughout the State of Georgia. The commission may expend any and all remaining funds for said purposes as are enumerated in this resolution.

BE IT FURTHER RESOLVED that the commission shall hold its initial meeting not later than July 1, 1996, and may hold such additional meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers and duties.

BE IT FURTHER RESOLVED that the members of the commission shall receive no compensation for their service and shall not receive any reimbursement of expenses; provided, however, that to the extent that sufficient grants, gifts, and other income is received, members of the commission may be reimbursed for actual expenses incurred during their service, such reimbursement not to exceed the allowances authorized for members of state boards.

BE IT FURTHER RESOLVED that the James Edward Oglethorpe Tercentenary Commission shall stand abolished on March 31, 1997."

The Committee substitute, as amended, was adopted.

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

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

Y Allen	Y Coleman, T	Y Henson	McKinney	Y Shaw
Anderson	Connell	Y Holland	Y Mills	Y Sherrill
Ashe	Crawford	Y Holmes	Y Mobley, B	Y Shipp
Bailey	Y Crews	Y Howard	Y Mobley, J	Y Simpson
Baker	Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield
Y Bannister	Y Cummings	Y Hugley	Y Mueller	Y Skipper
Y Barfoot	Davis, G	Y Irvin	Y O'Neal	Y Smith, C
Y Bargeron	Y Davis, M	Y James	Y Orrock	Smith, C.W
Y Barnard	Y Day	Y Jamieson	Y Parham	Y Smith, L
Y Barnes	Y DeLoach, B	Jenkins	Y Parrish	Y Smith, P
Y Bates	Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T
Benefield	Y Dix	Y Johnson, J	Y Pelote	Y Smith, V
Birdsong	Y Dixon, H	Y Johnston	Y Perry	Y Smith, W
Bordeaux	Y Dixon, S	Y Jones	Y Pinholster	Y Smyre
Y Bostick	Y Dobbs	Joyce	Y Polak	Y Snelling
Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Brooks, T	Y Evans	Y Klein	Poston	Stancil, F
Y Brown, J	Falls	Ladd	Powell	Y Stancil, S
Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Randall	Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Streat
Y Burkhalter	Y Goodwin	Y Lewis	Ray	Y Taylor
Y Byrd	Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Lucas	Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Chambless	Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	McBee	Y Sauder	Trense
Coker	Y Hegstrom	McCall	Scoggins	Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs

Walker, L	Y Watson	Y Whitaker	Williams, B	Y Woods
Y Walker, R.L	Watts	Y White	Y Williams, J	Y Yates
Y Wall	Y Westmoreland	Y Wiles	Y Williams, R	Murphy, Spkr

On the adoption of the Resolution, by substitute, as amended, the ayes were 137, nays 0.

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

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

HR 1094. By Representatives Polak of the 67th, Sherrill of the 62nd, Shanahan of the 10th, Smith of the 175th, McBee of the 88th and others:

A resolution creating the House Electronic Filing and Publication Study Committee.

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

Y Allen	Y Crews	Y Irvin	Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Ladd	Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 144, nays 0.

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

HR 1292. By Representative Watson of the 139th:

A resolution creating the House Competitive Natural Gas Service Study Committee.

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

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Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Street
Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Ladd	Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Brooks, D	Y Felton	Lee	Y Reichert	Y Titus
Brooks, T	Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Sanders	Y Twiggs
Buckner	Y Greene	Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Yates
Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 140, nays 0.

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

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

SB 513. By Senators Thomas of the 10th and Oliver of the 42nd:

A bill to amend Article 2 of Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to family violence shelters, so as to provide that shelters that are approved by the Department of Human Resources to receive state funds are not required also to be licensed by the Department of Human Resources.

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 Allen	Bargeron	Y Bostick	Y Buckner	Y Chambless
Anderson	Y Barnard	Y Breedlove	Y Bunn	Y Channell
Ashe	Y Barnes	Y Brooks, D	Y Burkhalter	Y Childers
Bailey	Y Bates	Brooks, T	Y Byrd	Y Coker
Y Baker	Benefield	Brown, J	Y Campbell	Y Coleman, B
Y Bannister	Y Birdsong	Y Brush	Y Canty	Y Coleman, T
Y Barfoot	Bordeaux	Y Buck	Y Carter	Connell

Crawford	Y Hegstrom	Maddox	Y Ray	Y Stanley, L
Y Crews	Y Hembree	Y Mann	Y Reaves	Y Stanley, P
Y Culbreth	Y Henson	Y Martin	Y Reichert	Y Stephenson
Y Cummings	Y Holland	Y McBee	Y Roberts	Y Streat
Y Davis, G	Y Holmes	Y McCall	Y Rogers	Y Taylor
Y Davis, M	Y Howard	Y McClinton	Y Royal	Y Teague
Y Day	Y Hudson	Y McKinney	Y Sanders	Y Teper
Y DeLoach, B	Y Hugley	Y Mills	Y Sauder	Y Thomas
Y DeLoach, G	Y Irvin	Y Mobley, B	Y Scoggins	Y Tillman
Y Dix	Y James	Y Mobley, J	Y Shanahan	Y Titus
Dixon, H	Y Jamieson	Y Mosley	Y Shaw	Y Towery
Y Dixon, S	Y Jenkins	Y Mueller	Y Sherrill	Y Trense
Y Dobbs	Y Johnson, G	Y O'Neal	Y Shipp	Y Turnquest
Ehrhart	Y Johnson, J	Y Orrock	Y Simpson	Y Twiggs
Y Epps	Y Johnston	Y Parham	Y Sinkfield	Y Walker, L
Y Evans	Y Jones	Y Parrish	Y Skipper	Y Walker, R.L
Falls	Y Joyce	Y Parsons	Y Smith, C	Y Wall
Y Felton	Y Kaye	Y Pelote	Y Smith, C.W	Y Watson
Y Floyd	Y Kinnamon	Y Perry	Y Smith, L	Y Watts
Godbee	Y Klein	Y Pinholster	Y Smith, P	Y Westmoreland
Y Golden	Y Ladd	Y Polak	Y Smith, T	Y Whitaker
Y Goodwin	Y Lakly	Y Ponder	Y Smith, V	Y White
Y Greene	Y Lane	Y Porter	Y Smith, W	Y Wiles
Y Grindley	Y Lawrence	Y Poston	Y Smyre	Y Williams, B
Y Hanner	Y Lee	Y Powell	Y Snelling	Y Williams, J
Y Harbin	Y Lewis	Y Purcell, A	Y Snow	Y Williams, R
Y Harris	Y Lifsey	Y Purcell, B	Y Stallings	Y Woods
Y Heard	Y Lord	Y Randall	Y Stancil, F	Y Yates
Y Heckstall	Y Lucas	Y Randolph	Y Stancil, S	Y Murphy, Spkr

On the passage of the Bill, the ayes were 144, nays 0.

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

SR 569. By Senator Langford of the 29th:

A resolution authorizing the conveyance of certain state owned real property located in Troup County.

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 Allen	Y Carter	Y Godbee	Y Kaye	Y Parrish
Y Anderson	Y Chambless	Y Golden	Y Kinnamon	Y Parsons
Y Ashe	Y Channell	Y Goodwin	Y Klein	Y Pelote
Y Bailey	Y Childers	Y Greene	Y Ladd	Y Perry
Y Baker	Y Coker	Y Grindley	Y Lakly	Y Pinholster
Y Bannister	Y Coleman, B	Y Hanner	Y Lane	Y Polak
Y Barfoot	Y Coleman, T	Y Harbin	Y Lawrence	Y Ponder
Y Bargerone	Y Connell	Y Harris	Y Lee	Y Porter
Y Barnard	Y Crawford	Y Heard	Y Lewis	Y Poston
Y Barnes	Y Crews	Y Heckstall	Y Lifsey	Y Powell
Y Bates	Y Culbreth	Y Hegstrom	Y Lord	Y Purcell, A
Y Benefield	Y Cummings	Y Hembree	Y Lucas	Y Purcell, B
Y Birdsong	Y Davis, G	Y Henson	Y Maddox	Y Randall
Y Bordeaux	Y Davis, M	Y Holland	Y Mann	Y Randolph
Y Bostick	Y Day	Y Holmes	Y Martin	Y Ray
Y Breedlove	Y DeLoach, B	Y Howard	Y McBee	Y Reaves
Y Brooks, D	Y DeLoach, G	Y Hudson	Y McCall	Y Reichert
Y Brooks, T	Y Dix	Y Hugley	Y McClinton	Y Roberts
Y Brown, J	Y Dixon, H	Y Irvin	Y McKinney	Y Rogers
Y Brush	Y Dixon, S	Y James	Y Mills	Y Royal
Y Buck	Y Dobbs	Y Jamieson	Y Mobley, B	Y Sanders
Y Buckner	Y Ehrhart	Y Jenkins	Y Mobley, J	Y Sauder
Y Bunn	Y Epps	Y Johnson, G	Y Mosley	Y Scoggins
Y Burkhalter	Y Evans	Y Johnson, J	Y Mueller	Y Shanahan
Y Byrd	Y Falls	Y Johnston	Y O'Neal	Y Shaw
Y Campbell	Y Felton	Y Jones	Y Orrock	Y Sherrill
Y Canty	Y Floyd	Y Joyce	Y Parham	Y Shipp

Y Simpson	Y Smith, W	Stephenson	Y Trense	Y Whitaker
Y Sinkfield	Y Smyre	Streat	Y Turnquest	Y White
Y Skipper	Y Snelling	Y Taylor	Y Twiggs	Wiles
Y Smith, C	Y Snow	Y Teague	Walker, L	Y Williams, B
Y Smith, C.W	Y Stallings	Y Teper	Y Walker, R.L	Y Williams, J
Y Smith, L	Y Stancil, F	Y Thomas	Y Wall	Y Williams, R
Y Smith, P	Y Stancil, S	Y Tillman	Watson	Y Woods
Y Smith, T	Y Stanley, L	Y Titus	Watts	Y Yates
Y Smith, V	Y Stanley, P	Y Towery	Y Westmoreland	Murphy, Spkr

On the adoption of the Resolution, the ayes were 141, nays 0.

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

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in amending the same:

HB 339. By Representative Barnes of the 33rd:

A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

Representative Barnes of the 33rd moved that the House insist on its position in disagreeing to the Senate amendment to HB 339 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Barnes of the 33rd, Martin of the 47th and Chambless of the 163rd.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitutes thereto:

HB 838. By Representatives Culbreth of the 132nd, Lord of the 121st, Heard of the 89th and Williams of the 114th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide definitions; to provide for the submission of reports by insurers of risk-based capital levels; to provide for the computation of risk-based capital levels for various kinds of insurers.

The following Senate substitute was read:

A BILL

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide definitions; to provide for the submission of reports by insurers of risk-based capital levels; to provide for the computation of risk-based capital levels for various kinds of insurers; to provide for administrative hearings and procedures relative to such hearings; to provide for risk-based capital plans to be submitted by insurers to the Commissioner of Insurance; to provide for the content of reports and plans; to provide for the filing of reports and plans with insurance commissioners of other states and with the National

Association of Insurance Commissioners; to authorize examinations by the Commissioner of Insurance and the issuance of orders for corrective actions to be taken by insurers; to provide for the authority of the Commissioner of Insurance to take actions pursuant to Chapter 37 of this title; to provide for the confidentiality of certain information and corrective orders; to provide for legislative intent and purpose; to prohibit certain actions relative to advertising or publishing information regarding risk-based capital levels; to provide for construction; to authorize rules and regulations; to authorize exemptions for domestic property and casualty insurers which meet certain requirements; to provide for immunity from suit for the Commissioner of Insurance and the Insurance Department; to provide for severability; to provide for the effectiveness of notices; to provide official immunity from civil action to receivers responsible for the conduct of a delinquency proceeding under said chapter and their employees; to provide indemnification from the assets of the insurer for legal expenses and similar expenses in the event legal action is commenced against the receiver or an employee; to provide that indemnification costs paid by the insurer shall be considered an administrative expense of the insurer; to provide for the segregation and reserving of funds from the assets of the insurer in the event of actual or threatened legal action against the receiver or an employee; to provide for determinations by the Commissioner of Insurance regarding payments in the event of settlements of legal action prior to final adjudication; to provide for approval of settlements by the court before which an action is pending; to provide for construction; to provide for applicability; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by adding a new Chapter 56 to read as follows:

“CHAPTER 56

33-56-1.

As used in this chapter, the term:

- (1) ‘Adjusted RBC report’ means an RBC report which has been adjusted in accordance with subsection (e) of Code Section 33-56-2.
- (2) ‘Corrective order’ means an order issued by the Commissioner specifying corrective actions which the Commissioner has determined are required.
- (3) ‘Domestic insurer’ means an insurer as defined in paragraph (4) of Code Section 33-3-1.
- (4) ‘Foreign insurer’ means any insurance company which is licensed to do business in this state under Chapter 3 of this title, but is not a domestic insurer.
- (5) ‘Life and health insurer’ means any insurance company licensed to write insurance as defined in Code Section 33-7-2 or 33-7-4 or a licensed property and casualty insurer writing only accident and health insurance.
- (6) ‘NAIC’ means the National Association of Insurance Commissioners.
- (7) ‘Negative trend’ means, with respect to a life and health insurer, a negative trend over a period of time, as determined in accordance with the trend test calculation included in the RBC instructions.
- (8) ‘Property and casualty insurer’ means any insurance company licensed to write insurance as defined in Code Section 33-7-3 or 33-7-6 but shall not include monoline mortgage guaranty insurers, financial guaranty insurers, and title insurers.
- (9) ‘RBC’ means risk-based capital.
- (10) ‘RBC instructions’ means the RBC report including risk-based capital instructions adopted by the NAIC, as such RBC instructions may be amended by the NAIC from time to time in accordance with the procedures adopted by the NAIC.
- (11) ‘RBC level’ means an insurer’s company action level RBC, regulatory action level RBC, authorized control level RBC, or mandatory control level RBC where:
 - (A) ‘Authorized control level RBC’ means the number determined under the risk-based capital formula in accordance with the RBC instructions;

(B) 'Company action level RBC' means, with respect to any insurer, the product of 2.0 and its authorized control level RBC;

(C) 'Mandatory control level RBC' means the product of .70 and the authorized control level RBC; and

(D) 'Regulatory action level RBC' means the product of 1.5 and its authorized control level RBC.

(12) 'RBC plan' means a comprehensive financial plan containing the elements specified in subsection (b) of Code Section 33-56-3. If the Commissioner rejects the RBC plan and it is revised by the insurer, with or without the Commissioner's recommendation, the plan shall be called the revised RBC plan.

(13) 'RBC report' means the report required in Code Section 33-56-2.

(14) 'Total adjusted capital' means the sum of:

(A) An insurer's statutory capital and surplus; and

(B) Such other items, if any, as the RBC instructions may provide.

33-56-2.

(a) Every domestic insurer shall, on or prior to each March 1, prepare and submit to the Commissioner a report of its RBC levels, as of the end of the previous calendar year, containing such information as is required by the RBC instructions. In addition, every domestic insurer shall file its RBC report:

(1) With the NAIC in accordance with the RBC instructions; and

(2) With the insurance commissioner in any state in which the insurer is authorized to do business, if the insurance commissioner has notified the insurer of its request in writing, in which case the insurer shall file its RBC report not later than the later of:

(A) Fifteen days from the receipt of notice to file its RBC report with that state; or

(B) March 1.

(b) A life and health insurer's RBC shall be determined in accordance with the formula set forth in the RBC instructions. The formula shall take into account and may adjust for the covariance between:

(1) The risk with respect to the insurer's assets;

(2) The risk of adverse insurance experience with respect to the insurer's liabilities and obligations;

(3) The interest rate risk with respect to the insurer's business; and

(4) All other business risks and such other relevant risks as are set forth in the RBC instructions,

determined in each case by applying the factors in the manner set forth in the RBC instructions.

(c) A property and casualty insurer's RBC shall be determined in accordance with the formula set forth in the RBC instructions. The formula shall take into account and may adjust for the covariance between:

(1) Asset risk;

(2) Credit risk;

(3) Underwriting risk; and

(4) All other business risks and such other relevant risks as are set forth in the RBC instructions,

determined in each case by applying the factors in the manner set forth in the RBC instructions.

(d) An excess of capital over the amount produced by the risk-based capital requirements contained in the chapter and the formulas, schedules, and instructions referenced in this chapter is desirable in the business of insurance. Accordingly, insurers should seek to maintain capital above the RBC levels required by this chapter. Additional capital is useful in the insurance business and helps to secure an insurer against various risks inherent in or affecting the business of insurance and is not accounted for or only partially measured by the risk-based capital requirements contained in this chapter.

(e) If a domestic insurer files an RBC report which in the judgment of the Commissioner is inaccurate, then the Commissioner shall adjust the RBC report and notify the

insurer of the inaccuracy. The notice shall contain a statement of the reason for the inaccuracy. The insurer must, within 30 days, correct the inaccuracy or request a hearing. If the insurer fails to correct the inaccuracy or to request a hearing, the Commissioner may order a hearing to determine the corrections that are necessary. An RBC report adjusted in accordance with this subsection is referred to as an adjusted RBC report.

33-56-3.

(a) As used in this Code section, a company action level event means any of the following events:

(1) The filing of an RBC report by an insurer which indicates that:

(A) The insurer's total adjusted capital is greater than or equal to its regulatory action level RBC but less than its company action level RBC; or

(B) If a life and health insurer, the insurer has total adjusted capital which is greater than or equal to its company action level RBC but less than the product of its authorized control level RBC and 2.5 and has a negative trend;

(2) The notification by the Commissioner to the insurer of an adjusted RBC report that indicates an event in paragraph (1) of this subsection, provided the insurer does not challenge the adjusted RBC report under Code Section 33-56-7; or

(3) If, pursuant to Code Section 33-56-7, an insurer challenges an adjusted RBC report that indicates the event in paragraph (1) of this subsection, the notification by the Commissioner to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge.

(b) In the event of a company action level event, the insurer shall prepare and submit to the Commissioner an RBC plan which shall:

(1) Identify the conditions which contribute to the company action level event;

(2) Contain proposals of corrective actions which the insurer intends to take and would be expected to result in the elimination of the company action level event;

(3) Provide projections of the insurer's financial results in the current year and at least the four succeeding years, both in the absence of proposed corrective actions and giving effect to the proposed corrective actions, including projections of statutory operating income, net income, capital and surplus, or surplus;

(4) Identify the key assumptions impacting the insurer's projections and the sensitivity of the projections to the assumptions; and

(5) Identify the quality of, and problems associated with, the insurer's business, including but not limited to its assets, anticipated business growth and associated surplus strain, extraordinary exposure to risk, mix of business, and use of reinsurance, if any, in each case.

(c) An RBC plan shall be submitted:

(1) Within 45 days of the company action level event; or

(2) If the insurer challenges an adjusted RBC report pursuant to Code Section 33-56-7, within 45 days after notification to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge.

(d) Within 60 days after the submission by an insurer of an RBC plan to the Commissioner, the Commissioner shall notify the insurer whether the RBC plan shall be implemented or is, in the judgment of the Commissioner, unsatisfactory. If the Commissioner determines the RBC plan is unsatisfactory, the notification to the insurer shall set forth the reasons for the determination and may set forth proposed revisions which will render the RBC plan satisfactory in the judgment of the Commissioner. Upon notification from the Commissioner, the insurer shall prepare a revised RBC plan, which may incorporate by reference any revisions proposed by the Commissioner, and shall submit the revised RBC plan to the Commissioner:

(1) Within 45 days after the notification from the Commissioner; or

(2) If the insurer challenges the notification from the Commissioner under Code Section 33-56-7, within 45 days after a notification to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge.

(e) In the event of a notification by the Commissioner to an insurer that the insurer's RBC plan or revised RBC plan is unsatisfactory, the Commissioner may at the Commissioner's discretion, subject to the insurer's right to a hearing under Code Section

33-56-7, specify in the notification that the notification constitutes a regulatory action level event.

(f) Every domestic insurer which files an RBC plan or revised RBC plan with the Commissioner shall file a copy of the RBC plan or revised RBC plan with the insurance commissioner in any state in which the insurer is authorized to do business if:

(1) Such state has an RBC provision substantially similar to subsection (a) of Code Section 33-56-8; and

(2) The insurance commissioner of that state has notified the insurer of its request for the filing in writing, in which case the insurer shall file a copy of the RBC plan or revised RBC plan in that state no later than the later of:

(A) Fifteen days after the receipt of notice to file a copy of its RBC plan or revised RBC plan with the state; or

(B) The date on which the RBC plan or revised RBC plan is filed under subsection (c) or (d) of this Code section.

33-56-4.

(a) For the purposes of this Code section, a regulatory action level event means, with respect to any insurer, any of the following events:

(1) The filing of an RBC report by the insurer which indicates that the insurer's total adjusted capital is greater than or equal to its authorized control level RBC but less than its regulatory action level RBC;

(2) The notification by the Commissioner to an insurer of an adjusted RBC report that indicates the event in paragraph (1) of this subsection, provided the insurer does not challenge the adjusted RBC report under Code Section 33-56-7;

(3) If, pursuant to Code Section 33-56-7, the insurer challenges an adjusted RBC report that indicates the event in paragraph (1) of this subsection, the notification by the Commissioner to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge;

(4) The failure of the insurer to file an RBC report by the filing date, unless the insurer has provided an explanation for such failure which is satisfactory to the Commissioner and has corrected the failure within ten days after the filing date;

(5) The failure of the insurer to submit an RBC plan to the Commissioner within the time period set forth in subsection (c) of Code Section 33-56-3;

(6) Notification by the Commissioner to the insurer that:

(A) The RBC plan or revised RBC plan submitted by the insurer is, in the judgment of the Commissioner, unsatisfactory; and

(B) Such notification constitutes a regulatory action level event with respect to the insurer, provided the insurer has not challenged the determination under Code Section 33-56-7;

(7) If, pursuant to Code Section 33-56-7, the insurer challenges a determination by the Commissioner under paragraph (6) of this subsection, the notification by the Commissioner to the insurer that the Commissioner has, after a hearing, rejected such challenge;

(8) Notification by the Commissioner to the insurer that the insurer has failed to adhere to its RBC plan or revised RBC plan, but only if such failure has a substantial adverse effect on the ability of the insurer to eliminate the company action level event in accordance with its RBC plan or revised RBC plan and the Commissioner has so stated in the notification, provided the insurer has not challenged the determination under Code Section 33-56-7; or

(9) If, pursuant to Code Section 33-56-7, the insurer challenges a determination by the Commissioner under paragraph (8) of this subsection, the notification by the Commissioner to the insurer that the Commissioner has, after a hearing, rejected the challenge.

(b) In the event of a regulatory action level event, the Commissioner shall:

(1) Require the insurer to prepare and submit an RBC plan or, if applicable, a revised RBC plan;

(2) Perform such examination or analysis as the Commissioner deems necessary of the assets, liabilities, and operations of the insurer including a review of its RBC plan or revised RBC plan; and

(3) Subsequent to the examination or analysis described in paragraph (2) of this subsection, issue an order specifying such corrective actions as the Commissioner shall determine are required.

(c) In determining corrective actions, the Commissioner may take into account such factors as are deemed relevant with respect to the insurer based upon the Commissioner's examination or analysis of the assets, liabilities, and operations of the insurer, including, but not limited to, the results of any sensitivity tests undertaken pursuant to the RBC instructions. The RBC plan or revised RBC plan shall be submitted:

- (1) Within 45 days after the occurrence of the regulatory action level event;
- (2) If the insurer challenges an adjusted RBC report pursuant to Code Section 33-56-7 and the challenge is not frivolous in the judgment of the Commissioner within 45 days after the notification to the insurer that Commissioner has, after a hearing, rejected the insurer's challenge; or
- (3) If the insurer challenges a revised RBC plan pursuant to Code Section 33-56-7 and the challenge is not frivolous in the judgment of the Commissioner, within 45 days after the notification to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge.

33-56-5.

(a) For the purposes of this Code section authorized control level event means any of the following events:

- (1) The filing of an RBC report by the insurer which indicates that the insurer's total adjusted capital is greater than or equal to its mandatory control level RBC but less than its authorized control level RBC;
- (2) The notification by the Commissioner to the insurer of an adjusted RBC report that indicates the event in paragraph (1) of this subsection, provided the insurer does not challenge the adjusted RBC report under Code Section 33-56-7;
- (3) If, pursuant to Code Section 33-56-7, the insurer challenges an adjusted RBC report that indicates the event in paragraph (1) of this subsection, notification by the Commissioner to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge;
- (4) The failure of the insurer to respond, in a manner satisfactory to the Commissioner, to a corrective order; or
- (5) If the insurer has challenged a corrective order under Code Section 33-56-7 and the Commissioner has, after a hearing, rejected the challenge or modified the corrective order, the failure of the insurer to respond, in a manner satisfactory to the Commissioner, to the corrective order subsequent to rejection or modification by the Commissioner.

(b) In the event of an authorized control level event with respect to an insurer, the Commissioner shall:

- (1) Take such actions as are required under Code Section 33-56-4 regarding an insurer with respect to which a regulatory action level event has occurred; or
- (2) If the Commissioner deems it to be in the best interests of the policy holders and creditors of the insurer and of the public, take such actions as are necessary to cause the insurer to be placed under regulatory control under Chapter 37 of this title.

In the event the Commissioner takes such actions, the authorized control level event shall be deemed sufficient grounds for the Commissioner to take action under Chapter 37 of this title, and the Commissioner shall have the rights, powers, and duties with respect to the insurer as are set forth in Chapter 37 of this title. In the event the commissioner takes actions under this paragraph pursuant to an adjusted RBC report, the insurer shall be entitled to such protections as are afforded to insurers under the provisions of Chapter 2 of this title pertaining to summary proceedings.

33-56-6.

(a) For purposes of this Code section, 'mandatory control level event' means any of the following events:

- (1) The filing of an RBC report which indicates that the insurer's total adjusted capital is less than its mandatory control level RBC;

(2) Notification by the Commissioner to the insurer of an adjusted RBC report that indicates the event in paragraph (1) of this subsection, provided that the insurer does not challenge the adjusted RBC report under Code Section 33-56-7; or

(3) If, pursuant to Code Section 33-56-7, the insurer challenges an adjusted RBC report that indicates the event in paragraph (1) of this subsection, notification by the Commissioner to the insurer that the Commissioner has, after a hearing, rejected the insurer's challenge.

(b) In the event of a mandatory control level event:

(1) With respect to a life insurer, the Commissioner shall take such actions as are necessary to place the insurer under regulatory control under Chapter 37 of this title. In that event, the mandatory control level event shall be deemed sufficient grounds for the Commissioner to take action under Chapter 37 of this title, and the Commissioner shall have the rights, powers, and duties with respect to the insurer as are set forth in Chapter 37 of this title. If the Commissioner takes actions pursuant to an adjusted RBC report, the insurer shall be entitled to the protections of Chapter 2 of this title pertaining to summary proceedings. Notwithstanding any of the foregoing, the Commissioner may forego action for up to 90 days after the mandatory control level event if the Commissioner finds there is a reasonable expectation that the mandatory control level event may be eliminated within the 90 day period.

(2) With respect to a property and casualty insurer, the Commissioner shall take such actions as are necessary to place the insurer under regulatory control under Chapter 37 of this title, or in the case of an insurer which is writing no business and which is running-off its existing business may allow the insurer to continue its run-off under the supervision of the Commissioner. In either event, the mandatory control level event shall be deemed sufficient grounds for the Commissioner to take action under Chapter 37 of this title and the Commissioner shall have the rights, powers, and duties with respect to the insurer as are set forth in Chapter 37 of this title. If the Commissioner takes actions pursuant to an adjusted RBC report, the insurer shall be entitled to the protections of Chapter 2 of this title pertaining to summary proceedings. Notwithstanding any of the foregoing, the Commissioner may forego action for up to 90 days after the mandatory control level event if the Commissioner finds there is a reasonable expectation that the mandatory control level event may be eliminated within the 90 day period.

33-56-7.

Upon notification:

(1) To an insurer by the Commissioner of an adjusted RBC report;

(2) To an insurer by the Commissioner that:

(A) The insurer's RBC plan or revised RBC plan is unsatisfactory; and

(B) Such notification constitutes a regulatory action level event with respect to such insurer;

(3) To any insurer by the Commissioner that the insurer has failed to adhere to its RBC plan or revised RBC plan and that such failure has a substantial adverse effect on the ability of the insurer to eliminate the company action level event with respect to the insurer in accordance with its RBC plan or revised RBC plan; or

(4) To an insurer by the Commissioner of a corrective order with respect to the insurer,

the insurer shall have the right to a departmental hearing, on a record, at which the insurer may challenge any determination or action by the Commissioner. The insurer shall notify the Commissioner of its request for a hearing within five days after the notification by the Commissioner under this Code section. Upon receipt of the insurer's request for a hearing, the Commissioner shall set a date for the hearing, which date shall be no less than ten nor more than 30 days after the date of the insurer's request.

33-56-8.

(a) Notwithstanding the provisions of Article 4 of Chapter 18 of Title 50, all RBC reports, to the extent the information therein is not required to be set forth in a publicly available annual statement schedule, and RBC plans, including the results or report of

any examination or analysis of an insurer performed pursuant hereto, and any corrective order issued by the Commissioner pursuant to examination or analysis, with respect to any domestic insurer or foreign insurer, which are filed with the Commissioner, constitute information that might be damaging to the insurer if made available to its competitors and therefore shall be kept confidential by the Commissioner. This information shall not be made public or be subject to subpoena, other than by the Commissioner, and then only for the purpose of enforcement actions taken by the Commissioner pursuant to this chapter or any other provision of the insurance laws of this state.

(b) It is the judgment of the General Assembly that the comparison of an insurer's total adjusted capital to any of its RBC levels is a regulatory tool which may indicate the need for possible corrective action with respect to the insurer and is not intended as a means to rank insurers generally. Therefore, except as otherwise required under the provisions of this chapter, the making, publishing, disseminating, circulating or placing before the public, or causing, directly or indirectly to be made, published, disseminated, circulated or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing an assertion, representation or statement with regard to the RBC levels of any insurer, or of any component derived in the calculation by any insurer, agent, broker, or other person engaged in any manner in the insurance business would be misleading and is therefore prohibited; provided, however, that if any materially false statement with respect to the comparison regarding an insurer's total adjusted capital to its RBC levels or an inappropriate comparison of any other amount to the insurer's RBC levels is published in any written publication and the insurer is able to demonstrate to the Commissioner with substantial proof the falsity of such statement, or the inappropriateness, as the case may be, of such statement, then the insurer may publish an announcement in a written publication if the sole purpose of the announcement is to rebut the materially false or inappropriate statement.

(c) It is the further judgment of the General Assembly that the RBC instructions, RBC reports, adjusted RBC reports, RBC plans, and revised RBC plans are intended solely for use by the Commissioner in monitoring the solvency of insurers and the need for possible corrective action with respect to insurers and shall not be used by the Commissioner for rate-making purposes, considered or introduced as evidence in any rate proceeding, or used by the Commissioner to calculate or derive any elements of an appropriate premium level or rate of return for any line of insurance which an insurer or any affiliate is authorized to write.

33-56-9.

(a) The provisions of this chapter are supplemental to any other provisions of the laws of this state and shall not preclude or limit any other powers or duties of the Commissioner under such laws, including, but not limited to, Chapters 2, 3, 13, and 37 of this title.

(b) The Commissioner may adopt reasonable rules necessary for the implementation of this chapter.

(c) The Commissioner may exempt from the application of this chapter any domestic property and casualty insurer which:

- (1) Writes direct business only in this state;
- (2) Writes direct annual premiums of \$2,000,000.00 or less; and
- (3) Assumes no reinsurance in excess of 5 percent of direct premium written.

33-56-10.

(a) Any foreign insurer shall, upon the written request of the Commissioner, submit to the Commissioner an RBC report as of the end of the previous calendar year the later of:

- (1) The date an RBC report would be required to be filed by a domestic insurer under this chapter; or
- (2) Fifteen days after the request is received by the foreign insurer.

(b) Any foreign insurer shall, at the written request of the Commissioner, promptly submit to the Commissioner a copy of any RBC plan that is filed with the insurance commissioner of any other state.

(c) In the event of a company action level event, regulatory action level event, or authorized control level event with respect to any foreign insurer as determined under the RBC statute applicable in the state of domicile of the insurer, or, if no RBC statute is in force in that state, under the provisions of this chapter, if the insurance commissioner of the state of domicile of the foreign insurer fails to require the foreign insurer to file an RBC plan in the manner specified under that state's RBC statute, or, if no RBC statute is in force in that state, under Code Section 33-56-2, the Commissioner may require the foreign insurer to file an RBC plan with the Commissioner. In such event, the failure of the foreign insurer to file an RBC plan with the Commissioner shall be grounds to order the insurer to cease and desist from writing new insurance business in this state.

(d) In the event of a mandatory control level event with respect to any foreign insurer, if no domiciliary receiver has been appointed with respect to the foreign insurer under the rehabilitation and liquidation statute applicable in the state of domicile of the foreign insurer, the Commissioner may make application to the superior court permitted under Chapter 37 of this title with respect to the liquidation of property of foreign insurers found in this state, and the occurrence of the mandatory control level event shall be considered adequate grounds for the application.

33-56-11.

There shall be no liability on the part of, and no cause of action shall arise against, the Commissioner or the insurance department or its employees or agents for any action taken by them in the performance of their powers and duties under this chapter.

33-56-12.

In the event any section, subsection, sentence, clause, or phrase of this chapter shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this chapter, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part of this chapter. The General Assembly declares that it would have passed the remaining parts of this chapter if it had known that such part or parts of this chapter would be declared or adjudged invalid or unconstitutional.

33-56-13.

All notices by the Commissioner to an insurer which may result in regulatory action hereunder shall be effective upon dispatch if transmitted by registered or certified mail or, in the case of any other transmission, shall be effective upon the insurer's receipt of such notice."

SECTION 2.

Said title is further amended by adding immediately following Code Section 33-37-8 a new Code section, to be designated Code Section 33-37-8.1, to read as follows:

"33-37-8.1.

(a) For the purposes of this Code section, the persons entitled to protection under this Code section are:

- (1) All receivers responsible for the conduct of a delinquency proceeding under this chapter, including present and former receivers; and
- (2) Their employees, meaning all present and former special deputies and assistant special deputies appointed by the Commissioner and all persons whom the Commissioner, special deputies, or assistant special deputies have employed to assist in a delinquency proceeding under this chapter. Attorneys, accountants, auditors, and other professional persons or firms who are retained by the receiver as independent contractors and their employees shall not be considered employees of the receiver for purposes of this Code section.

(b) The receiver and his or her employees shall have official immunity and shall be immune from suit and liability, both personally and in their official capacities, for any claim for damage to or loss of property, personal injury, or other civil liability caused by or resulting from any alleged act, error, or omission of the receiver or any employee arising out of or by reason of their duties or employment, provided that nothing in this provision shall be construed to hold the receiver or any employee immune from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of the receiver or any employee.

(c) If any legal action is commenced against the receiver or any employee, whether against him or her personally or in his or her official capacity, alleging property damage, property loss, personal injury, or other civil liability caused by or resulting from any alleged act, error, or omission of the receiver or any employee arising out of or by reason of their duties or employment, the receiver and any employee shall be indemnified from the assets of the insurer for all expenses, attorneys' fees, judgments, settlements, decrees, or amounts due and owing or paid in satisfaction of or incurred in the defense of such legal action unless it is determined upon a final adjudication on the merits that the alleged act, error, or omission of the receiver or employee giving rise to the claim did not arise out of or by reason of his or her duties or employment or was caused by intentional or willful and wanton misconduct.

(d)(1) Attorneys' fees and any and all related expenses incurred in defending a legal action for which immunity or indemnity is available under this Code section shall be paid from the assets of the insurer, as they are incurred, in advance of the final disposition of such action upon receipt of an undertaking by or on behalf of the receiver or employee to repay the attorneys' fees and expenses if it shall ultimately be determined upon a final adjudication on the merits that the receiver or employee is not entitled to immunity or indemnity under this Code section.

(2) Any indemnification for expense payments, judgments, settlements, decrees, attorneys' fees, surety bond premiums, or other amounts paid or to be paid from the insurer's assets pursuant to this Code section shall be an administrative expense of the insurer.

(3) In the event of any actual or threatened litigation against a receiver or any employee for which immunity or indemnity may be available under this Code section, a reasonable amount of funds which in the judgment of the Commissioner may be needed to provide immunity or indemnity shall be segregated and reserved from the assets of the insurer as security for the payment of indemnity until such time as all applicable statutes of limitation shall have run, and all actual or threatened actions against the receiver or any employee shall have been completely and finally resolved, and all obligations of the insurer and the Commissioner under this Code section shall have been satisfied.

(4) In lieu of the segregation and reserving of funds, the Commissioner may, in his or her discretion, obtain a surety bond or make other arrangements which will enable the Commissioner to fully secure the payment of all obligations under this Code section.

(e) If any legal action against an employee for which indemnity may be available under this Code section is settled prior to final adjudication on the merits, the insurer must pay the settlement amount on behalf of the employee or indemnify the employee for the settlement amount unless the Commissioner determines:

(1) That the claim did not arise out of or by reason of the employee's duties or employment; or

(2) That the claim was caused by the intentional or willful and wanton misconduct of the employee.

(f) In any legal action in which the receiver is a defendant, that portion of any settlement relating to the alleged act, error, or omission of the receiver shall be subject to the approval of the court before which the delinquency proceeding is pending. The court shall not approve that portion of the settlement if it determines:

(1) That the claim did not arise out of or by reason of the receiver's duties or employment; or

(2) That the claim was caused by the intentional or willful and wanton misconduct of the receiver.

(g) Nothing contained or implied in this Code section shall operate or be construed or applied to deprive the receiver or any employee of any immunity, indemnity, benefits of law, rights, or any defense otherwise available.

(h)(1) Subsection (b) of this Code section shall apply to any suit based in whole or in part on any alleged act, error, or omission which takes place on or after the effective date of this Code section.

(2) No legal action shall lie against the receiver or any employee based in whole or in part on any alleged act, error, or omission which took place prior to the effective date of this Code section, unless a suit is filed and valid service of process is obtained within 12 months after the effective date of this Code section.

(3) Subsections (c), (d), (e), and (f) of this Code section shall apply to any suit which is pending on or filed after the effective date of this Code section without regard to when the alleged act, error, or omission took place."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, except that Section 1 of this Act shall become effective July 1, 1996.

SECTION 4.

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

Representative Culbreth of the 132nd moved that the House agree to the Senate substitute to HB 838.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Jamieson	Y Pelote	Y Snelling
Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Baker	Y Davis, M	Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Porter	Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Walker, R.L
Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chamblless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 148, nays 0.

The motion prevailed.

HB 1014. By Representative Cummings of the 27th:

A bill to amend Chapter 10 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fireworks, so as to prohibit storage of fireworks except as otherwise provided by law; to provide for storage of fireworks by certain licensed nonmanufacturers; to provide for disposition of certain excess fireworks.

The following Senate amendment was read:

Amend HB 1014 by striking lines 12 through 14 of page 4 and inserting in lieu thereof the following:

“as established by regulations of the Safety Fire Commissioner and any additional requirements for storage”

Representative Cummings of the 27th moved that the House agree to the Senate amendment to HB 1014.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Johnson, G	Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	DeLoach, G	Y Jones	Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dohbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harhin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	Y McCall	Y Sherrill	Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Whitaker
Y Chamhless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Hembree	Y Mohley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mohley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 145, nays 0.

The motion prevailed.

HB 713. By Representative Twiggs of the 8th:

A bill to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to prohibit the unauthorized use of any municipal or county police department's nomenclature or symbols.

The following Senate substitute was read:

A BILL

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To amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to prohibit the unauthorized use of any municipal or county police department's nomenclature or symbols; to provide a statement of public policy; to provide a short title; to define certain terms; to provide procedures for seeking permission to use any municipal or county police department's nomenclature or symbols; to authorize the local governing authority of any municipality or county to grant permission to use such nomenclature or symbols under certain circumstances; to provide for appeals; to provide for injunctive relief to restrain violations of this Act; to provide for civil damages for certain violations; to provide for criminal penalties; to provide that no law enforcement agency shall enforce the traffic laws of this state or any traffic ordinances with any name of law enforcement authority on its vehicles other than the name of the applicable county or municipality or the state; 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.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by striking in its entirety Chapter 10, known as the "Law Enforcement Integrity Act of 1994," and inserting in lieu thereof a new Chapter 10 to read as follows:

"CHAPTER 10

35-10-1.

This chapter shall be known and may be cited as the 'Municipal and County Police Departments' Nomenclature Act of 1996.'

35-10-2.

It is declared to be contrary to the health, safety, and public welfare of the people of this state for any individual or organization to act in a manner which would mislead the public into believing that a member of the public is dealing with any municipal or county police department or with a member thereof when in fact the individual or organization is not the municipal or county police department or a member thereof. Furthermore, the municipal or county police department, which has provided quality law enforcement services to the citizens of this state, has established a name for excellence in its field. This name should be protected for the department, its members, and the citizens of this state. Therefore, no person or organization should be allowed to use any municipal or county police department's name or any term used to identify the department or its members without the expressed permission of the local governing authority. The provisions of this chapter are in furtherance of the promotion of this policy.

35-10-3.

As used in this chapter, the term:

- (1) 'Badge' means any official badge used in the past or present by members of municipal or county police departments.
- (2) 'Chief of police' means the chief of police for any municipal or county police department.
- (3) 'Department' means any municipal or county police department.
- (4) 'Director of public safety' means the director of public safety for any municipal or county police department.
- (5) 'Emblem' means any official patch or other emblem worn currently or formerly or used by the department to identify the department or its employees.
- (6) 'Local governing authority' means, with respect to a county, the governing authority of the county and, with respect to a municipality, the governing authority of the municipality.

(7) 'Person' means any person, corporation, organization, or political subdivision of this state.

(8) 'Willful violator' means any person who knowingly violates the provisions of this chapter. Any person who violates this chapter after being advised in writing by the local governing authority that such person's activity is in violation of this chapter shall be considered a willful violator and shall be considered in willful violation of this chapter. Any person whose agent or representative is a willful violator and who has knowledge of the violation by the agent or representative shall also be considered a willful violator and in willful violation of this chapter, unless upon learning of the violation he or she immediately terminates the agency or other relationship with such violator.

35-10-4.

Whoever, except with the express written permission of the local governing authority, knowingly uses words pertaining to a particular municipal or county police department in connection with the planning, conduct, or execution of any solicitation; advertisement, circular, book, pamphlet, or other publication; or play, motion picture, broadcast, telecast, telemarketing, or other production in a manner reasonably calculated to convey the impression that such solicitation; advertisement, circular, book, pamphlet, or other publication; or play, motion picture, broadcast, telecast, telemarketing, or other production is approved, endorsed, or authorized by or associated with the department shall be in violation of this chapter.

35-10-5.

Any person who uses or displays any current or historical symbol, including any emblem, seal, or badge, used by the department in connection with the planning, conduct, or execution of any solicitation; advertisement, circular, book, pamphlet, or other publication; or play, motion picture, broadcast, telecast, telemarketing, or other production in a manner reasonably calculated to convey the impression that such solicitation; advertisement, circular, book, pamphlet, or other publication; or play, motion picture, broadcast, telecast, telemarketing, or other production is approved, endorsed, or authorized by or associated with the department without written permission from the local governing authority shall be in violation of this chapter.

35-10-6.

Any person wishing permission to use the nomenclature or a symbol of a department may submit a written request for such permission to the chief of police or director of public safety. Within 15 calendar days after receipt of the request, the chief of police or director of public safety shall send a notice with his or her recommendation to the local governing authority stating whether the person may use the requested nomenclature or symbol. Within 30 calendar days after receipt of a recommendation from the chief of police or director of public safety, the local governing authority shall send a notice to the requesting party of their decision on whether or not the person may use the requested nomenclature or symbol. If the local governing authority does not respond within the 30 day time period, then the request is presumed to have been approved. The grant of permission under Code Section 35-10-4 or 35-10-5 shall be in the discretion of the local governing authority under such conditions as the local governing authority may impose.

35-10-7.

Whenever there shall be an actual or threatened violation of Code Section 35-10-4 or 35-10-5, the local governing authority shall have the right to apply to the superior court of the county of residence of the violator for an injunction to restrain the violation.

35-10-8.

In addition to any other relief or sanction for a violation of Code Section 35-10-4 or 35-10-5, where the violation is willful, the local governing authority shall be entitled to collect a civil penalty in the amount of \$500.00 for each violation. Further, when there is a finding of willful violation, the local governing authority shall be entitled to recover

reasonable attorney's fees for bringing any action against the violator. The local governing authority shall be entitled to seek civil sanctions in the superior court in the county of residence of the violator.

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Any person who has given money or any other item of value to another person due in part to such person's use of department nomenclature or symbols in violation of this chapter may maintain a suit for damages against the violator. Where it is proven that the violation was willful, the victim shall be entitled to recover treble damages, punitive damages, and reasonable attorney's fees.

35-10-10.

Any person who violates the provisions of this chapter shall be guilty of a felony and upon conviction thereof shall be subject to a fine of not less than \$1,000.00 or more than \$5,000.00 or to imprisonment for not less than one or more than five years, or both. Each violation shall constitute a separate offense.

35-10-11.

No law enforcement agency shall enforce the traffic laws of this state or any traffic ordinances with any name of law enforcement authority on its vehicles other than the name of the applicable county or municipality or the state."

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 Twiggs of the 8th moved that the House agree to the Senate substitute to HB 713.

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

Allen	Y Coleman, T	Y Henson	McKinney	Y Shaw
Y Anderson	Connell	Y Holland	Y Mills	Sherrill
Y Ashe	Crawford	Y Holmes	Y Mobley, B	Y Shipp
Bailey	Y Crews	Y Howard	Y Mobley, J	Y Simpson
Y Baker	Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield
Y Bannister	Y Cummings	Y Hugley	Y Mueller	Y Skipper
Y Barfoot	Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C
Y Bargeron	Y Davis, M	Y James	Y Orrock	Y Smith, C.W
Y Barnard	Y Day	Y Jamieson	Y Parham	Y Smith, L
Y Barnes	Y DeLoach, B	Jenkins	Y Parrish	Y Smith, P
Y Bates	Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T
Y Benefield	Y Dix	Y Johnson, J	Y Pelote	Smith, V
Y Birdsong	Y Dixon, H	Y Johnston	Y Perry	Smith, W
Y Bordeaux	Y Dixon, S	Y Jones	Y Pinholster	Y Smyre
Y Bostick	Y Dobbs	Y Joyce	Y Polak	Y Snelling
Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Brooks, T	Evans	Y Kleim	Poston	Y Stancil, F
Y Brown, J	Falls	Ladd	Y Powell	Y Stancil, S
Y Brush	Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Randall	Y Stephenson
Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Lifsey	Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Teper
Y Canty	Y Hanner	Y Lucas	Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Hembree	Y McClinton	Y Shanahan	Y Twiggs

Walker, L	Y Watson	Y Whitaker	Y Williams, B	Y Woods
Y Walker, R.L	Y Watts	Y White	Y Williams, J	Y Yates
Y Wall	Y Westmoreland	Y Wiles	Y Williams, R	Murphy, Spkr

On the motion, the ayes were 152, nays 0.

The motion prevailed.

HB 1654. By Representatives Polak of the 67th, Chambless of the 163rd, Smyre of the 136th, Walker of the 141st, Jamieson of the 22nd and others:

A bill to amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, known as the "Georgia Controlled Substances Act," so as to make it unlawful for any person to manufacture, distribute, dispense, or possess with intent to distribute a controlled substance or marijuana in, on, or within any real property which has been designated by the governing authority of a municipality and adopted by the General Assembly as a drug-free commercial zone.

The following Senate amendment was read:

Amend HB 1654 by adding on line 5 page 2 after "any person to" insert "illegally" before "manufacture"

Representative Polak of the 67th moved that the House agree to the Senate amendment to HB 1654.

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

Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Pelote	Y Snelling
Y Bailey	Davis, G	Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Kinnaman	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Lane	Y Ray	Thomas
Y Breedlove	Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Yates
Y Crawford	Y Hugley	Y Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 149, nays 0.

The motion prevailed.

HB 1425. By Representatives Chambless of the 163rd and Bostick of the 165th:

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A bill to amend Title 9 of the Official Code of Georgia Annotated, relating to civil practice, so as to change provisions relative to secondary actions by shareholders as to the contents of the complaint; to amend Chapter 2 of Title 14 of the Official Code of Georgia Annotated, relating to business corporations, so as to revise definitions; to change provisions relating to elimination of limitation of a director's liability to the corporation or its shareholders.

The following Senate amendment was read:

Amend HB 1425 by striking lines 30 through 35 of page 6 and inserting in lieu thereof the following:

“(2) In connection with any ~~other~~ proceeding with respect to conduct for in which he was adjudged liable on the basis that personal benefit was improperly received by him, whether or not involving action in his official capacity.”

By striking lines 18 through 21 of page 11 and inserting in lieu thereof the following:

“(4) For any transaction from which he received an improper personal benefit.”

By striking lines 25 and 26 of page 12 and inserting in lieu thereof the following:

“(D) Receipt of an improper personal benefit.”

Representative Chambless of the 163rd moved that the House agree to the Senate amendment to HB 1425.

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

Allen	Y Coleman, T	Y Henson	McKinney	Y Shaw
Y Anderson	Connell	Y Holland	Y Mills	Y Sherrill
Y Ashe	Y Crawford	Y Holmes	Y Mobley, B	Y Shipp
Y Bailey	Y Crews	Y Howard	Y Mobley, J	Y Simpson
Y Baker	Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield
Y Bannister	Y Cummings	Y Hugley	Y Mueller	Y Skipper
Y Barfoot	Davis, G	Y Irvin	Y O'Neal	Y Smith, C
Y Bargeron	Y Davis, M	Y James	Y Orrock	Y Smith, C.W
Y Barnard	Y Day	Y Jamieson	Y Parham	Y Smith, L
Y Barnes	Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P
Y Bates	Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T
Y Benefield	Y Dix	Y Johnson, J	Y Pelote	Smith, V
Y Birdsong	Y Dixon, H	Y Johnston	Y Perry	Smith, W
Y Bordeaux	Y Dixon, S	Y Jones	Y Pinholster	Y Smyre
Y Bostick	Y Dobbs	Y Joyce	Y Polak	Y Snelling
Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Poston	Y Stancil, F
Y Brown, J	Falls	Ladd	Powell	Y Stancil, S
Y Brush	Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Roberts	Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Hembree	Y McClinton	Y Shanahan	Y Twiggs

Walker, L	Y Watson	Y Whitaker	Y Williams, B	Y Woods
Walker, R.L	Y Watts	Y White	Y Williams, J	Y Yates
Y Wall	Y Westmoreland	Y Wiles	Y Williams, R	Murphy, Spkr

On the motion, the ayes were 156, nays 0.

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 550. By Senators Taylor of the 12th, Brown of the 26th and Middleton of the 50th:

A bill to amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedure of the Department of Administrative Services, to give the department the authority to delegate to medical facilities under the jurisdiction of the Board of Regents for the University System of Georgia the ability to purchase medical equipment and supplies necessary for medical teaching purposes.

The following Senate amendment was read:

Amend the House substitute to SB 550 by striking lines 30 through 42 on page 8 and lines 1 through 15 on page 9 and inserting in lieu thereof the following:

“(b) The department shall establish a central bid registry to advertise the various procurement and bid opportunities of state government. Such central bid registry shall be entitled the Georgia Procurement Registry and shall operate in accordance with appropriate rules and regulations applicable to the department’s responsibility to manage the state’s procurement system. It shall be the responsibility of each agency to report to the department its bid opportunities in a manner prescribed by the Department of Administrative Services. The commissioner of administrative services is authorized and directed to promulgate rules and regulations to carry out this responsibility and shall determine the most economical method to conduct public notification of such bid opportunities.”

Representative Smyre of the 136th moved that the House agree to the Senate amendment to the House substitute to SB 550.

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

Y Allen	Y Buckner	Y DeLoach, B	N Heckstall	Ladd
Y Anderson	Y Bunn	Y DeLoach, G	Y Hegstrom	N Lakly
Ashe	Burkhalter	Y Dix	Y Hembree	Y Lane
Y Bailey	Y Byrd	Dixon, H	Y Henson	Y Lawrence
Y Baker	Y Campbell	Y Dixon, S	Y Holland	Y Lee
Y Bannister	Y Canty	Y Dobbs	Y Holmes	N Lewis
Y Barfoot	Y Carter	Y Ehrhart	Howard	Y Lifsey
Y Bargeron	Y Chambless	Y Epps	Y Hudson	Y Lord
Y Barnard	Y Channell	Evans	Y Hugley	Y Lucas
Y Barnes	Childers	Falls	Y Irvin	Y Maddox
Y Bates	N Coker	Y Felton	Y James	N Mann
Y Benefield	Y Coleman, B	Y Floyd	Y Jamieson	Y Martin
Y Birdsong	Coleman, T	Y Godbee	Jenkins	Y McBee
Y Bordeaux	Connell	Y Golden	Y Johnson, G	N McCall
Y Bostick	Y Crawford	Y Goodwin	Y Johnson, J	Y McClinton
Y Breedlove	N Crews	Y Greene	Y Johnston	McKinney
Y Brooks, D	Y Culbreth	Grindley	Jones	N Mills
Y Brooks, T	Y Cummings	Y Hanner	N Joyce	Y Mobley, B
Y Brown, J	Davis, G	Y Harbin	N Kaye	Y Mobley, J
Y Brush	N Davis, M	Y Harris	Y Kinnamon	Y Mosley
Y Buck	N Day	Y Heard	N Klein	Y Mueller

Y O'Neal	Randall	Y Simpson	Y Stancil, S	Walker, L
Y Orrock	Y Randolph	N Sinkfield	Y Stanley, L	Y Walker, R.L
Y Parham	Ray	Y Skipper	Y Stanley, P	Y Wall
Y Parrish	Reaves	Y Smith, C	Y Stephenson	Y Watson
Y Parsons	Y Reichert	Y Smith, C.W	Y Streat	Y Watts
Y Pelote	N Roberts	Y Smith, L	Y Taylor	N Westmoreland
Y Perry	Y Rogers	Y Smith, P	N Teague	Whitaker
Y Pinholster	Y Royal	Y Smith, T	Y Teper	N White
Y Polak	Y Sanders	Smith, V	Y Thomas	Y Wiles
Y Ponder	Y Sauder	Smith, W	Y Tillman	Y Williams, B
Y Porter	Scoggins	Y Smyre	Y Titus	Y Williams, J
Y Poston	Y Shanahan	Y Snelling	Y Towerly	Y Williams, R
Y Powell	Y Shaw	Y Snow	Y Trense	N Woods
Y Purcell, A	Y Sherrill	Y Stallings	Y Turnquest	Y Yates
Y Purcell, B	Y Shipp	Y Stancil, F	Y Twiggs	Murphy, Spkr

On the motion, the ayes were 135, nays 19.

The motion prevailed.

The following Bills of the House were taken up for the purpose of considering the Senate amendments or substitute thereto:

HB 1268. By Representative Campbell of the 42nd:

A bill to amend Chapter 1 of Title 30 of the Official Code of Georgia Annotated, relating to general provisions relating to physically disabled persons, so as to provide criminal and civil penalties for action related to guide, leader, or service dogs for persons who are blind, deaf, audibly impaired, or physically limited.

The following Senate amendment was read:

Amend HB 1268 Page 2 after line 19 add a new Section 2 to read:

30-4-2

b(2) Any person granted rights in b(1) shall have the option of using a service capuchin monkey in lieu of a service dog provided that such service capuchin monkey be identified as having been trained by a school for service capuchin monkeys.

And renumber Section 2 as Section 3.

Representative Campbell of the 42nd moved that the House agree to the Senate amendment to HB 1268.

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

Y Allen	Y Brown, J	Y Crews	Y Godbee	Y Irvin
Y Anderson	Y Brush	Y Culbreth	Y Golden	Y James
Y Ashe	Y Buck	Y Cummings	Y Goodwin	Y Jamieson
Y Bailey	Y Buckner	Davis, G	Y Greene	Y Jenkins
Y Baker	Bunn	Y Davis, M	Grindley	Y Johnson, G
Y Bannister	Y Burkhalter	Y Day	Y Hanner	Y Johnson, J
Y Barfoot	Y Byrd	Y DeLoach, B	Y Harbin	Y Johnston
Y Bargeron	Y Campbell	Y DeLoach, G	Harris	Jones
Y Barnard	Y Canty	Y Dix	Y Heard	Y Joyce
Y Barnes	Y Carter	Y Dixon, H	Heckstall	Y Kaye
Y Bates	Y Chambliss	Y Dixon, S	Y Hegstrom	Y Kinnamon
Y Benefield	Y Channell	Y Dobbs	Y Hembree	Y Klein
Y Birdsong	Childers	Y Ehrhart	Y Henson	Ladd
Y Bordeaux	Y Coker	Y Epps	Y Holland	Y Lakly
Y Bostick	Y Coleman, B	Y Evans	Y Holmes	Y Lane
Y Breedlove	Coleman, T	Falls	Y Howard	Y Lawrence
Y Brooks, D	Connell	Y Felton	Y Hudson	Y Lee
Y Brooks, T	Y Crawford	Y Floyd	Y Hugley	Y Lewis

Y Lifsey	Y Parrish	Y Rogers	Smith, W	Y Trense
Y Lord	Y Parsons	Y Royal	Y Smyre	Y Turnquest
Y Lucas	Y Pelote	Y Sanders	Snelling	Y Twiggs
Y Maddox	Y Perry	Y Sauder	Y Snow	Walker, L
Y Mann	Y Pinholster	Y Scoggins	Y Stallings	Y Walker, R.L
Y Martin	Y Polak	Y Shanahan	Y Stancil, F	Y Wall
Y McBee	Y Ponder	Y Shaw	Y Stancil, S	Y Watson
Y McCall	Y Porter	Y Sherrill	Y Stanley, L	Y Watts
Y McClinton	Y Poston	Y Shipp	Y Stanley, P	Y Westmoreland
Y McKinney	Y Powell	Y Simpson	Y Stephenson	Whitaker
Y Mills	Y Purcell, A	Y Sinkfield	Y Streat	Y White
Y Mobley, B	Y Purcell, B	Y Skipper	Y Taylor	Y Wiles
Y Mobley, J	Randall	Y Smith, C	Y Teague	Y Williams, B
Y Mosley	Y Randolph	Y Smith, C.W	Y Teper	Y Williams, J
Y Mueller	Y Ray	Y Smith, L	Y Thomas	Y Williams, R
Y O'Neal	Reaves	Y Smith, P	Y Tillman	Y Woods
Y Orrock	Y Reichert	Y Smith, T	Y Titus	Y Yates
Y Parham	Y Roberts	Smith, V	Y Towery	Murphy, Spkr

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

The motion prevailed.

HB 1728. By Representative Parham of the 122nd:

A bill to amend Code Section 10-1-662 of the Official Code of Georgia Annotated, relating to unlawful motor vehicle franchisor practices, so as to prohibit franchisors from conducting audits of or basing decisions adverse to a dealer on activity or transactions more than two years old; to prohibit a franchisor from canceling a franchise under certain circumstances.

The following Senate amendment was read:

Amend HB 1728 by striking "To" on line 1 of page 1 and inserting in lieu thereof the following:

"To amend Article 2 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, known as the "Motor Vehicle Sales Finance Act," so as to change the provisions relating to delinquency charges; to"

By redesignating Sections 1 through 4 as Sections 2 through 5 and by adding between lines 11 and 12 of page 1 the following:

"SECTION 1.

Article 2 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, known as the 'Motor Vehicle Sales Finance Act,' is amended by striking subsection (g) of Code Section 10-1-32, relating to requirements for retail installment contracts, insurance, delinquency charges, attorneys' fees, and costs, and inserting in lieu thereof a new subsection (g) to read as follows:

'(g) The holder may, if the contract or refinancing agreement so provides, collect a delinquency charge on any installment which is not paid within ten days from the date the payment is due. Such charge may not exceed 5 percent of the installment or \$50.00, whichever is less ; provided, however, that if the contract or refinancing agreement is related to a truck with a gross vehicle weight rating (GVWR) exceeding 6,000 pounds (size Class 3 and above), truck tractor, trailer, or semitrailer used primarily for business or commercial purposes, such delinquency charge may not exceed 5 percent of the installment. A delinquent charge shall not be collected more than once for the same default. In addition to the delinquency and collection charge, the contract may provide for the payment of reasonable attorneys' fees where the contract is referred for collection to an attorney not a salaried employee of the holder of the contract, plus the court costs.'"

Representative Watts of the 26th moved that the House agree to the Senate amendment to HB 1728.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Johnson, G	Y Pinholster	Stallings
Y Bannister	N Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bergeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Thomas
Y Breedlove	Y Falls	Y Lawrence	Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	N Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Parham	Smith, V	Murphy, Spkr

On the motion, the ayes were 157, nays 3.

The motion prevailed.

HB 256. By Representative Parham of the 122nd:

A bill to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to provide sanctions for making false statements in application for an identification card and for use of a fraudulent identification card.

The following Senate substitute was read:

A BILL

To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to define a term relating to revocation of habitual violators' licenses; to provide for destruction of old licenses; to change certain provisions relating to examination of driver's license applicants; to change certain provisions relating to issuance of licenses; to provide for fingerprinting of applicants by means of an inkless fingerprint scanning device; to change procedures for issuance of replacement licenses and permits; to prohibit the stapling, defacing, or altering of a driver's license which has been seized by a law enforcement officer upon a person being charged with a violation of the law relating to the operation of motor vehicles; to provide sanctions for making false statements in application for an identification card and for use of a fraudulent identification card; to

provide sanctions for certain actions involving improperly or fraudulently obtaining or using a driver's license or identification card; to change provisions relating to the contents of licenses and identification cards; 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.

Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, is amended by adding after paragraph (16) of Code Section 40-5-1, relating to definitions, a new paragraph (16.1) to read as follows:

"(16.1) 'Singularly or in combination' means that the department, in determining whether or not a person's license or privilege to operate a motor vehicle on the public highways is to be revoked as a habitual violator, is to treat each charge for which a conviction was obtained as a separate transaction when determining whether or not a person has the requisite convictions which mandate such a revocation."

SECTION 2.

Said chapter is further amended by striking subsection (c) of Code Section 40-5-20, relating to the requirement of a license, surrender of a prior license, and prohibition of local licenses and inserting in lieu thereof a new subsection (c) to read as follows:

"(c) No person shall receive a driver's license unless and until he such person surrenders to the department all valid licenses in his such person's possession issued to him or her by this or any other jurisdiction. All surrendered licenses issued by another jurisdiction shall be destroyed returned thereto, together with information that the person is licensed in this state. The license information shall be forwarded to the previous jurisdiction. No person shall be permitted to have more than one valid driver's license at any time."

SECTION 3.

Said chapter is further amended by striking subsection (a) of Code Section 40-5-27, relating to examination of driver's license applicants, and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) The department shall examine every applicant for a driver's license. Such examination shall include a test of the applicant's eyesight, his or her ability to understand official traffic-control devices, and his or her knowledge of safe driving practices and the traffic laws of this state and may include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or general class of vehicles he or she desires a license to drive. Applicants with valid and current licenses issued by another state of the United States or the District of Columbia who surrender their previous licenses to obtain a Georgia license shall be exempt from taking such tests other than tests of eyesight. The examination may also include such further physical and mental examination as the department finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways. The commissioner may establish by rules and regulations the type of tests or demonstrations to be made by applicants for any class of license."

SECTION 4.

Said chapter is further amended by striking Code Section 40-5-28, relating to issuance of licenses, and inserting in lieu thereof a new Code Section 40-5-28 to read as follows:

"40-5-28.

The department shall, upon payment of the required fee, issue to every applicant qualifying therefor a driver's license indicating the type or general class of vehicles the licensee may drive, which license shall be upon a form prescribed by the department and which shall bear thereon a distinguishing number assigned to the licensee, a color photograph of the licensee, the licensee's full name, either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with a pen and ink immediately upon receipt of the license, and such other information or

identification as is required by the department. No license shall be valid until it has been so signed by the licensee. Specifically but without limitation, the department may require applicants to submit fingerprints by means of an inkless fingerprint scanning device upon application.^{m.cn}

SECTION 5.

Said chapter is further amended by striking subsection (b) of Code Section 40-5-31, relating to replacement of lost or destroyed licenses, and inserting in its place a new subsection (b) to read as follows:

“(b) The department ~~and the officers in charge of state patrol stations~~ shall issue a temporary permit or driver’s license to each individual who has lost by misplacement, and not by revocation or suspension, his instruction permit or driver’s license and who has made application under oath on a form furnished by the department which states that the applicant presently has a valid permit or license which has been lost or misplaced.”

SECTION 6.

Said chapter is further is amended by adding following Code Section 40-5-73 a new Code Section 40-5-74 to read as follows:

“40-5-74.

Whenever a person is charged with a violation of the law relating to the operation of motor vehicles resulting in the person’s driver’s license being seized by a law enforcement officer and forwarded to the court having jurisdiction of the offense or whenever a person is convicted of any offense resulting in the person’s driver’s license being suspended and forwarded to the department, such driver’s license shall not be stapled to any document or in any manner defaced or altered so as to indicate at any time in the future such previous seizure and processing of the license.”

SECTION 7.

Said chapter is further amended by striking subsection (a) of Code Section 40-5-100, relating to issuance of identification cards, and inserting in its place a new subsection to read as follows:

“(a) The Department of Public Safety shall issue personal identification cards to all residents as defined in Code Section 40-5-1 who make application to the department in accordance with rules and regulations prescribed by the Board of Public Safety. Cards issued to applicants under 21 years of age shall contain the distinctive characteristics of drivers’ licenses issued pursuant to Code Section 40-5-26. The identification card shall be similar in form but distinguishable in color from motor vehicle drivers’ licenses and ~~shall~~ may contain a recent color photograph of the applicant and include the following information:

- (1) Full legal name;
- (2) Address of residence;
- (3) Birth date;
- (4) Date identification card was issued;
- (5) Sex;
- (6) Height;
- (7) Weight;
- (8) Eye color;
- (9) Location ~~Post~~ where the identification card was issued; ~~and~~
- (10) Signature of person identified-or facsimile thereof;
- (11) Fingerprint of the person identified; and
- (12) Such other information or identification as required by the department.”

SECTION 8.

Said chapter is further amended by striking Code Section 40-5-125, relating to the use of a false name in an application for a driver’s license, and inserting in lieu thereof a new Code Section 40-5-125 to read as follows:

“40-5-125.

It is a misdemeanor for any person to:

- (1) Display, cause or permit to be displayed, or have in his or her possession any fictitious, fraudulent, or altered driver's license or identification card;
- ~~(4)~~(2) Use a false or fictitious name or provide any other false information in any application for a driver's license or identification card;
- (3) Procure, secure, or assist another person in the procuring or securing of a fraudulent driver's license or identification card;
- (4) Alter any driver's license or identification card such that the information on the license is false or fictitious;
- (5) Sell or deliver any false, fictitious, or altered driver's license or identification card;
- ~~(2)~~(6) Lend his or her driver's license or identification card to any other person or permit knowingly the use thereof by another person; or
- ~~(3)~~(7) Display or represent as his or her own any driver's license or identification card not issued to him or her; or
- (8) Conceal a material fact in any application for a driver's license and identification card.

Any person convicted of violating this Code section shall be punished by a fine of not less than \$200.00. Any employee of the Department of Public Safety who knowingly violates and is convicted of violating this Code section shall also be guilty of the offense of violating his or her public position and, upon conviction, shall be punished as for such separate and additional violation."

SECTION 9.

Said chapter is further amended by striking subsection (c) of Code Section 40-5-150, relating to contents, classifications, endorsement, restriction, expiration, and renewal of licenses, and inserting in lieu thereof a new subsection (c) to read as follows:

"(c) Commercial driver's licenses may be issued with the following endorsements and restrictions:

- (1) 'H' — Authorizes the driver to drive a vehicle transporting hazardous materials;
- (2) ~~'K'~~ 'L' — Restricts the driver to vehicles not equipped with air brakes;
- (3) 'T' — Authorizes driving double and triple trailers;
- (4) 'P' — Authorizes driving vehicles carrying 16 or more passengers, including the driver;
- (5) 'N' — Authorizes driving tank vehicles; and
- (6) 'X' — Represents a combination of hazardous materials and tank vehicle endorsements.

The fee for Classes A, B, C, M, and P licenses and for the endorsements and restrictions shall be as provided in Code Section 40-5-25."

SECTION 10.

Said chapter is further amended by striking subsection (a) of Code Section 40-5-171, relating to identification cards for persons with disabilities, and inserting in its place a new subsection to read as follows:

"(a) The Department of Public Safety shall issue personal identification cards to persons with disabilities who make application to the department in accordance with rules and regulations prescribed by the Board of Public Safety. The identification card for persons with disabilities shall prominently display the international handicapped symbol and, in addition to any other information required by this article, ~~shall~~ may contain a recent color photograph of the applicant and the following information:

- (1) Full legal name;
- (2) Address of residence;
- (3) Birth date;
- (4) Date identification card was issued;
- (5) Date identification card expires;
- (6) Sex;
- (7) Height;
- (8) Weight;
- (9) Eye color;

- (10) Location Post where the identification card was issued; ~~and~~
- (11) Signature of person identified or facsimile thereof;
- (12) Fingerprint of person identified; and
- (13) Such other information as required by the department."

SECTION 11.

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

SECTION 12.

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

The following amendment was read:

Representative Joyce of the 1st moves to amend the Senate substitute to HB 256 as follows:

Strike page 3 lines 19 21

Strike page 4 line 39 page 7 line 12

Strike page 1 line 7 starting with "to provide" ending with "device;)"

Renumber page 5 line 1 "(12)" to "(11)"

Page 7 line 13 (13) to (12)

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

N Allen	Y Crews	Y Irvin	N Parrish	N Smith, W
N Anderson	Y Culbreth	N James	Y Parsons	N Smyre
Ashe	N Cummings	N Jamieson	N Pelote	Y Snelling
N Bailey	N Davis, G	N Jenkins	N Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	Y Pinholster	N Stallings
Y Bannister	Y Day	N Johnson, J	N Polak	N Stancil, F
N Barfoot	Y DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	Y DeLoach, G	N Jones	N Porter	N Stanley, L
Y Barnard	N Dix	Y Joyce	N Poston	N Stanley, P
N Barnes	N Dixon, H	Y Kaye	N Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	N Dobbs	Y Klein	N Purcell, B	N Taylor
N Birdsong	Y Ehrhart	Ladd	Randall	N Teague
N Bordeaux	Epps	Y Lakly	N Randolph	N Teper
Bostick	Y Evans	N Lane	N Ray	N Thomas
Y Breedlove	Falls	N Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	Y Lewis	N Roberts	Y Towery
N Brown, J	N Godbee	Y Lifsey	N Rogers	Y Trense
Y Brush	N Golden	N Lord	N Royal	N Turnquest
N Buck	Y Goodwin	N Lucas	Y Sanders	N Twiggs
N Buckner	N Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	Y Mann	N Scoggins	N Walker, R.L
Y Burkhalter	N Hanner	Martin	N Shanahan	N Wall
N Byrd	Y Harbin	N McBee	N Shaw	N Watson
Campbell	Y Harris	N McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
N Carter	N Heckstall	McKinney	N Simpson	Whitaker
N Chambless	N Hegstrom	Y Mills	N Sinkfield	N White
Y Channell	Hembree	N Mobley, B	N Skipper	Y Wiles
N Childers	N Henson	N Mobley, J	N Smith, C	N Williams, B
N Coker	N Holland	N Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	N Holmes	N Mueller	N Smith, L	Y Williams, R
Coleman, T	N Howard	N O'Neal	N Smith, P	Y Woods
Connell	N Hudson	N Orrock	N Smith, T	Y Yates
Y Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 49, nays 117.

The amendment was lost.

Representative Lee of the 94th moved that the House agree to the Senate substitute to HB 256. www.libtool.com.cn

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

Y Allen	N Crews	N Irvin	Y Parrish	N Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	Y Day	Y Johnson, J	Y Polak	Stancil, F
Y Barfoot	N DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Bargeron	N DeLoach, G	Y Jones	Y Porter	Stanley, L
N Barnard	Y Dix	N Joyce	Y Poston	Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	N Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
N Breedlove	N Falls	Y Lawrence	Y Reaves	Y Tillman
Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
Y Brown, J	Godbee	N Lifsey	Y Rogers	Trense
Y Brush	Y Golden	Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	N Grindley	N Mann	Scoggins	Walker, R.L
N Burkhalter	Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Harbin	Y McBee	Y Shaw	Watson
Y Campbell	N Harris	Y McCall	Y Sherrill	Watts
Canty	Y Heard	McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Henson	Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	N Mueller	Smith, L	Williams, R
Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Connell	Y Hudson	Y Orrock	Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 113, nays 34.

The motion prevailed.

House of Representatives
Atlanta, Georgia 30334

I voted against the motion to agree to the Senate substitute to House Bill 256 because the Senate substitute removed the language that U.S. Citizenship be indicated (if applicable) on Georgia Drivers Licenses in order to make it more difficult for illegal aliens to register to vote.

/s/ Jim Woods

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

Mr. Speaker:

The Senate has adopted the report of the Committee of Conference on the following bills of the Senate and House:

- SB 583. By Senators Ragan of the 11th, Middleton of the 50th, Cagle of the 49th and Guhl of the 45th:

A bill to amend Chapter 11 of Title 2 of the Official Code of Georgia Annotated, relating to seeds and plants, so as to substantially rewrite the laws of this state relating to seed; to provide for definitions; to repeal certain definitions; to change the provisions relating to labeling of seeds; to change the provisions relating to the required contents of labels; to change the provisions relating to prohibited acts and to provide for additional prohibitions.

- HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th and others:

A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

The Senate adheres to its disagreement to the House substitute and has appointed a Committee of Conference to confer with a like committee on the part of the House on the following bill of the Senate:

- SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Oliver of the 42nd, Thompson of the 33rd and Hill of the 4th.

The Senate insists on its amendment to the following bill of the House:

- HB 339. By Representative Barnes of the 33rd:

A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

The Senate insists on its substitute to the following bill of the House:

- HB 1655. By Representatives Walker of the 141st, Childers of the 13th, Stephenson of the 25th and Skipper of the 137th:

A bill to amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide under certain circumstances for the pronouncement of death by registered nurses practicing in nursing homes.

The Senate adheres to its amendment and has appointed a Committee of Conference on the following bills of the House:

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators McGuire of the 30th, Edge of the 28th and Henson of the 55th.

HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Egan of the 40th, Edge of the 28th and Oliver of the 42nd.

The Speaker assumed the Chair.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 1655. By Representatives Walker of the 141st, Childers of the 13th, Stephenson of the 25th and Skipper of the 137th:

A bill to amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide under certain circumstances for the pronouncement of death by registered nurses practicing in nursing homes.

Representative Walker of the 141st moved that the House recede from its position in disagreeing to the Senate substitute to HB 1655.

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

Y Allen	Y Brooks, T	Y Connell	Y Falls	Holmes
Y Anderson	Y Brown, J	Y Crawford	Y Felton	Y Howard
Y Ashe	Brush	Y Crews	Y Floyd	Y Hudson
Y Bailey	Y Buck	Y Culbreth	Y Godbee	Y Hugley
Y Baker	Y Buckner	Y Cummings	Y Golden	Y Irvin
Y Bannister	Y Bunn	Y Davis, G	Y Goodwin	Y James
Y Barfoot	Y Burkhalter	Y Davis, M	Y Greene	Y Jamieson
Bargeron	Y Byrd	Y Day	Y Grindley	Y Jenkins
Y Barnard	Y Campbell	Y DeLoach, B	Y Hanner	Y Johnson, G
Y Barnes	Y Canty	Y DeLoach, G	Y Harbin	Y Johnson, J
Y Bates	Y Carter	Y Dix	Y Harris	Y Johnston
Y Benefield	Y Chambless	Dixon, H	Y Heard	Y Jones
Y Birdsong	Channell	Y Dixon, S	Y Heckstall	Y Joyce
Y Bordeaux	Y Childers	Y Dobbs	Y Hegstrom	Y Kaye
Y Bostick	Y Coker	Y Ehrhart	Hembree	Y Kinnamon
Y Breedlove	Y Coleman, B	Y Epps	Y Henson	Y Klein
Y Brooks, D	Y Coleman, T	Y Evans	Y Holland	Y Ladd

Y Lakly	Y Mueller	Y Reaves	Y Smith, T	Towery
Y Lane	Y O'Neal	Y Reichert	Y Smith, V	Y Trense
N Lawrence	Y Orrock	Y Roberts	Y Smith, W	Y Turnquest
Y Lee	Y Parham	Y Rogers	Y Smyre	Y Twiggs
Y Lewis	Y Parrish	Y Royal	Y Snelling	Y Walker, L
Y Lifsey	Y Parsons	Y Sanders	Y Snow	Y Walker, R.L.
Y Lord	Y Pelote	Y Sauder	Y Stallings	Y Wall
Y Lucas	Y Perry	Y Scoggins	Y Stancil, F	Y Watson
Y Maddox	Y Pinholster	Y Shanahan	Y Stancil, S	Y Watts
Y Mann	Y Polak	Y Shaw	Y Stanley, L	Y Westmoreland
Y Martin	Y Ponder	Y Sherrill	Y Stanley, P	Y Whitaker
Y McBee	Y Porter	Y Shipp	Y Stephenson	Y White
Y McCall	Y Poston	Y Simpson	Y Streat	Y Wiles
Y McClinton	Y Powell	Y Sinkfield	Y Taylor	Y Williams, B
Y McKinney	Y Purcell, A	Y Skipper	Y Teague	Y Williams, J
Y Mills	Y Purcell, B	Y Smith, C	Y Teper	Y Williams, R
Y Mobley, B	Y Randall	Y Smith, C.W	Y Thomas	Y Woods
Y Mobley, J	Y Randolph	Y Smith, L	Y Tillman	Y Yates
Y Mosley	Y Ray	Y Smith, P	Y Titus	Murphy, Spkr

On the motion, the ayes were 168, nays 1.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto:

HB 1761. By Representatives Heard of the 89th, McBee of the 88th and Scoggins of the 24th:

A bill to amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, so as to provide that certain provisions relating to storage of records at a location other than a courthouse in counties having a population of 550,000 or more are made applicable state wide.

The following Senate substitute was read:

A BILL

To amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, so as to repeal that certain provisions relating to storage of records at a location other than a courthouse in counties having a population of 550,000 or more; to change certain provisions relating to the storage of records; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, is amended by striking Code Section 15-6-86 of the Official Code of Georgia Annotated, relating to storage of superior court records at location other than courthouse, and inserting in its place the following:

"15-6-86.

(a) In the event that the space at the courthouse is inadequate for the clerk's office and the things belonging thereto, the clerk, in writing, may request the governing authority of the county to move his or her office to some other designated place in the county. In his or her request, the clerk shall state the inadequacy which exists. The governing authority is authorized to comply with the request and may designate another place as the office of the clerk. Such place must be owned by the county or a body politic and shall not be more than 500 feet from the courthouse at their nearest points. The judge

of the superior court of the circuit in which the county is located or the chief judge in those circuits having more than one judge must give written consent before the clerk shall be authorized to move his or her office to such place.

(b) In the event that space at the courthouse or other place where the office of the clerk is located is inadequate to ensure the safe storage of records, the clerk, after obtaining written permission from the governing authority of the county and from the superior court judge of the circuit in which the county is located or the chief judge in those circuits having more than one judge, may cause the records to be stored at some other place in the county not more than five miles from the courthouse. The clerk shall give public notice of the place of storage by posting notice at the courthouse.

~~(c)(1) This subsection shall apply to any county in this state having a population of 550,000 or more according to the United States decennial census of 1980 or any future such census.~~

~~(2) Notwithstanding subsections (a) and (b) of this Code section, in the event space at the courthouse or other place where the office of the clerk of the superior court is located is inadequate to ensure the safe storage of records, said clerk, after obtaining written permission from the governing authority of the county and of the superior court judge of the circuit in which the county is located or the chief judge in those circuits having more than one judge, may cause said records to be stored at some other place in the county not more than 25 miles from the courthouse. The clerk shall give public notice of the place of such storage by posting notice at the courthouse.~~

~~(d)(c) Notwithstanding any other provision of this Code section, county documents, as defined in subsection (c) of Code Section 36-9-5, shall be stored only in accordance with the provisions of Code Section 36-9-5."~~

SECTION 2.

This Act shall become effective upon the signature of the Governor.

SECTION 3.

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

Representative Heard of the 89th moved that the House agree to the Senate substitute to HB 1761.

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

Y Allen	Y Chambliss	Y Goodwin	Y Ladd	Y Pinholster
Y Anderson	Y Channell	Y Greene	Y Lakly	Y Polak
Y Ashe	Y Childers	Y Grindley	Y Lane	Y Ponder
Y Bailey	Y Coker	Y Hanner	Y Lawrence	Y Porter
Y Baker	Y Coleman, B	Y Harbin	Y Lee	Y Poston
Y Bannister	Y Coleman, T	Y Harris	Y Lewis	Y Powell
Y Barfoot	Y Connell	Y Heard	Y Lifsey	Y Purcell, A
Y Bargeron	Y Crawford	Y Heckstall	Y Lord	Y Purcell, B
Y Barnard	Y Crews	Y Hegstrom	Y Lucas	Y Randall
Y Barnes	Y Culbreth	Y Hembree	Y Maddox	Y Randolph
Y Bates	Y Cummings	Y Henson	Y Mann	Y Ray
Y Benefield	Y Davis, G	Y Holland	Y Martin	Y Reaves
Y Birdsong	Y Davis, M	Y Holmes	Y McBee	Y Reichert
Y Bordeaux	Y Day	Y Howard	Y McCall	Y Roberts
Y Bostick	Y DeLoach, B	Y Hudson	Y McClinton	Y Rogers
Y Breedlove	Y DeLoach, G	Y Hugley	Y McKinney	Y Royal
Y Brooks, D	Y Dix	Y Irvin	Y Mills	Y Sanders
Y Brooks, T	Y Dixon, H	Y James	Y Mobley, B	Y Sauder
Y Brown, J	Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins
Y Brush	Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan
Y Buck	Y Ehrhart	Y Johnson, G	Y Mueller	Y Shaw
Y Buckner	Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill
Y Bunn	Y Evans	Y Johnston	Y Orrock	Y Shipp
Y Burkhalter	Y Falls	Y Jones	Y Parham	Y Simpson
Y Byrd	Y Felton	Y Joyce	Y Parrish	Y Sinkfield
Y Campbell	Y Floyd	Y Kaye	Y Parsons	Y Skipper
Y Canty	Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C
Y Carter	Y Golden	Y Klein	Y Perry	Y Smith, C.W

Y Smith, L	Y Stallings	Y Teague	Y Twiggs	Y White
Y Smith, P	Y Stancil, F	Y Teper	Y Walker, L	Y Wiles
Y Smith, T	Y Stancil, S	Y Thomas	Y Walker, R.L	Y Williams, B
Y Smith, V	Y Stanley, L	Y Tillman	Y Wall	Y Williams, J
Y Smith, W	Y Stanley, P	Y Titus	Y Watson	Y Williams, R
Y Smyre	Y Stephenson	Y Towery	Y Watts	Y Woods
Y Snelling	Y Streat	Y Trense	Y Westmoreland	Y Yates
Y Snow	Y Taylor	Y Turnquest	Y Whitaker	Murphy, Spkr

On the motion, the ayes were 163, nays 0.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1420

The Committee of Conference on HB 1420 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1420 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Mary Margaret Oliver
 Senator, 42nd District

/s/ Stephen B. Farrow
 Senator, 54th District

/s/ Clay Land
 Senator, 16th District

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ George H. Grindley
 Representative, 35th District

/s/ Robert Snelling
 Representative, 99th District

/s/ Jimmy Skipper
 Representative, 137th District

A BILL

To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased; to change the provisions relating to purging voter registration lists of names of deceased persons; to change the provisions relating to health care date reporting, analysis, and dissemination; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, is amended by striking subsection (f) of Code Section 31-10-15, relating to death certificates, and inserting in lieu thereof the following:

“(f) When death occurs on or after July 1, 1985, in a county other than the county of the residence of the deceased person, a copy of such person’s death certificate shall be forwarded as soon as practicable by the department to the custodian of records of the county ~~of the residence of such~~ deceased person. The custodian of records shall file such death certificate as a part of the permanent records of his such office. ~~Not later than August 1 of each year, the custodian of records of the county shall furnish to the voter registration officer of the county a list of those persons for whom death certificates have been filed during the preceding 12 month period ending on the thirtieth day of June. Such list shall be used by the local registration officer for the purpose of purging the voter registration list of the county.~~

(g) By the twentieth day of each month, the state registrar shall furnish to the Secretary of State’s office, in a format prescribed by the Secretary’s office, a list of those persons for whom death certificates have been filed during the preceding month. Such list shall be used by the Secretary of State to notify local registration officers for the purpose of purging the voter registration list of each county.”

SECTION 2.

Said chapter is further amended by striking Code Section 31-10-30, relating to posting facts of death to birth certificates, and inserting in lieu thereof a new Code section to read as follows:

“31-10-30.

(a) To protect the integrity of vital records and to prevent the fraudulent use of birth certificates of deceased persons, the state registrar is authorized to match birth and death certificates, in accordance with written standards promulgated by the state registrar to prove beyond a reasonable doubt the fact of death and to post the facts of death to the appropriate birth certificate and index. Copies issued from birth certificates marked deceased shall be similarly marked.

(b) When a death occurs in this state for which a death certificate must be filed in accordance with Code Section 31-10-15, and the decedent’s birth certificate is on file at the state office of vital records, the state registrar shall mark that deceased person’s birth certificate with the word ‘Deceased.’ The state registrar shall notify the custodian of vital records of the county where the decedent was born that the deceased individual’s birth certificate has been marked ‘Deceased.’”

SECTION 2.1.

Code Section 31-7-280, relating to health care provider reports, is amended by striking paragraph (14) of subsection (c) thereof and inserting in its place the following:

“(14) Data available on a currently recognized uniform billing statement or substantially similar form generally used by health care providers which reflect, but are not limited to, the following information type of data obtained during a two-month 12 month period during each reporting year period: unique longitudinal nonidentifying patient code, the patient’s age birth date, sex, race, geopolitical subdivision code, ZIP Code, county of residence, type of bill, beginning and ending service dates, payer sources, date of admission, discharge date, disposition of the patient, medical or health record number, principal and secondary diagnoses, primary diagnoses, principal and secondary procedures and procedure dates, external cause of injury codes, diagnostic related group number (DRG), DRG procedure coding used, revenue codes, total charges and summary of charges by department, revenue code, payor or plan identification, or both, place of service code such as the uniform physician identification number, uniform hospital identification number and hospital name, attending physician and other ordering, referring, or performing physician identification number, and data by payer category specialty code.”

SECTION 3.

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

Representative Grindley of the 35th moved that the House adopt the report of the Committee of Conference on HB 1420.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dohhs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twigg
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chamhless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the motion, the ayes were 156, nays 1.

The motion prevailed.

Representative Bargerone of the 120th arose to a point of personal privilege and addressed the House.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1218

The Committee of Conference on HB 1218 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1218 be adopted.

Respectfully submitted,

FOR THE SENATE:

- /s/ Arthur B. Edge, IV
Senator, 28th District
- /s/ Charles C. Clay
Senator, 37th District
- /s/ Clay Land
Senator, 16th District

FOR THE HOUSE
OF REPRESENTATIVES:

- /s/ John Simpson
Representative, 101st District
- /s/ Roy E. Barnes
Representative, 33rd District
- /s/ Tommy Chambless
Representative, 163rd District

A BILL

To amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed on or after a specified date as secretary to a superior court judge if such secretary has previously been employed as a secretary to a state court judge; to provide for an additional pay step for such secretaries in certain circumstances; to provide for an exception to the pay schedule for a person appointed on or after a specified date as secretary to a superior court judge if such secretary has previously been employed as a secretary to a district attorney in certain circumstances; 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 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, is amended by striking in its entirety paragraph (5) of subsection (c) of Code Section 15-6-25, relating to employment of secretaries for judges of the superior court, and inserting in lieu thereof the following:

“(5) Each new secretary appointed after July 1, 1985, shall be placed on Step 1 of the pay schedule in effect on the date of appointment; provided, however, that:

(A) A secretary employed under Code Section 15-18-17, authorizing the employment of district attorney’s secretaries, may transfer to this pay schedule upon appointment as a secretary to a judge of the superior court at the step equal to the current salary being received if no interruption in state employment occurs as a result of the appointment;

(B) A secretary employed as secretary to a state court judge in this state before appointment pursuant to this Code section may transfer to this pay schedule after appointment pursuant to this Code section at the step which is closest to but not lower than the highest salary received in such secretary’s previous employment as secretary to a judge of the state court if such secretary was appointed pursuant to this Code section on or after July 1, 1995, and there was no interruption in employment as a result of such appointment;

(C) A secretary employed under authority other than Code Section 15-18-17 as a secretary to a district attorney in this state before appointment pursuant to this Code section who was appointed on or after July 1, 1995, may transfer to this pay schedule at the step which is closest to but not lower than the highest salary received in such secretary’s previous employment as a secretary to a district attorney after appointment pursuant to this Code section if there was no interruption in employment as a result of such appointment; and

(D) A secretary who meets the criteria of subparagraph (B) of this paragraph and who has worked for at least two years for a state court judge whose duties included hearings in state court and superior court shall receive an additional pay step above the compensation resulting from the application of subparagraph (B).”

SECTION 2.

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

Representative Simpson of the 101st moved that the House adopt the report of the Committee of Conference on HB 1218.

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

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Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Cauty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the motion, the ayes were 155, nays 0.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 1486. By Representatives Channell of the 111th, Royal of the 164th and Jamieson of the 22nd:

A bill to amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to redemption of property sold for taxes, so as to change certain amounts payable for redemption.

The following Senate amendment was read:

Amend HB 1486 by adding on page 2, line 7, after the word "deed," and before the word "plus" the following

"plus any special assessments on the property,"

The following amendment was read and adopted:

Representative Jamieson of the 22nd moves to amend the Senate amendment to HB 1486 by striking lines 1 through 3 and inserting the following:

“striking lines 1 through 5 on page 1 and inserting the following:

‘To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to change certain amounts payable for redemption; to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to provide that motor vehicles shall be divided into two distinct and separate subclasses of tangible property for purposes of ad valorem taxation with one subclass including heavy-duty equipment motor vehicles; to define certain terms; to change the definition of a certain term; to change the method of evaluation of heavy-duty equipment motor vehicles for ad valorem tax purposes; to change the time at which ad valorem taxes on certain heavy-duty equipment motor vehicles become due and payable; to change the provisions relating to ad valorem taxation of certain heavy-duty equipment motor vehicles owned and held by heavy-duty equipment motor vehicle dealers for retail sale; to provide for returns of taxation with respect to certain heavy-duty equipment motor vehicles purchased; to provide for the valuation of certain heavy-duty equipment motor vehicles and for the calculation of the ad valorem tax on certain heavy-duty equipment motor vehicles in the year in which such vehicles are purchased from a dealer; to provide for the collection of certain ad valorem taxes on heavy-duty equipment motor vehicles by dealers; to provide for penalties and interest; to provide for returning and remitting ad valorem taxes to the appropriate tax officials; to provide that dealers shall be liable for certain taxes; to provide for dealers who cease to operate as a business; to require heavy-duty equipment motor vehicle dealers to provide certain information to the tax commissioner of the county where the purchaser of such a motor vehicle is domiciled; to provide for rules and regulations; to provide for affidavits of illegality contesting the assessment of ad valorem tax against heavy-duty equipment motor vehicles; to provide for bonds; to provide for trials in superior court; to provide for appeals; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.’

By striking lines 8 through 10 on page 1 and inserting the following:

‘Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by striking Code Section 48-4-42,’

By striking lines 22 through 24 on page 2 and inserting the following:

SECTION 2.

Said title is further amended by striking in its entirety paragraph (4) of Code Section 48-5-440, relating to definitions applicable to ad valorem taxation of motor vehicles and mobile homes, and inserting in lieu thereof a new paragraph (4) to read as follows:

“(4) ‘Motor vehicle’ means a vehicle which is designed primarily for use upon the public roads. Such term shall not include heavy-duty equipment motor vehicles covered under Article 10A of this chapter which are not required to be registered and have a license plate and heavy-duty equipment as defined in paragraph (2) of Code Section 48-5-500 which is owned by a nonresident and operated in this state.”

SECTION 3.

Said title is further amended by striking in its entirety subsection (a) of Code Section 48-5-441, relating to classification of motor vehicles and mobile homes as separate classes of tangible property for ad valorem taxation purposes, and inserting in lieu thereof a new subsection (a) to read as follows:

“(a) For the purposes of ad valorem taxation, motor vehicles are classified as a separate and distinct class of tangible property. In addition and for the purposes of ad valorem taxation, motor vehicles shall be divided into two distinct and separate subclasses of tangible property with one subclass including heavy-duty equipment motor vehicles as defined in Code Section 48-5-505 and the other subclass including all other motor vehicles. The procedures prescribed by this article for returning motor vehicles, excluding

heavy-duty equipment motor vehicles defined in Code Section 48-5-505, for taxation, determining the applicable rates for taxation, and collecting the ad valorem tax imposed on motor vehicles shall be exclusive.”

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SECTION 4.

Said title is further amended by adding between Articles 10 and 11 of Chapter 5, relating to ad valorem taxation of property, a new Article 10A to read as follows:

“ARTICLE 10A

48-5-505.

(a) As used in this article, the term:

(1) ‘Dealer’ means any person who is engaged in the business of selling heavy-duty equipment motor vehicles at retail and who holds a valid current dealer’s resale tax exemption number.

(2) ‘Heavy-duty equipment motor vehicle’ means a motor vehicle with all its attachments and parts which is self-propelled, weighs 5,000 pounds or more, and is primarily designed for construction, industrial, maritime, or mining uses, provided that such motor vehicles are not required to be registered and have a license plate.

(b) The provisions of Part 2 of Article 10 of this chapter shall apply to heavy-duty equipment motor vehicles which are required to be registered and have a license plate. This article shall apply to all other heavy-duty equipment motor vehicles and dealers.

48-5-506.

(a) Except as provided in subsections (b) and (c) of this Code section, every heavy-duty equipment motor vehicle owned in this state by a natural person or other entity is subject to ad valorem taxation by the various tax jurisdictions authorized to impose an ad valorem tax on property only if owned by such natural person or entity on the first day of January of any taxable year. Taxes shall be charged against the owner of the property, if known, and, if unknown, against the specific property itself. The owner shall return the heavy-duty equipment motor vehicle for taxation as provided in Article 1 of this chapter.

(b)(1) Any and all purchases of heavy-duty equipment motor vehicles by dealers for the purpose of resale shall be exempt from ad valorem tax at the time of the purchase by the dealer.

(2) Any person or entity which purchases a heavy-duty equipment motor vehicle from a dealer shall, for the taxable year in which the heavy-duty equipment motor vehicle is purchased only, return such heavy-duty equipment motor vehicle for ad valorem taxation purposes to the appropriate county and shall pay a tax for such taxable year equal to 25 percent of the amount derived by multiplying the amount of ad valorem tax which would otherwise be due on the heavy-duty equipment motor vehicle based on the selling price to the end user times 40 percent, thus deriving the taxable assessment, times the tax rate imposed by the tax authority for the preceding tax year, by a fraction the numerator of which is the number of months remaining in the calendar year not counting the month of purchase and the denominator of which is 12. In no event shall the ad valorem tax due be less than \$100.00 for the year of purchase. The taxes levied under this subsection shall be due 60 days after the billing therefor. A penalty of 10 percent of the ad valorem tax due and interest at the rate provided for in Code Section 48-2-40 shall accrue at the expiration of 60 days after billing.

(3) Any ad valorem tax due shall be based on the selling price of the heavy-duty equipment motor vehicle purchased.

(4) In the event that any heavy-duty equipment motor vehicle is purchased other than for resale by a person or entity not domiciled in this state, at the time of the

sale the dealer shall collect the ad valorem tax which would be applicable for the county where the heavy-duty equipment motor vehicle was held in inventory at the time of the sale. Each dealer, on or before the last day of the month following a sale to such person or entity, shall transmit returns and remit the ad valorem taxes collected to the tax collector of the county where the heavy-duty equipment motor vehicle was held in inventory at the time of the sale. Such returns shall show all sales and purchases taxable under this article during the preceding calendar month. The returns required by this subsection shall be made upon forms prescribed, prepared, and furnished by the commissioner. If any dealer liable for any tax, interest, or penalty imposed by this article sells out his or her business's heavy-duty equipment motor vehicles or quits the business, he or she shall make a final return and payment within 30 days after the date of selling or quitting the business. Any dealer who does not collect tax as required under this paragraph or who fails to properly remit taxes collected under this paragraph shall be liable for the tax and the tax collector or tax commissioner shall collect such tax, penalty, and interest in the same manner that other taxes are collected.

(c) Except as otherwise provided in this subsection, heavy-duty equipment motor vehicles which are owned by a dealer are not included within the distinct classification of tangible property made by this article for all other heavy-duty equipment motor vehicles. The procedures prescribed in this article for returning heavy-duty equipment motor vehicles for ad valorem taxation, determining the applicable rates for taxation, and collecting the ad valorem taxes imposed on heavy-duty equipment motor vehicles do not apply to heavy-duty equipment motor vehicles which are owned by a dealer. Heavy-duty equipment motor vehicles which are owned by a dealer shall not be returned for ad valorem taxation, shall not be taxed, and no taxes shall be collected on such heavy-duty equipment motor vehicles until they become subject to taxation as provided in subsections (a) and (b) of this Code section. No heavy-duty equipment motor vehicle held by a dealer in inventory for resale shall be subject to ad valorem tax unless such heavy-duty equipment motor vehicle was in the dealer's inventory on the first day of January of the taxable year and continued to remain in such dealer's inventory on the thirty-first day of December of such taxable year. In any such case where a heavy-duty equipment motor vehicle remains in a dealer's inventory throughout the year, the dealer shall be required to return the heavy-duty equipment motor vehicle for ad valorem taxes and pay the ad valorem tax on such vehicle for the taxable year ending on the thirty-first day of December. The assessed value of each heavy-duty equipment motor vehicle owned by a dealer shall be 40 percent of the fair market value of the heavy-duty equipment motor vehicle on January 1 of that year. The taxes levied under this subsection shall be due 60 days after the billing therefor. Penalties and interest for unpaid taxes as provided in this chapter shall accrue at the expiration of 60 days after the billing therefor.

(d) Within 30 days of the last day of a month during which there is a sale of any heavy-duty equipment motor vehicle other than for resale, the dealer shall mail to the tax commissioner of the county where the purchaser is domiciled a statement upon forms prescribed, prepared, and furnished by the commissioner notifying the local tax commissioner of the sale which shall include information such as the date of the sale, the selling price, and the name and address of the purchaser. The local county tax commissioner would then be authorized to place the heavy-duty equipment motor vehicle on the tax digest of the county and invoice the purchaser for the applicable ad valorem tax for the current year as provided for in this Code section.

48-5-507.

Any taxpayer who contests the assessment of an ad valorem tax against a heavy-duty equipment motor vehicle as defined in this article may file with the tax collector or tax commissioner an affidavit of illegality to the assessment together with a surety bond issued by a surety company authorized to do business in this state or, in lieu of such bond, a bond approved by the clerk of the superior court of the county or a cash bond.

The bond shall be made payable to the tax collector or tax commissioner and shall be conditioned upon the payment of taxes and penalties ultimately found to be due. The affidavit of illegality and the bond shall be transferred immediately by the tax collector or tax commissioner to the superior court, shall be filed in the superior court, and shall be tried as affidavits of illegality are tried in tax cases. Any taxpayer who contests the value assessment of a heavy-duty equipment motor vehicle as defined in this article may appeal such assessed value as provided for in Code Section 48-5-311, insofar as applicable.

48-5-508.

The commissioner shall be authorized to promulgate rules and regulations to facilitate and ensure compliance with the provisions of this article."

SECTION 5.

Sections 2 through 4 of this Act shall become effective January 1, 1997. The remaining provisions of this Act shall become effective July 1, 1996.

SECTION 6.

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

By adding on line 7 of page 2 after the word and symbol 'deed,' and before the word 'plus' the following:

'plus any special assessments on the property,'"

Representative Channell of the 111th moved that the House agree to the Senate amendment, as amended by the House, to HB 1486.

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

Allen	Y Crews	Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	N Joyce	Poston	Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	McCall	Sherrill	Y Watts
Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 153, nays 2.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 1319. By Representatives Stanley of the 50th, Buck of the 135th, Orrock of the 56th, Holmes of the 53rd, Stanley of the 49th and others:

A bill to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1319

The Committee of Conference on HB 1319 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1319 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ David Scott
Senator, 36th District

/s/ Terrell Starr
Senator, 44th District

/s/ Sonny Perdue
Senator, 18th District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ LaNett L. Stanley
Representative, 50th District

/s/ Thomas B. Buck, III
Representative, 135th District

/s/ A. Richard Royal
Representative, 164th District

A BILL

To amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to authorize the imposition and levy of certain excise taxes upon certain rental motor vehicles; to provide for legislative purpose and intent; to provide for definitions; to provide for the creation of special districts; to provide for the levy and collection of such taxes and for the use of the proceeds thereof; to provide for procedures, conditions, and limitations; to provide for statutory construction; to provide for reimbursements and procedures; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, is amended by adding immediately following Article 4 thereof a new article to read as follows:

“ARTICLE 5

48-13-90.

It is declared to be the purpose and intent of the General Assembly that:

(1) Each county and municipality in this state shall be authorized to levy certain excise taxes as provided in this article; and

(2) Funds derived from such tax shall be made available for the purpose of promoting industry, trade, commerce, and tourism; for the provision of convention, trade, sports, and recreational facilities; and for public safety purposes.

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48-13-91.

As used in this article, the term:

(1) 'Rental charge' means the total value received by a rental motor vehicle concern for the rental or lease for 31 or fewer consecutive days of a rental motor vehicle, including the total cash and nonmonetary consideration for the rental or lease including, but not limited to, charges based on time or mileage and charges for insurance coverage or collision damage waiver but excluding all charges for motor fuel taxes or sales taxes.

(2) 'Rental motor vehicle' means a motor vehicle designed to carry ten or fewer passengers and used primarily for the transportation of persons that is rented or leased without a driver regardless of whether such vehicle is licensed in this state.

(3) 'Rental motor vehicle concern' means a person or legal entity which owns or leases five or more rental motor vehicles and which regularly rents or leases such vehicles to the public for value.

48-13-92.

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. One such district shall exist within the geographical boundaries of each county, and the territory of each district shall include all of the territory within the county except territory located within the boundaries of any municipality that imposes an excise tax on charges to the public for the rental or lease of rental motor vehicles under this article.

48-13-93.

(a)(1) The governing authority of each municipality in this state may levy and collect an excise tax upon the rental charge collected by a rental motor vehicle concern when such charge constitutes a taxable event for purposes of sales and use tax under Article 1 of Chapter 8 of this title. Within the territorial limits of the special district located within the county, each county in this state may levy and collect an excise tax upon the rental charge collected by a rental motor vehicle concern when such charge constitutes a taxable event for purposes of sales and use tax under Article 1 of Chapter 8 of this title. The tax levied pursuant to this article shall be levied or collected at the rate of 3 percent of the rental charges. The tax levied pursuant to this article shall be imposed only at the time when and place where a customer pays sales tax with respect to the rental charge. The customer who pays a rental charge that is subject to a tax levied as provided in this article shall be liable for the tax. The tax shall be paid by the customer to the rental motor vehicle concern. The tax shall be a debt of the customer to the rental motor vehicle concern until it is paid and shall be recoverable at law in the same manner as authorized for the recovery of other debts. The rental motor vehicle concern collecting the tax shall remit the tax to the governing authority imposing the tax, and the tax remitted shall be a credit against the tax imposed on the rental motor vehicle concern. Every rental motor vehicle concern subject to a tax levied as provided in this article shall be liable for the tax at the applicable rate on the charges actually collected or the amount of taxes collected from the customers whichever is greater.

(2) A county or municipality levying an excise tax as provided in paragraph (1) of this subsection shall only levy such tax by ordinance which shall specify with particularity the authorized projects or purposes, or both, for which proceeds of the tax are to be expended and shall apply in each fiscal year during which the tax is collected such tax proceeds for the purpose of:

(A) Promoting industry, trade, commerce, and tourism;

(B) Capital outlay projects consisting of the construction of convention, trade, sports, and recreational facilities, or public safety facilities, including the acquiring, constructing, renovating, improving, and equipping of parking facilities, pedestrian

walkways, plazas, connections, and other public improvements associated with such convention, trade, sports, and recreational facilities or public safety facilities or the retirement of debt issued with respect to such capital outlay projects; and (C) Maintenance and operation expenses or security and public safety expenses associated with capital outlay projects funded pursuant to subparagraph (B) of this paragraph.

(3) Amounts collected pursuant to this article may be expended pursuant to a contract or contracts with a county, municipality, development authority, downtown development authority, urban redevelopment authority, recreation authority, or any combination of two or more of such entities. Nothing in this article shall be construed to limit the formation of intergovernmental contracts pursuant to the authority granted by Article IX, Section III, Paragraph I of the Constitution of this state to accomplish the purposes described in paragraph (2) of this subsection including the construction and maintenance of facilities located outside the special district within which the excise tax is levied and collected and which benefit the special district.

(4) Any tax levied pursuant to this article shall terminate not later than December 31, 2038. Following the termination of the tax, any county or municipality which has levied a tax pursuant to this article shall not thereafter be again authorized to levy a tax under this article.

(5) No tax shall be imposed under this article on the rental charge associated with the rental or lease of a rental motor vehicle if either:

(A) The customer picks up the rental motor vehicle outside this state and returns it in this state; or

(B) The customer picks up the rental motor vehicle in this state and returns it outside this state.

(6) Nothing in this Code section shall be construed to impair, or authorize or require the impairment of, any existing contract or contractual rights.

(7) Any action by a local governing authority to impose the tax authorized under this Code section shall become effective no sooner than the first day of the month following the month of its adoption by the local governing authority.

(b) No tax under this article may be levied or collected by a county outside the territorial limits of the special district located within the county.

48-13-94.

Each person collecting the tax authorized by this article shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due if the amount due is not delinquent at the time of payment. The rate of deduction shall be 3 percent of the amount due but only if the amount due was not delinquent at the time of payment.

48-13-95.

The manner of imposition, payment, and collection of the tax and all other procedures related to the tax shall be as provided by each county and municipality electing to exercise the powers conferred by this article.

48-13-96.

As a part of the audit report required under Code Section 36-81-7, the auditor shall include, in a separate schedule, a report of the revenues and expenditures pertaining to the tax under this article."

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 Stanley of the 50th moved that the House adopt the report of the Committee of Conference on HB 1319.

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

Y Allen	N Crews	Y Irvin	Y Parrish	N Smith, W
Y Anderson	Y Culbreth	Y James	N Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	N Jenkins	N Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	N Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	N DeLoach, B	N Johnston	Y Ponder	N Stancil, S
Y Bargeron	N DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
N Barnes	Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	N Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Lane	N Ray	Y Thomas
Y Breedlove	N Falls	N Lawrence	Y Reaves	Y Tillman
N Brooks, D	N Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	N Lifsey	Y Rogers	Y Trense
N Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	N Goodwin	Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	N Sauder	Y Walker, L
N Bunn	Grindley	N Mann	Scoggins	N Walker, R.L
N Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	N Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	N Harris	McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	White
Y Channell	N Hembree	Y Mobley, B	Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	N Williams, B
N Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	N Mueller	N Smith, L	N Williams, R
Coleman, T	Y Howard	Y O'Neal	N Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Yates
N Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 103, nays 60.

The motion prevailed.

Representative Howard of the 118th stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Lucas of the 124th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bill of the Senate was taken up for the purpose of considering the Senate's appointment of a Committee of Conference thereon:

SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

Representative Porter of the 143rd moved that the House adhere to its position in substituting SB 606 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Benefield of the 96th, Parham of the 122nd and Porter of the 143rd.

The following Bills of the House and Senate were taken up for the purpose of considering the reports of the Committees of Conference thereon:

SB 351. By Senators Ray of the 19th and Gillis of the 20th:

A bill to amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 351

The Committee of Conference on SB 351 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 351 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Walter S. Ray
Senator, 19th District

/s/ Hugh M. Gillis
Senator, 20th District

/s/ Richard O. Marable
Senator, 52nd District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Roy H. Watson, Jr.
Representative, 139th District

/s/ DuBose Porter
Representative, 143rd District

/s/ Fisher Barfoot
Representative, 155th District

A BILL

To amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, is amended by striking paragraph (2) and inserting in its place a new paragraph (2) to read as follows:

“(2) Provide for an oral appropriate and written examination for applicants and any other appropriate means of examination for applicants. The frequency of such examination shall be at the discretion of the commission, based upon the number of applications received, but not less than two such examinations shall be held annually. The commission shall give one examination per phase of structural pest control for one fee if the applicant seems to qualify. The examination fee shall be in an amount established by the commission for each applicant who makes application to take the examination to become a certified household pest control operator, wood-destroying

organism control operator, or fumigator. An examination may be taken for the payment of one fee; and, in case the applicant shall not be certified, he or she shall have the right to take the examination again at the next scheduled examination, upon the payment of an additional fee in an amount established by the commission. In case certification is again denied, the applicant must wait a full year before reapplication is made. Thereafter, one full year must elapse before subsequent application may be made;"

SECTION 2.

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

Representative Porter of the 143rd moved that the House adopt the report of the Committee of Conference on SB 351.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 168, nays 0.

The motion prevailed.

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1647

The Committee of Conference on HB 1647 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1647 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Hugh M. Gillis
Senator, 20th District

/s/ Eddie M. Madden
Senator, 47th District

/s/ Richard O. Marable
Senator, 52nd District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Roy H. Watson, Jr.
Representative, 139th District

/s/ DuBose Porter
Representative, 143rd District

/s/ Alan T. Powell
Representative, 23rd District

A BILL

To amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by clear and convincing evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error; to provide for individual actions only; to provide an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," is amended by adding at the end thereof two new subsections (e) and (f) to read as follows:

"(e) A seller or holder shall not be held liable in any action brought under this Code section for a violation of this article if the seller or holder shows by clear and convincing evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

(f) The penalties under this Code section shall be the sole remedy for violations of this article and a claim of violation of this article may be asserted in an individual action only."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall apply to all violations of "The Retail Installment and Home Solicitation Sales Act" occurring on or after said effective date.

SECTION 3.

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

Representative Porter of the 143rd moved that the House adopt the report of the Committee of Conference on HB 1647.

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

N Allen
N Anderson
Y Ashe

N Bailey
N Baker
N Bannister

Y Barfoot
N Bargerone
N Barnard

N Barnes
Bates
N Benefield

N Birdsong
N Bordeaux
Bostick

Y Breedlove	Ehrhart	N Kaye	N Ponder	N Snow
Y Brooks, D	N Epps	N Kinnamon	Y Porter	N Stallings
N Brooks, T	Y Evans	Y Klein	Y Poston	N Stancil, F
Y Brown, J	N Falls	Y Ladd	N Powell	Y Stancil, S
N Brush	Y Felton	Y Lakly	N Purcell, A	N Stanley, L
N Buck	N Floyd	Y Lane	N Purcell, B	N Stanley, P
N Buckner	N Godbee	Y Lawrence	N Randall	N Stephenson
Y Bunn	N Golden	N Lee	N Randolph	N Streat
N Burkhalter	Y Goodwin	N Lewis	N Ray	N Taylor
N Byrd	N Greene	N Lifsey	N Reaves	N Teague
N Campbell	Y Grindley	Lord	N Reichert	N Teper
N Canty	Hanner	N Lucas	N Roberts	N Thomas
N Carter	Y Harbin	Y Maddox	Y Rogers	N Tillman
Chambless	Y Harris	N Mann	N Royal	N Titus
N Channell	N Heard	Martin	N Sanders	N Towery
N Childers	N Heckstall	N McBee	N Sauder	N Trense
N Coker	N Hegstrom	N McCall	Scoggins	Turnquest
Y Coleman, B	Y Hembree	N McClinton	Y Shanahan	N Twiggs
Y Coleman, T	N Henson	McKinney	Shaw	N Walker, L
N Connell	N Holland	N Mills	Y Sherrill	N Walker, R.L
Y Crawford	N Holmes	N Mobley, B	Y Shipp	Y Wall
Y Crews	N Howard	N Mobley, J	N Simpson	Y Watson
Y Culbreth	N Hudson	N Mosley	N Sinkfield	Y Watts
N Cummings	N Hugley	N Mueller	Y Skipper	Y Westmoreland
N Davis, G	Y Irvin	Y O'Neal	N Smith, C	N Whitaker
N Davis, M	N James	N Orrock	Y Smith, C.W	N White
N Day	Y Jamieson	Y Parham	N Smith, L	Y Wiles
Y DeLoach, B	N Jenkins	Y Parrish	Y Smith, P	Y Williams, B
N DeLoach, G	N Johnson, G	N Parsons	N Smith, T	N Williams, J
N Dix	Y Johnson, J	N Pelote	N Smith, V	Y Williams, R
Dixon, H	Y Johnston	Y Perry	Y Smith, W	Woods
Dixon, S	Y Jones	Y Pinholster	Smyre	N Yates
N Dobbs	N Joyce	N Polak	Y Snelling	Murphy, Spkr

On the motion, the ayes were 54, nays 109.

The motion was lost and the report of the Committee of Conference on HB 1647 was rejected.

Representative Powell of the 23rd stated that he inadvertently voted "nay" on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 1295. By Representatives Jenkins of the 110th, Sherrill of the 62nd, Lewis of the 14th, Ray of the 128th, Rogers of the 20th and others:

A bill to amend Code Section 16-9-20 of the Official Code of Georgia Annotated, relating to deposit account fraud, so as to provide a mechanism for a court to award interest on restitution paid to the holder of the worthless instrument; to limit civil action if interest is awarded.

The following Senate amendment was read:

Amend HB 1295 by striking from line 12 on page 2 the following:

"sum",

and inserting in lieu thereof the following:

"amount"

Representative Jenkins of the 110th moved that the House agree to the Senate amendment to HB 1295.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, S
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, F
Y Bergeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L.
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W.	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the motion, the ayes were 165, nays 0.

The motion prevailed.

The following Bills of the House and Senate were taken up for the purpose of considering the reports of the Committees of Conference thereon:

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 749

The Committee of Conference on SB 749 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 749 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Casey Cagle
 Senator, 49th District

/s/ Charles C. Clay
 Senator, 37th District

/s/ Arthur B. Edge, IV
 Senator, 28th District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Denny M. Dobbs
 Representative, 92nd District

/s/ Robert Hanner
 Representative, 159th District

/s/ DuBose Porter
 Representative, 143rd District

A BILL

To amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects; to provide that management contracts shall include certain provisions relating to the term of the contract and the costs of operating and maintaining a managed project; to provide that any such management contract may contain provisions allowing the authority to terminate the management contract under certain conditions; 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.

Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," is amended by striking in its entirety subparagraph (E) of paragraph (6) of Code Section 36-62-2, relating to definitions applicable to said chapter, and inserting in lieu thereof a new subparagraph (E) to read as follows:

"(E) The acquisition, construction, improvement, or modification of any property, real or personal, used as or in connection with a sewage disposal facility or a solid waste disposal facility which any federal, state, or local agency having jurisdiction in the premises shall have certified as necessary for the continued operation of the industries which the same is to serve and which is necessary for the public welfare, provided that if such facility is to be operated by, or is to serve related facilities of, a political subdivision or municipal corporation of this state or an agency, authority, or instrumentality thereof, for its general constituency, the certification need only state that such facility is necessary for the public welfare; provided, further, that for the purposes of this subparagraph, the term 'sewage disposal facility' means any property used for the collection, storage, treatment, utilization, processing, or final disposal of sewage; for the purposes of this subparagraph, the term 'solid waste disposal facility' means any property used for the collection, storage, treatment, utilization, processing, or final disposal of solid waste; for the purposes of this subparagraph, the term 'solid waste' means garbage, refuse, or other discarded solid materials, including solid waste materials resulting from industrial and agricultural operations and from community activities but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as salt, dissolved or suspended solids in industrial waste-water effluents, and dissolved materials in irrigation return flows; and for the purposes of this subparagraph, the word 'garbage' includes putrescible wastes, including animal and vegetable matters, animal offal and carcasses, and recognizable industrial by-products but excludes sewage and human wastes; and the word 'refuse' includes all nonputrescible wastes;"

SECTION 2.

Said chapter is further amended by striking in its entirety Code Section 36-62-7, relating to the prohibition against the operation of projects by governmental units and the sale or

lease of property for operation, and inserting in lieu thereof a new Code Section 36-62-7 to read as follows:

“36-62-7.

No project acquired under this chapter shall be operated by an authority or any municipal corporation, county, or other governmental subdivision. Such a project shall be leased or sold to, or managed by, one or more persons, firms, or private corporations. Any disposition of real property by an authority pursuant to paragraph (7) of Code Section 36-62-6 shall be made to one or more persons, firms, corporations, or governmental or public entities. If revenue bonds or other obligations are to be issued to pay all or part of the cost of the project, the project must be so leased or the contract for its sale or management must be entered into prior to or simultaneously with the issuance of the bonds or obligations; provided, however, that the acquisition and development of land by an authority as the site for an industrial park as provided in this chapter shall not be deemed to be the operation of a project and, notwithstanding anything in this chapter to the contrary, an authority shall not be required to enter into a lease of such a project or a contract for its sale or management as a condition to the issuance of bonds or other obligations of the authority to provide financing therefor. If sold, the purchase price may be paid at one time or in installments falling due over not more than 40 years from the date of transfer of possession. The lessee or purchaser shall be required to pay all costs of operating and maintaining the leased or purchased property and to pay rentals or installments in amounts sufficient to pay the principal of and the interest and premium, if any, on all of its bonds and other obligations as such principal and interest become due. If the project is managed, the management contract must contain a term not less than the final maturity date of any bonds or other obligations of the authority to provide financing for the managed project and must provide that all costs of operating and maintaining the managed project, including all management fees payable under the management contract, shall be paid solely from the revenues of the managed project and from the proceeds of any bonds or other obligations of the authority to provide financing for the managed project. Any such management contract may contain provisions allowing the authority to terminate the management contract, but if the authority exercises any right to terminate a management contract, it must immediately enter into another management contract meeting the requirements of this Code section.”

SECTION 3.

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

SECTION 4.

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

Representative Porter of the 143rd moved that the House adopt the report of the Committee of Conference on SB 749.

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

Y Allen	N Brooks, D	Y Coleman, B	Ehrhart	Y Hegstrom
Y Anderson	Y Brooks, T	Coleman, T	Y Epps	N Hembree
Y Ashe	N Brown, J	Y Connell	Evans	Y Henson
Y Bailey	Brush	Crawford	N Falls	Y Holland
Y Baker	Buck	N Crews	Y Felton	Y Holmes
N Bannister	Y Buckner	N Culbreth	Y Floyd	Howard
Y Barfoot	N Bunn	N Cummings	N Godbee	Y Hudson
N Bargeron	Burkhalter	Y Davis, G	Y Golden	Y Hugley
N Barnard	Y Byrd	N Davis, M	N Goodwin	N Irvin
Y Barnes	Y Campbell	N Day	Y Greene	Y James
Bates	Y Canty	DeLoach, B	N Grindley	Y Jamieson
Y Benefield	N Carter	N DeLoach, G	Y Hanner	Y Jenkins
Y Birdsong	Y Chambless	N Dix	Y Harbin	N Johnson, G
Y Bordeaux	N Channell	Y Dixon, H	N Harris	N Johnson, J
Bostick	Y Childers	Y Dixon, S	Y Heard	N Johnston
Y Breedlove	Y Coker	Y Dobbs	Y Heckstall	Y Jones

N Joyce	N Mills	Y Randall	Y Smith, L	N Titus
N Kaye	Y Mobley, B	Y Randolph	Y Smith, P	Y Towery
Y Kinnamon	N Mobley, J	Y Ray	Y Smith, T	Trense
N Klein	Y Mosley	Reaves	N Smith, V	Y Turnquest
Ladd	N Mueller	Y Reichert	N Smith, W	N Twiggs
N Lakly	Y O'Neal	Roberts	Smyre	Y Walker, L
Y Lane	Y Orrock	Rogers	N Snelling	N Walker, R.L
Lawrence	Y Parham	Y Royal	Y Snow	Y Wall
Y Lee	Parrish	N Sanders	Y Stallings	Y Watson
N Lewis	Y Parsons	Y Sauder	Y Stancil, F	Y Watts
N Lifsey	Y Pelote	N Scoggins	N Stancil, S	N Westmoreland
Y Lord	Y Perry	Y Shanahan	Y Stanley, L	Whitaker
Lucas	N Pinholster	Shaw	Y Stanley, P	White
N Maddox	Y Polak	Y Sherrill	Stephenson	N Wiles
N Mann	Y Ponder	Y Shipp	Y Streat	Y Williams, B
Martin	Y Porter	Y Simpson	Y Taylor	N Williams, J
Y McBee	Y Poston	Y Sinkfield	Y Teague	Y Williams, R
Y McCall	Y Powell	Y Skipper	Y Teper	N Woods
Y McClinton	Y Purcell, A	Y Smith, C	Y Thomas	N Yates
McKinney	N Purcell, B	N Smith, C.W	Y Tillman	Murphy, Spkr

On the motion, the ayes were 100, nays 53.

The motion prevailed.

HB 1404. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1404

The Committee of Conference on HB 1404 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1404 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Mark Taylor
 Senator, 12th District

/s/ Sonny Perdue
 Senator, 18th District

/s/ G. B. Pollard, Jr.
 Senator, 24th District

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ R. L. Williams
 Representative, 114th District

/s/ Ben L. Harbin
 Representative, 113th District

/s/ Jimmy Lord
 Representative, 121st District

A BILL

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to establish certain limitations with respect to loss reserves of workers' compensation insurers; to provide that such insurers may not maintain any excess loss reserve for a claim or potential claim for longer than a specified period of time after the amount of liability for such claim or potential claim has been established; to prohibit the maintenance of excess case reserves for experience rating purposes; to require timely reporting of case reserve reductions; to provide for

enforcement through examinations, required disclosures, and other appropriate procedures; to require the Commissioner of Insurance to submit certain information regarding rate filings for personal passenger motor vehicle insurance and regarding entrance into and departure from the state by certain insurers to the chairperson of the House Committee on Insurance and the chairperson of the Senate Committee on Insurance and Labor; to exempt certain persons from certificate of authority maintenance requirements; to exempt certain persons from continuing education requirements; to provide for rules and regulations; to change certain provisions regarding failure of an insurer to comply with notice requirements; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants; to change certain provisions relating to countersigning of insurance contracts by resident agents; to change certain provisions relating to commissions for countersigning of insurance contracts by resident agents; to provide for requests for review of cancellations or nonrenewals by the Commissioner; to provide for hearings; to provide for a point-of-service option for certain persons offered health care coverage through a health maintenance organization; to provide for additional payments for such option; to provide for different cost sharing provisions for such option in certain circumstances; to provide for exceptions; to implement the requirements of the Social Security Act Amendments of 1994; to provide for exemption of defined commercial risks from certain filing requirements; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by adding a new Code Section 33-2-8.2 to read as follows:

“33-2-8.2.

During the first week of each quarter, the Commissioner shall transmit to the chairperson of the House Committee on Insurance and the chairperson of the Senate Committee on Insurance and Labor the following information:

- (1) The number of rate increases and decreases for personal passenger motor vehicle insurance which were requested, approved, and disapproved during the preceding quarter, categorized according to the amount of the increase or decrease requested, approved, and disapproved as follows:
 - (A) Five percent or less;
 - (B) Greater than 5 percent but less than 10 percent;
 - (C) Greater than 10 percent but less than 20 percent; and
 - (D) Greater than 20 percent.

Any increase or decrease which was approved in an amount different than that requested shall be so noted in the report;

- (2) The number of insurers newly authorized to transact insurance in this state for any line, class, or subclass of insurance listed in subsection (d) of Code Section 33-2-8.1 during the preceding quarter; and
- (3) The number of insurers authorized to transact insurance in this state for any line, class, or subclass of insurance listed in subsection (d) of Code Section 33-2-8.1 which ceased to transact insurance in this state during the preceding quarter.”

SECTION 2.

Said title is further amended by striking in its entirety subparagraph (a)(3)(B) of Code Section 33-7-14, relating to reinsurance of risks, and inserting in lieu thereof a new subparagraph (B) to read as follows:

“(B) Submits to the authority of this state to examine its books and records. ~~Paragraph (1) Subparagraph (A) of this subsection paragraph~~ shall not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system;”

SECTION 3.

Said title is further amended by inserting after subsection (a) of Code Section 33-9-3, relating to application of certain provisions regarding regulation of rates, underwriting rules, and ~~related organizations~~ a new subsection (a.1) to read as follows:

“(a.1) The Commissioner may by rule or regulation establish criteria by which defined commercial risks may be exempted from the filing requirements of this chapter.”

SECTION 4.

Said title is further amended by striking subsection (a) of Code Section 33-9-21, relating to maintenance, filing, and effectiveness of insurers' rates, rating plans, rating systems, and underwriting rules, and inserting in its place a new subsection to read as follows:

“(a) Every insurer shall maintain with the Commissioner copies of the rates, rating plans, rating systems, underwriting rules, and policy or bond forms used by it. The maintenance of rates, rating plans, rating systems, underwriting rules, and policy or bond forms with the Commissioner by a licensed rating organization of which an insurer is a member or subscriber will be sufficient compliance with this Code section for any insurer maintaining membership or subscriberships in such organization, to the extent that the insurer uses the rates, rating plans, rating systems, underwriting rules, and policy or bond forms of such organization; provided, however, the Commissioner, when he or she deems it necessary, without compliance with the rule-making procedures of this title or Chapter 13 of Title 50, the ‘Georgia Administrative Procedure Act’:

(1) May require any domestic, foreign, and alien insurer to file the required rates, rating plans, rating systems, underwriting rules, and policy or bond forms used independent of any filing made on its behalf or as a member of a licensed rating organization, as ~~he~~ the Commissioner shall deem to be necessary to ensure compliance with the standards of this chapter and Code Section 34-9-130 and for the best interests of the citizens of this state; ~~and~~

(2) Shall require, not later than July 30, 1990, each domestic, foreign, and alien insurer, writing or authorized to write workers' compensation insurance in this state, to file such insurer's own individual rate filing for premium rates to be charged for workers' compensation insurance coverage written in this state. Such premium rates shall be developed and established based upon each individual insurer's experience in the State of Georgia to the extent actuarially credible. The experience filed shall include the loss ratios, reserves, reserve development information, expenses including commissions paid and dividends paid, investment income, pure premium data adjusted for loss development and loss trending, profits, and all other data and information used by that insurer in formulating its workers' compensation premium rates which are used in this state and any other information or data required by the Commissioner. In establishing and maintaining loss reserves, no workers' compensation insurer shall be allowed to maintain any excess loss reserve for any claim or potential claim for more than 90 days after the amount of liability for such claim or potential claim has been established, whether by final judgment, by settlement agreement, or otherwise. This limitation on the maintenance of loss reserves shall be enforced through this Code section, as well as through Code Section 33-9-23, relating to examination of insurers, Code Section 34-9-135, relating to required disclosure of costs by workers' compensation insurers, and any other appropriate enforcement procedures. The Commissioner is authorized to accept such rate classifications as are reasonable and necessary for compliance with this chapter. A rate filing required by this paragraph shall be updated by the insurer at least once every two years, the initial two-year period to be calculated from July 30, 1990; and

(3) As used in paragraph (2) of this subsection, the term ‘excess loss reserve’ means any reserve amount in excess of the reserve required by law.”

SECTION 5.

Said title is further amended by striking Code Section 33-9-40.1, relating to prohibited practices with respect to workers' compensation experience rating, and inserting in its place a new Code section to read as follows:

“33-9-40.1.

(a) An insurer shall not assign an adverse experience modification factor which is applicable to the rate of a workers' compensation insurance policy issued to a particular business entity to the rate of a workers' compensation policy issued to another business entity ~~maintaining a separate payroll~~ for federal and state tax purposes and engaging in a distinctly different business enterprise for the sole reason that the majority interest in both business entities is held by the same person.

(b) For experience rating purposes no workers' compensation insurer shall maintain any case reserve for any claim in excess of the amount established by final judgment, by settlement, or otherwise. All reductions in case reserves shall be made and reported to the appropriate rating organization within 90 days. Any further adjustments upward in the case reserve may only be made due to additional paid claims or a case reserve established on a claim which was previously closed but reopened due to a claimant's request for additional benefits. This limitation on the maintenance of reserves shall be enforced through this Code section, as well as through Code Section 33-9-21, relating to rate filings, Code Section 33-9-23, relating to examination of insurers, Code Section 34-9-135, relating to required disclosure of costs by workers' compensation insurers, and any other appropriate enforcement procedures."

SECTION 6.

Said title is further amended by striking in their entirety subsections (d) and (e) of Code Section 33-11-20, relating to investment in corporate obligations, and inserting in lieu thereof a new subsection (d) to read as follows:

"(d) An insurer may invest in secured and unsecured obligations of such institutions or in portions thereof, other than the obligations described in subsections (a), (b), and (c) of this Code section, which do not bear interest at a fixed rate and which may or may not have a maturity date or be evidenced by a formal certificate. Such investments must:

- (1) Consist of less than 100 percent of the total obligation issued; ~~and~~
- (2) Be available for liquidation by the insurer within five days from the date of a request by the insurer for the liquidation of the investment; ~~and~~
- (3) Notwithstanding Code Section 33-11-37, as a total at any one time not exceed 5 percent of the insurer's admitted assets without the written approval of the Commissioner.

~~(e) Notwithstanding Code Section 33-11-37, an insurer's total investments in the obligations at any one time shall not exceed 5 percent of the insurer's admitted assets without the written approval of the Commissioner."~~

SECTION 7.

Said title is further amended by striking in its entirety subsection (a) of Code Section 33-16-14, relating to limitations on amounts of risks retainable by farmers' mutual insurance companies, and inserting in lieu thereof a new subsection (a) to read as follows:

"(a) The maximum amount of insurance that a farmers' mutual fire insurance company may retain on any subject or subjects of insurance reasonably exposed to loss from the same fire shall not exceed the amount prescribed in the following schedule:

<u>Amount of Insurance in Force</u>	\$	.....	\$	<u>Maximum Risk</u>
\$ 100,000 but less than	250,000	.....	\$ 2,000	2,000
250,000 but less than	400,000	.....	2,500	2,500
400,000 but less than	600,000	.....	3,000	3,000
600,000 but less than	900,000	.....	4,000	<u>4,500</u>
900,000 but less than	1,200,000	.....	5,000	<u>6,000</u>
1,200,000 but less than	1,500,000	.....	5,500	<u>7,500</u>
1,500,000 but less than	2,000,000	.....	6,000	<u>10,000</u>
2,000,000 but less than	2,500,000	.....	7,000	<u>12,500</u>
2,500,000 but less than	3,000,000	.....	8,000	<u>15,000</u>
3,000,000 but less than	3,500,000	.....	9,000	<u>17,500</u>
3,500,000 but less than	7,000,000	.....	10,000	<u>35,000</u>
7,000,000 and over...			30,000	<u>50,000</u> "

SECTION 8.

Said title is further amended by adding a new Code Section 33-21-29 to read as follows:

“33-21-29

(a) It is the intent of the General Assembly to allow citizens to have the right to choose their own health care providers with as few mandates from government and business as possible. It is also the intent to allow these choices with no additional cost to any business in this state. With these intentions, and the recognition of necessary governmental involvement through various laws, the General Assembly enacts this Code section.

(b) As used in this Code section, the term:

(1) ‘Employer’ means an employer, association, or other private group arrangement.

(2) ‘Enrollee’ means any person entitled to receive health care services or reimbursement for such services pursuant to a contract with a health maintenance organization, whether the contract is with the person entitled to receive those services or reimbursement or the contract is with an employer of which such person is an employee or member.

(3) ‘Point-of-service option’ means a delivery system that permits an enrollee of a health maintenance organization to receive services outside the provider panel of the health maintenance organization under the terms and conditions of the enrollee’s contract with the health maintenance organization.

(4) ‘Provider’ means a provider or a group of providers designated to provide health care services to the health maintenance organization’s enrollees, as provider is defined in Code Section 33-21-1.

(5) ‘Provider panel’ means those providers with which a health maintenance organization contracts to provide health care services to the health maintenance organization’s enrollees.

(c) If the only type of insurance that an employer offers to eligible employees or individuals is health benefit plan coverage through a health maintenance organization, then the health maintenance organization with which such employer contracts to provide such coverage shall offer or make arrangements for the offering of a point-of-service option to such employer for the employer’s eligible employees or individuals, and each such eligible employee or individual shall have the right to accept or reject such option.

(d) An employer may require an employee or individual who accepts the point-of-service option to be responsible for the payment of a premium over the amount of the premium for the coverage offered by the health maintenance organization or by an arrangement with another entity in conjunction with the health maintenance organization either directly to the health maintenance organization or other entity or by payroll deduction.

(e) A health maintenance organization may impose different cost-sharing provisions for the point-of-service option based on whether the service is provided through the provider panel of the health maintenance organization or outside the provider panel of the health maintenance organization.

(f) This Code section shall not apply to the Department of Medical Assistance with regard to any and all health benefits that department may provide pursuant to Article 7 of Chapter 4 of Title 49, the ‘Georgia Medical Assistance Act of 1977,’ nor shall this Code section apply to Chapter 9 of Title 34, relating to workers’ compensation.

(g) An employer may charge an employee or individual who accepts the point-of-service option a reasonable administrative fee for costs associated with the employer’s reasonable administration of the point-of-service option.”

SECTION 9.

Said title is further amended by redesignating subsection (g) of Code Section 33-23-4, relating to license requirements and restrictions on payment or receipt of commissions, as subsection (h) and by inserting after subsection (f) a new subsection (g) to read as follows:

“(g) Any person who has been licensed as an agent for ten consecutive years or more and who does not perform any of the functions specified in paragraph (3) of subsection (a) of Code Section 33-23-1 other than receipt of renewal or deferred commissions shall be exempt from the requirement to maintain at least one certificate of authority; provided, however, that if such person wishes to again perform any of the other functions

specified in said paragraph, such person must obtain approval from the Commissioner and comply with the requirements of this chapter, including without limitation the requirements for certificate of authority.”

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SECTION 10.

Said title is further amended by striking in its entirety paragraph (1) of subsection (a) of Code Section 33-23-5, relating to qualifications and requirements for license applicants, and inserting in lieu thereof a new paragraph (1) to read as follows:

“(1) The applicant must be a resident of this state who will reside and be present within this state for at least six months of every year or an individual whose principal place of business is within this state; provided, however, in cities, towns, or trade areas, either unincorporated or comprised of two or more incorporated cities or towns, located partly within and partly outside the state, requirements as to residence and principal place of business shall be deemed met if the residence or place of business is located in any part of the city, town, or trade area and if the other state in which the city, town, or trade area is located in part has established like requirements as to residence and place of business;”

SECTION 11.

Said title is further amended by striking subsection (e) of Code Section 33-23-18, relating to issuance of license on continuous basis, filing for continuation, and continuing education requirements, and inserting in its place a new subsection (e) to read as follows:

“(e) Any person who has been licensed as an agent for ten consecutive years or more and who does not perform any of the functions specified in paragraph (3) of subsection (a) of Code Section 33-23-1 other than receipt of renewal or deferred commissions shall be exempt from continuing education requirements; provided, however, that if such person wishes to again perform any of the other functions specified in said paragraph, such person must obtain approval from the Commissioner and comply with the requirements of this chapter, including without limitation the requirements for continuing education. The Commissioner may provide, by rule or regulation, for any other exemption to or reduction in continuing education required under this Code section.”

SECTION 12.

Said title is further amended by striking in its entirety subsection (b) of Code Section 33-23-31, relating to countersigning of insurance contracts by resident agents, and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) All insurance contracts on risks or property or persons located or having a situs in this state shall bear the countersignature of an agent who ~~resides in this state and~~ is licensed pursuant to ~~this article~~ Code Section 33-23-5, except:

- (1) Any contract of insurance covering the rolling stock of any railroad, covering any vessel, aircraft, or motor vehicle used in interstate or foreign commerce, or covering any liability or other risks incident to the ownership, maintenance, or operation thereof;
- (2) Any contract of property insurance upon property of railroad companies and other common carriers;
- (3) Any contract of insurance covering any property in transit while in the custody of any common carrier or any liability or risk incident to the carrier;
- (4) Any contract of reinsurance between insurers;
- (5) Any contract of life or accident and sickness insurance; or
- (6) Bid bonds issued by any surety insurer in connection with any public or private building or construction project.”

SECTION 13.

Said title is further amended by striking in its entirety Code Section 33-23-32, relating to commissions for countersigning of insurance contracts by resident agents, and inserting in lieu thereof a new Code Section 33-23-32 to read as follows:

“33-23-32.

Except as provided in subsection (b) of Code Section 33-23-31, all insurance contracts on risks or property located or having a situs in this state must be countersigned by a ~~resident~~ an agent duly licensed in accordance with this chapter Code Section 33-23-5; and, if a ~~licensed nonresident~~ agent participates in the effectuation of such contract, the resident agent licensed in accordance with Code Section 33-23-5 shall be entitled to the same commission as allowed by the state of residence of the licensed nonresident but, in any event, to not more than 50 percent of the commission. Nothing contained in this Code section shall be construed to require a company to make additional compensation in the way of commissions or otherwise to a person who is paid on a salary basis."

SECTION 14.

Said title is further amended by striking Code Section 33-23-44, relating to the authority of the Commissioner of Insurance, and inserting in its place a new Code Section 33-23-44 to read as follows:

"33-23-44.

(a) The Commissioner may establish rules and regulations with respect to:

- (1) The classification of applicants according to the kinds of insurance to be effected by them if licensed;
- (2) The scope, type, and conduct of written examinations to be given pursuant to this chapter and the times and places within this state for holding the examinations;
- (3) Classification and scope of authority of any license authorized under this chapter; and
- (4) Any other purpose required or necessary for the implementation or enforcement of this chapter.

(b) The Commissioner shall establish by rule or regulation a license for persons exempted under Code Section 33-23-18 that is distinct from other agent licenses."

SECTION 15.

Said title is further amended by striking in its entirety subsection (o) of Code Section 33-24-45, relating to cancellation or nonrenewal of automobile or motorcycle policies and procedures for hearing before the Commissioner, and inserting in lieu thereof a new subsection (o) to read as follows:

"(o) An insured may ~~file a written request for a hearing before~~ request a review by the Commissioner if the insured believes that his or her policy has been canceled or nonrenewed in violation of this Code section. ~~A hearing~~ Such request must be filed with the Commissioner within 15 days of receipt of a notice of cancellation or nonrenewal, ~~and shall be accompanied by a filing fee to be prescribed by rule of the Commissioner. The filing fee may be waived by the Commissioner in the event the payment of such fee would cause economic hardship to the insured. A hearing shall be scheduled within 20 days of said request unless the Commissioner determines from the facts stated in the request that such request is without merit. A written determination must be issued by the Commissioner within ten days of the date of the hearing. A review of the cancellation or nonrenewal shall be conducted within 30 days of said request. The Commissioner shall notify the insured and the insurer of his or her decision within the 30 day period.~~ During the pendency of such ~~proceedings~~ review, the policy shall continue in full force and effect and the Commissioner ~~may order the insured to tender any premiums due for such continued coverage to the Commissioner to be held in escrow shall specify by rule or regulation the method of payment of premium due and the disposition of premium refunds, if any.~~ The Commissioner shall either order ~~require~~ that the policy be reinstated or renewed or may uphold the nonrenewal or cancellation ~~and shall order the disposition of any premium payments held in escrow in accordance with the decision in the case. The Commissioner may also order such penalties as he determines are appropriate in the event of an abusive nonrenewal or cancellation. Except as otherwise specifically provided in this subsection, all hearings conducted pursuant to this subsection shall be conducted pursuant to provisions of Chapter 2 of this title. In any hearing or investigation conducted pursuant to this subsection, the Commissioner shall be authorized to investigate the issue of whether the insurer has engaged in a pattern or practice of~~

~~improper policy nonrenewal or cancellation procedures and, in In the event of a determination that the insurer has engaged in a pattern or practice of improper policy nonrenewal or cancellation procedures, to order such remedies and penalties as he deems appropriate and as are authorized by law. the Commissioner determines that an insurer's cancellation or nonrenewal action constitutes an unfair act or practice, the Commissioner may take action as authorized by this title. Following the completion of any review provided by this subsection, an insured may request a hearing pursuant to Code Section 33-2-17, and nothing in this subsection shall be deemed to waive an insured's right to request such a hearing.~~"

SECTION 16.

Said title is further amended by striking in its entirety subsection (c) of Code Section 33-24-47, relating to notice required of insurers for termination, increase in premium rates, or change restricting coverage, and inserting in its place a new subsection (c) to read as follows:

"(c) The failure of an insurer to comply with the requirements of subsection (b) of this Code section shall entitle the policyholder to purchase, under the same premiums and policy terms and conditions, an additional 30 day period of insurance coverage beyond the termination date of such policy; provided, however, that the policyholder shall tender the premium amount, computed on a pro rata basis, to the insurer on or before the termination date. No provision of this Code section shall be construed as requiring the insurance coverage under a policy to be extended for more than 30 days from the termination date stated in such policy. An insurer shall not be subject to any other penalty for the failure to comply with the requirements of subsection (b) of this Code section unless the Commissioner finds, after a hearing, that such noncompliance by the insurer has occurred with such frequency as to indicate a general business practice by the insurer of noncompliance with subsection (b) of this Code section. There shall be no liability on the part of and no cause of action of any nature shall arise against the Commissioner or the Commissioner's employees or against any insurer, its authorized representatives, its agents, its employees, or any firm, person, or corporation furnishing to the insurer information as to reasons for cancellation or nonrenewal for any statement made by any of them and in written notice of cancellation or nonrenewal or in any other communication, oral or written, specifying the reasons for cancellation or nonrenewal or providing information pertaining thereto or for statements made or evidence submitted at any formal or informal hearing conducted in connection therewith."

SECTION 17.

Said title is further amended by striking in its entirety Code Section 33-43-1, relating to definitions applicable to medicare supplement insurance, and inserting in lieu thereof a new Code Section 33-43-1 to read as follows:

"33-43-1.

As used in this chapter, the term:

(1) 'Applicant' means:

(A) In the case of an individual medicare supplement policy or subscriber contract, the person who seeks to contract for insurance benefits; and

(B) In the case of a group medicare supplement policy, the proposed certificate holder.

(2) 'Certificate' means any certificate delivered or issued for delivery in this state under a group medicare supplement policy.

(3) 'Certificate form' means the form on which the certificate is delivered or issued for delivery by the ~~insurer~~ issuer.

(4) 'Issuer' includes insurance companies, fraternal benefit societies, health care service plans, health maintenance organizations, and any other entity delivering or issuing for delivery in this state medicare supplement policies or certificates.

(5) 'Medicare' means the 'Health Insurance for the Aged Act,' Title XVIII of the Social Security Act Amendments of 1965, as then constituted or later amended.

(6) 'Medicare supplement policy' means a group or individual policy of accident and sickness insurance or a subscriber contract of hospital and medical service associations

or health maintenance organizations, other than a policy issued pursuant to a contract under Section 1876 or ~~Section 1833~~ of the federal Social Security Act (42 U.S.C. Section 1395, et seq.) or an issued policy under a demonstration project ~~authorized pursuant to amendments to the federal Social Security Act specified in 42 U.S.C. Section 1395ss(g)(1)~~, which is advertised, marketed, or designed primarily as a supplement to reimbursement reimbursements under medicare for the hospital, medical, or surgical expenses of persons eligible for medicare.

(7) 'Policy form' means the form on which the policy is delivered or issued for delivery by the ~~insurer~~ issuer."

SECTION 18.

Said title is further amended by striking in its entirety Code Section 33-43-2, relating to the applicability of said chapter, and inserting in lieu thereof a new Code Section 33-43-2 to read as follows:

"33-43-2.

(a) Except as otherwise specifically provided in ~~Code Section 33-43-4~~, this chapter shall apply to:

(1) All medicare supplement policies delivered or issued for delivery in this state on or after ~~July 30, 1992~~ April 28, 1996; and

(2) All certificates issued under group medicare supplement policies, which certificates have been delivered or issued for delivery in this state.

(b) This chapter shall not apply to a policy of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations or a combination thereof, for employees or former employees or a combination thereof, or for members or former members or a combination thereof of the labor organizations.

(c) Except as provided under subsection (d) of Code Section 33-43-5, the ~~The~~ provisions of this chapter shall not be construed to prohibit or apply to insurance policies or health care benefit plans, including group conversion policies, provided to medicare eligible persons, which policies are not marketed or held to be medicare supplement policies or benefit plans."

SECTION 19.

Said title is further amended by striking in its entirety subsection (b) of Code Section 33-43-3, relating to duplicate state benefits, policy standards, prohibited provisions, denial of claims, and preexisting conditions, and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) Notwithstanding any other provision of ~~this title~~ Georgia law, a medicare supplement policy or certificate shall not exclude or limit benefits for losses incurred more than six months from the effective date of coverage because it involved a preexisting condition. The policy or certificate shall not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six months before the effective date of coverage."

SECTION 20.

Said title is further amended by striking in its entirety subsection (d) of Code Section 33-43-5, relating to insurer filing requirements, benefits, and loss ratio standards, and inserting in lieu thereof a new subsection (d) to read as follows:

"(d) The Commissioner may prescribe by regulation for captions or notice requirements, determined to be in the public interest and designed to inform prospective insureds that particular insurance coverages are not medicare supplement coverages for all accident and sickness insurance policies sold to persons eligible for medicare, other than:

(1) Medicare supplement policies; or

(2) Disability income policies;

~~(3) Basic, catastrophic, or major medical expense policies; or~~

~~(4) Single premium, nonrenewable policies."~~

SECTION 21.

This section and Sections 17, 18, 19, 20, and 22 of this Act shall become effective on April 28, 1996. All other sections of this Act shall become effective on July 1, 1996.

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SECTION 22.

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

Representative Harbin of the 113th moved that the House adopt the report of the Committee of Conference on HB 1404.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	N Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Y Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Brooks, D	Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
N Brown, J	Y Godbee	Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Goodwin	Y Lucas	N Sanders	Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Walker, L
Y Bunn	Grindley	N Mann	Y Scoggins	Y Walker, R.L
Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	McBee	Y Shaw	Y Watson
Y Campbell	N Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 146, nays 18.

The motion prevailed.

Representative McBee of the 88th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

The following supplemental Rules Calendar was read and adopted:

HOUSE RULES CALENDAR
MONDAY, MARCH 18, 1996

Mr. Speaker and Members of the House:

Your Committee on Rules met and submits the following supplemental to the calendar already adopted this March 18, 1996, by adding the following:

- SB 539 Juvenile Law Enforce. Records offense constituting felony
(Starr of the 44th)
- SB 560 DUI applicability of statute to glue, toxic vapors
(Starr of the 44th)
- SB 575 Child Abuse access to records by child advocacy centers
(Clay of the 37th)
- SB 596 U.S. Dept. of Vet. Affairs guardianship of beneficiaries
(Taylor of the 12th)
- SB 659 Counties financial statements & audits
(Dean of the 31st)

Except as herein amended, the provisions of the calendar heretofore submitted shall remain in full force and effect.

Respectfully submitted,
/s/ Lee of the 94th
Chairman

The following Bill of the House, having been postponed from a previous day was taken up for consideration and read the third time:

- SB 544. By Senator Langford of the 29th:

A bill to amend Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances in criminal cases, so as to change provisions relating to deposit of driver's licenses in lieu of bail in traffic and motor vehicle cases; to provide for driver's license display in lieu of bail instead of driver's license deposit; to provide for recordation of license number by the apprehending officer; to provide for suspension of license upon failure to appear.

The following Committee substitute was read:

A BILL

To amend Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances in criminal cases, so as to change provisions relating to deposit of driver's licenses in lieu of bail in traffic and motor vehicle cases; to provide for driver's license display in lieu of bail instead of driver's license deposit; to provide for recordation of license number by the apprehending officer; to provide for suspension of license upon failure to appear; to provide for the later reinstatement of current provisions relating to said matters; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances in criminal cases, is amended by striking Code Section 17-6-11, relating to deposit of driver's license in lieu of bail in traffic and motor vehicle cases, and inserting in its place a new Code section to read as follows:

"17-6-11.

(a) Any other laws to the contrary notwithstanding, any person who is ~~arrested~~ apprehended by an officer for the violation of the laws of this state or ordinances relating to: (1) traffic, including any offense under Code Section 40-5-72 or Code Section 40-6-10, but excepting any other offense for which a license may be suspended for a first offense by the commissioner of public safety, any offense covered under Code Section 40-5-54,

or any offense covered under Article 15 of Chapter 6 of Title 40; (2) the licensing and registration of motor vehicles and operators; (3) the width, height, and length of vehicles and loads; (4) motor common carriers and motor contract carriers; or (5) road taxes on motor carriers ~~as provided in~~ Article 2 of Chapter 9 of Title 48 upon being served with the official summons issued by such arresting apprehending officer, in lieu of being immediately brought before the proper magistrate, recorder, or other judicial officer to enter into a formal recognizance or make direct the deposit of a proper sum of money in lieu of a recognizance ordering incarceration, may deposit display his or her driver's license with to the apprehending officer in lieu of bail, in lieu of entering into a recognizance for his or her appearance for trial as set in the aforesaid summons, or in lieu of being incarcerated by the arresting apprehending officer and held for further action by the appropriate judicial officer. The apprehending officer shall note the driver's license number on the official summons. A receipt for such license or deposit shall be given to such person by the arresting officer, and thereafter said person shall be permitted to use the receipt to operate a motor vehicle upon the highways of this state during the pendency of the case in which the license was deposited, unless his license or privilege is otherwise revoked, suspended, or canceled; provided, however, that such receipt shall in no event be valid for more than 45 days unless otherwise extended by the court. The summons duly served as provided in this Code section shall give the judicial officer jurisdiction to dispose of the matter.

(b) Upon ~~receipt of the license as bail, display of the driver's license~~ the arresting apprehending officer may shall release the person so charged as ~~provided for in this Code section~~ for his or her further appearance before the proper judicial officer as ~~provided for in this Code section~~ and required by the summons. The court in which the charges are lodged shall immediately forward to the Department of Public Safety of this state the ~~license which was deposited in lieu of bail~~ driver's license number if the person fails to appear and answer to the charge against him or her. The commissioner of public safety shall, upon receipt of a license number forwarded by the court, suspend the driver's license and driving privilege of the defaulting person until notified by the court that the charge against the person has been finally adjudicated. Such person's license shall be reinstated if the person submits proof of payment of the fine from the court of jurisdiction and pays to the Department of Public Safety a restoration fee of \$35.00 or \$25.00 when such reinstatement is processed by mail.

(c) Nothing in this Code section bars any law enforcement officer from arresting or from seizing the driver's license of any individual possessing a fraudulent license or a suspended license or operating a motor vehicle while his or her license is suspended, outside the scope of a driving permit, or without a license.

(e)(d) The commissioner of public safety shall be authorized to promulgate reasonable rules and regulations to carry out the purposes of this Code section and to establish agreements with other states whereby a valid license from that state may be accepted for purposes of this Code section."

SECTION 2.

Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances in criminal cases, is amended by striking Code Section 17-6-11, relating to deposit of driver's license in lieu of bail in traffic and motor vehicle cases, and inserting in its place a new Code section to read as follows:

"17-6-11.

(a) Any other laws to the contrary notwithstanding, any person who is arrested by an officer for the violation of the laws of this state or ordinances relating to (1) traffic, including any offense under Code Section 40-5-72 or Code Section 40-6-10, but excepting any other offense for which a license may be suspended for a first offense by the commissioner of public safety; (2) the licensing and registration of motor vehicles and operators; (3) the width, height, and length of vehicles and loads; (4) motor common carriers and motor contract carriers; or (5) road taxes on motor carriers as provided in Article 2 of Chapter 9 of Title 48 upon being served with the official summons issued by such arresting officer, in lieu of being immediately brought before the proper magistrate,

recorder, or other judicial officer to enter into a formal recognizance or make direct the deposit of a proper sum of money in lieu of a recognizance ordering incarceration, may deposit his driver's license with the apprehending officer in lieu of bail, in lieu of entering into a recognizance for his appearance for trial as set in the aforesaid summons, or in lieu of being incarcerated by the arresting officer and held for further action by the appropriate judicial officer. A receipt for such license or deposit shall be given to such person by the arresting officer, and thereafter said person shall be permitted to use the receipt to operate a motor vehicle upon the highways of this state during the pendency of the case in which the license was deposited, unless his license or privilege is otherwise revoked, suspended, or canceled; provided, however, that such receipt shall in no event be valid for more than 45 days unless otherwise extended by the court. The summons duly served as provided in this Code section shall give the judicial officer jurisdiction to dispose of the matter.

(b) Upon receipt of the license as bail, the arresting officer may release the person so charged as provided for in this Code section for his further appearance before the proper judicial officer as provided for in this Code section and required by the summons. The court in which the charges are lodged shall immediately forward to the Department of Public Safety of this state the license which was deposited in lieu of bail if the person fails to appear and answer to the charge against him. The commissioner of public safety shall, upon receipt of a license forwarded by the court, suspend the driver's license and driving privilege of the defaulting person until notified by the court that the charge against the person has been finally adjudicated. Such person's license shall be reinstated if the person submits proof of payment of the fine from the court of jurisdiction and pays to the Department of Public Safety a restoration fee of \$35.00 or \$25.00 when such reinstatement is processed by mail.

(c) The commissioner of public safety shall be authorized to promulgate reasonable rules and regulations to carry out the purposes of this Code section and to establish agreements with other states whereby a valid license from that state may be accepted for purposes of this Code section."

SECTION 3.

Section 1 of this Act shall become effective September 1, 1996. Section 2 of this Act shall become effective September 1, 1998.

SECTION 4.

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

The following amendment was read:

Representative Powell of the 23rd moves to amend the Committee substitute to SB 544 by striking line 11 of page 1 and inserting in lieu thereof the following:

"matters; to amend Code Section 40-5-21 of the Official Code of Georgia Annotated, relating to exemptions from driver's license requirements, so as to exempt certain persons 15 years of age or over while taking instruction from a licensed driving instructor or an approved high school driver education instructor; to provide for conditions and limitations; to provide for eyesight examinations; to amend an Act approved March 29, 1994 (Ga. L. 1994, p. 478), providing for the exemption of certain drivers from the requirement for a learner's permit while taking instruction from a licensed driving instructor, so as to remove the automatic date of repeal or 'sunset' date of said Act; to provide for related matters; to provide"

By redesignating Sections 3 and 4 as Sections 5 and 6, respectively.

By inserting between lines 38 and 39 of page 4 the following:

SECTION 3.

Code Section 40-5-21 of the Official Code of Georgia Annotated, relating to exemptions from driver's license requirements, is amended by striking paragraph (11) of subsection (a) in its entirety and inserting in lieu thereof a new paragraph (11) to read as follows:

'(11) Any resident who is ~~21~~ 15 years of age or over while taking actual in-car training in a training vehicle other than a commercial motor vehicle under the direct personal supervision of a driving instructor when such driving instructor and training vehicle are licensed by the Department of Public Safety in accordance with the provisions of Chapter 13 of Title 43, "The Driver Training School License Act," or when such driving instructor and vehicle are approved by the State Department of Education for a driver education program offered by a public high school, provided that the course is open only to students of such accredited school. As used in the previous sentence, the term "commercial motor vehicle" shall have the meaning specified in Code Section 40-5-142. All vehicles utilized for the in-car training authorized under this paragraph shall be equipped with dual controlled brakes and shall be marked with signs in accordance with the Department of Public Safety or Department of Education rules clearly identifying such vehicles as training cars belonging to a driving school or public high school. A driving instructor shall test the eyesight of any unlicensed person who will be receiving actual in-car training prior to commencement of such training, and no unlicensed driver shall receive in-car training unless such person has at least the visual acuity and horizontal field of vision as is required for issuance of a driver's license in subsection (c) of Code Section 40-5-27.'

SECTION 4.

An Act approved March 29, 1994 (Ga. L. 1994, p. 478), providing for the exemption of certain drivers from the requirement for a learner's permit while taking instruction from a licensed driving instructor, is amended by repealing Section 4, which reads as follows:

'SECTION 4.

This Act shall be repealed in its entirety July 1, 1996.'

By striking line 42 of page 4 and inserting in lieu thereof the following:

"September 1, 1998. All other sections of this Act shall become effective upon approval of this Act by the Governor or upon its becoming law without such approval."

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

Y Allen	Y Childers	Y Harbin	Y Lifsey	Y Randall
Y Anderson	N Coker	N Harris	Lord	N Randolph
Y Ashe	Y Coleman, B	N Heard	Y Lucas	N Ray
Y Bailey	Y Coleman, T	Y Heckstall	Y Maddox	Y Reaves
Y Baker	Connell	Y Hegstrom	N Mann	Y Reichert
Bannister	Y Crawford	Y Hembree	Y Martin	Y Roberts
Barfoot	N Crews	Y Henson	N McBee	Y Rogers
Y Bargeron	N Culbreth	Y Holland	Y McCall	N Royal
Y Barnard	Cummings	Y Holmes	N McClinton	N Sanders
Barnes	Y Davis, G	Y Howard	McKinney	Y Sauder
N Bates	Davis, M	Y Hudson	N Mills	N Scoggins
Y Benefield	N Day	N Hugley	N Mobley, B	Y Shanahan
Y Birdsong	Y DeLoach, B	N Irvin	Y Mobley, J	Y Shaw
Bordeaux	Y DeLoach, G	James	Y Mosley	Sherrill
Bostick	Y Dix	Y Jamieson	Y Mueller	Y Shipp
N Breedlove	Y Dixon, H	Jenkins	Y O'Neal	Simpson
Y Brooks, D	Dixon, S	Johnson, G	N Orrock	Y Sinkfield
Y Brooks, T	N Dobbs	Y Johnson, J	Y Parham	N Skipper
Y Brown, J	N Ehrhart	Y Johnston	N Parrish	N Smith, C
Y Brush	Y Epps	Y Jones	Y Parsons	Smith, C.W
N Buck	N Evans	N Joyce	Y Pelote	Y Smith, L
Y Buckner	Y Falls	Y Kaye	N Perry	N Smith, P
Y Bunn	Y Felton	Y Kinnamon	N Pinholster	Y Smith, T
Y Burkhalter	Y Floyd	Y Klein	N Polak	Y Smith, V
Y Byrd	N Godbee	Ladd	Y Ponder	Y Smith, W
Y Campbell	N Golden	Y Lakly	Y Porter	N Smyre
Canty	Y Goodwin	Lane	Y Poston	Y Snelling
N Carter	Greene	N Lawrence	Y Powell	Y Snow
Chambless	Y Grindley	Y Lee	Y Purcell, A	N Stallings
N Channell	Hanner	Y Lewis	Y Purcell, B	N Stancil, F

N Stancil, S	Teague	Y Trense	Watson	N Williams, B
N Stanley, L	Y Teper	Y Turnquest	N Watts	Y Williams, J
Stanley, P	Y Thomas	N Twiggs	Y Westmoreland	Y Williams, R
Y Stephenson	Tillman	N Walker, L	N Whitaker	Y Woods
Y Streat	Y Titus	N Walker, R.L	Y White	N Yates
N Taylor	Y Towery	Y Wall	Y Wiles	Murphy, Spkr

On the adoption of the amendment, the ayes were 101, nays 51.

The amendment was adopted.

The following amendments were read and adopted:

Representative Randall of the 127th moves to amend the Committee substitute to SB 544 by adding in the title on line 3 of page 1 between the word "as" and the word "to" the following:

"to make an appeal bond discretionary for persons convicted of certain offenses;"

By striking in its entirety line 18 of page 1 and inserting in lieu thereof the following:

"criminal cases, is amended by striking paragraph (1) of subsection (b) and subsection (g) of Code Section 17-6-1, relating to where offenses are bailable, in their entirety and inserting in lieu thereof a new paragraph (1) of subsection (b) and subsection (g) to read as follows:

'(b)(1) All offenses not included in subsection (a) of this Code section are bailable by a court of inquiry. ~~At~~ Except as provided in subsection (g) of this Code section, at no time, either before a court of inquiry, when indicted or accused, after a motion for new trial is made, or while an appeal is pending, shall any person charged with a misdemeanor be refused bail.

'(g) No appeal bond shall be granted to any person who has been convicted of murder, rape, aggravated sodomy, armed robbery, aggravated child molestation, kidnapping, trafficking in cocaine or marijuana, aggravated stalking, or aircraft hijacking and who has been sentenced to serve a period of incarceration of seven years or more. The granting of an appeal bond to a person who has been convicted of any other ~~crime felony offense~~ or of any misdemeanor offense involving an act of family violence as defined in Code Section 19-13-1, or of any offense delineated as a high and aggravated misdemeanor or of any offense set forth in Code Section 40-6-391, shall be in the discretion of the convicting court. Appeal bonds shall terminate when the right of appeal terminates, and such bonds shall not be effective as to any petition or application for writ of certiorari unless the court in which the petition or application is filed so specifies.'

SECTION 2.

Said article is further amended by striking Code Section 17-6-11,"

By renumbering Sections 2, 3, and 4, on pages 3, 4, and 5 as Sections 3, 4, and 5, respectively.

Representative Williams of the 114th moves to amend the Committee substitute to SB 544 by striking from lines 1 through 3 and lines 16 through 18 on page 1 and lines 16 through 18 on page 3 the following:

"Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances in criminal cases,"

and inserting in lieu thereof the following:

"Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure,".

By adding at the end of line 11 of page 1 the following:

“that a prosecuting attorney shall not be required to furnish the home address, date of birth, or home telephone number of a witness who is a law enforcement officer; to provide for the furnishing of certain other information; to provide”

By renumbering Section 3 on page 4 and Section 4 on page 5 as Sections 4 and 5, respectively, and adding between lines 38 and 39 on page 4 the following:

“SECTION 3.

Said title is further amended by striking in its entirety Code Section 17-16-8, relating to list of names and information concerning witnesses, and inserting in lieu thereof a new Code Section 17-16-8 to read as follows:

‘17-16-8.

The prosecuting attorney, not later than ten days before trial, and the defendant’s attorney, within ten days after compliance by the prosecuting attorney but no later than five days prior to trial, or as otherwise ordered by the court, shall furnish to the opposing counsel as an officer of the court, in confidence, the names, current locations, dates of birth, and telephone numbers of that party’s witnesses, unless for good cause the judge allows an exception to this requirement, in which event the counsel shall be afforded an opportunity to interview such witnesses prior to the witnesses being called to testify.

(b) Nothing in this Code section shall be construed to require the prosecuting attorney to furnish the home address, date of birth, or home telephone number of a witness who is a law enforcement officer. Instead, in such cases, the prosecuting attorney shall furnish to the defense attorney the law enforcement officer’s current work location and work phone number.”

Representative Bunn of the 74th moves to amend the Committee substitute to SB 544 by striking line 11 of page 1 and inserting in lieu thereof the following:

“matters; to require law enforcement officers and emergency medical technicians to examine immediately the driver’s license of any person fatally injured in a motor vehicle accident or in any other type of accident to determine the victim’s wishes concerning organ donation and to take certain actions related thereto; to provide for related matters; to provide”

By adding following line 2 of page 3 and line 32 of page 4 the following:

“(b.1) It shall be the duty of a law enforcement officer or emergency medical technician responding to the scene of any motor vehicle accident or other accident involving a fatal injury to examine immediately the driver’s license of the victim to determine the victim’s wishes concerning organ donation. If the victim has indicated that he or she wishes to be an organ donor, it shall be the duty of such law enforcement officer or emergency medical technician to take appropriate action to ensure, if possible, that the victim’s organs shall not be imperiled by delay in verification by the donor’s next of kin.”

The following amendment was read:

Representative Powell of the 23rd, et al. move to amend the Committee substitute to SB 544 by striking line 11 of page 1 and inserting in lieu thereof the following:

“matters; to amend Code Section 40-5-22 of the Official Code of Georgia Annotated, relating to persons not to be licensed, so as to change certain provisions relating to persons 14 years of age who may be issued a restricted noncommercial Class P instruction permit; to provide for related matters; to provide”

By redesignating Sections 3 and 4 as Sections 4 and 5, respectively.

By inserting between lines 38 and 39 on page 4 the following:

www.libtool.com.cn “SECTION 3.”

Code Section 40-5-22 of the Official Code of Georgia Annotated, relating to persons not to be licensed, is amended by striking subsection (b) and inserting in lieu thereof a new subsection (b) to read as follows:

“(b) Notwithstanding the provisions of subsection (a) of this Code section, any person 14 or 15 years of age who has a parent or guardian who either is medically incapable of being licensed to operate a motor vehicle due to visual impairment or has a disability which renders such person medically incapable of operating a motor vehicle safely as provided by Code Section 40-5-35 may apply for and, subject to the approval of the commissioner, may be issued a restricted noncommercial Class P instruction permit for the operation of a noncommercial Class C vehicle. Any person so permitted pursuant to this subsection shall be accompanied by such visually impaired or disabled parent or guardian or a driving instructor licensed by the Department of Public Safety in accordance with the provisions of Chapter 13 of Title 43, “The Driver Training School License Act,” whenever operating a motor vehicle.”

By striking line 42 of page 4 and inserting in lieu thereof the following:

“September 1, 1998. All other sections of this Act shall become effective July 1, 1996.”

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

N Allen	N Crews	N Irvin	Parrish	Y Smith, W
Y Anderson	N Culbreth	Y James	N Parsons	Y Smyre
N Ashe	Cummings	Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	N Day	Y Johnson, J	N Polak	N Stancil, F
Y Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
Bargeron	Y DeLoach, G	Y Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Stanley, P
N Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
N Bates	Y Dixon, S	N Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	Y Purcell, B	N Taylor
Y Birdsang	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Epps	N Lakly	N Randolph	Y Teper
Bostick	N Evans	Y Lane	Y Ray	Thomas
Breedlove	Y Falls	N Lawrence	Y Reaves	Y Tillman
N Brooks, D	Y Felton	Y Lee	Y Reichert	N Titus
Y Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
N Brown, J	N Godbee	N Lifsey	Y Rogers	N Trense
Y Brush	N Golden	Y Lord	Y Royal	N Turnquest
N Buck	N Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	Maddox	Y Sauder	N Walker, L
Y Bunn	N Grindley	N Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Hanner	N Martin	N Shanahan	Y Wall
Y Byrd	Y Harbin	N McBee	Y Shaw	N Watson
N Campbell	N Harris	Y McCall	Y Sherrill	N Watts
Y Canty	N Heard	N McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambliss	Y Hegstrom	N Mills	Y Sinkfield	N White
Y Channell	Y Hembree	N Mobley, B	N Skipper	N Wiles
N Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
N Coker	Y Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	N Holmes	N Mueller	N Smith, L	Y Williams, R
N Coleman, T	Y Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	N Yates
N Crawford	N Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 82, nays 85.

The amendment was lost.

Representative Powell of the 23rd moved that the House reconsider its action in failing to adopt the Powell amendment.

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

Y Allen	N Crews	N Irvin	N Parrish	Y Smith, W
Y Anderson	N Culbreth	N James	N Parsons	N Smyre
N Asbe	Y Cummings	Jamieson	Y Pelote	N Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	N Pinholster	Y Stallings
N Bannister	N Day	Y Johnson, J	N Polak	Y Stancil, F
N Barfoot	Y DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bergeron	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Stanley, P
Barnes	Y Dixon, H	N Kaye	Y Powell	Y Stephenson
N Bates	Y Dixon, S	N Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	N Klein	Y Purcell, B	N Taylor
Y Birdsong	N Ehrhart	N Ladd	Y Randall	Y Teague
Y Bordeaux	Epps	N Lakly	N Randolph	Y Teper
Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Breedlove	Y Falls	N Lawrence	Y Reaves	N Tillman
N Brooks, D	Y Felton	Y Lee	Y Reichert	N Titus
Y Brooks, T	Y Floyd	N Lewis	Roberts	Y Towery
N Brown, J	N Godbee	N Lifsey	Y Rogers	N Trense
Y Brush	N Golden	Lord	Y Royal	N Turnquest
N Buck	N Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
Bunn	N Grindley	N Mann	Y Scoggins	N Walker, R.L
Y Burkhalter	Y Hanner	N Martin	N Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
N Campbell	N Harris	Y McCall	Y Sherrill	N Watts
N Canty	N Heard	N McClinton	Y Shipp	N Westmoreland
Y Carter	N Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambless	N Hegstrom	N Mills	Y Sinkfield	N White
Y Channell	N Hembree	N Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	N Smith, C	N Williams, B
N Coker	Y Holland	Y Mosley	N Smith, C.W	N Williams, J
N Coleman, B	N Holmes	N Mueller	N Smith, L	Y Williams, R
N Coleman, T	N Howard	Y O'Neal	N Smith, P	N Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	N Yates
N Crawford	N Hugley	Y Parham	N Smith, V	Murphy, Splr

On the motion, the ayes were 83, nays 85.

The motion was lost.

The following amendments were read and adopted:

Representative Grindley of the 35th, et al. move to amend the Committee substitute to SB 544 by inserting after the word and symbol "matters;" the first time it appears on line 11 on page 1 the following:

"to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to provide for a marker on the driver's license of a person convicted for a second time of driving under the influence of alcohol or drugs;".

By inserting between lines 39 and 40 on page 4 the following:

"Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, is amended by striking Code Section 40-5-85 which reads as follows:

'40-5-85.

Reserved.';

and inserting in lieu thereof a new Code Section 40-5-85 to read as follows:

'40-5-85.

Notwithstanding any other provision of this chapter, any person convicted within five years of his or her first conviction as measured in paragraph (2) of subsection (c) of Code Section 40-6-391 for a second time of the offense of driving under the influence of alcohol ~~or drugs in violation~~ of Code Section 40-6-391 shall, upon compliance with all other requirements for reinstatement of his or her license as provided for in this chapter, be issued a driver's license which may bear a red stripe thereon. After seven years with no additional convictions for driving under the influence of alcohol or drugs any such person shall be issued a regular driver's license without such red stripe provided that he or she is otherwise entitled to such license under the laws of this state.'

SECTION 4."

By renumbering Section 4 as Section 5.

Representatives Porter of the 143rd and Parham of the 122nd move to amend the Committee substitute to SB 544 by adding following the word and symbol "matters;" on line 11 of page 1 the following:

"to amend Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to keeping of records of applicants for drivers' licenses and information on licenses, so as to provide that under certain conditions the department may provide access to a driver's operating records to a rental car company; to provide that a rental car company shall be prohibited from disseminating or disclosing any information from a driver's operating record to any other person or entity; to provide a penalty; to provide that such access shall be provided and funded through the GeorgiaNet Authority; to provide for rules and regulations;"

By redesignating Sections 3 and 4 as Sections 4 and 5, respectively.

By adding between lines 38 and 39 of page 4 the following:

"SECTION 3.

Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to keeping of records of applicants for drivers' licenses and information on licenses, is amended by striking subsection (k) in its entirety and inserting in lieu thereof the following:

'(k) Notwithstanding any other provisions of this Code section, the department may provide access to a driver's operating records to a rental car company engaged in the normal course of its business upon the written release from the driver. A rental car company shall be prohibited from disseminating or disclosing any information from a driver's operating record to any other person or entity, and any person violating this subsection shall be guilty of a misdemeanor. Such access shall be provided and funded through the GeorgiaNet Authority, and the department shall bear no costs associated with such access. The department is authorized to promulgate rules and regulations necessary to carry out the provisions of this subsection.

~~(k)~~(l) The department, pursuant to rules and regulations promulgated by the commissioner, may periodically review all records maintained pursuant to this Code section and shall correct those records which contain known improper, false, fraudulent, or invalid information."

By adding at the end of line 42 of page 4 the following:

"Section 3 of this Act shall become effective July 1, 1996."

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:

Y Allen	Y Andrews	Y Irvin	N Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	N Jenkins	N Perry	Y Snow
N Baker	N Davis, M	Johnson, G	Y Pinholster	N Stallings
N Bannister	N Day	Y Johnson, J	Y Polak	N Stancil, F
N Barfoot	N DeLoach, B	Y Johnston	N Ponder	Y Stancil, S
N Bargeron	Y DeLoach, G	Y Jones	N Porter	Stanley, L
N Barnard	Y Dix	N Joyce	N Poston	Stanley, P
Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	Y Streat
Y Benefield	N Dobbs	Y Klein	Y Purcell, B	N Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	N Teague
Y Bordeaux	Epps	Y Lakly	N Randolph	N Teper
Y Bostick	N Evans	N Lane	N Ray	N Thomas
Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	N Lewis	Y Roberts	Y Towery
Y Brown, J	N Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	N Golden	N Lord	N Royal	N Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
N Buckner	N Greene	Y Maddox	Y Sauder	N Walker, L
Y Bunn	Y Grindley	N Mann	N Scoggins	N Walker, R.L.
Y Burkhalter	Hanner	N Martin	N Shanahan	Y Wall
N Byrd	Y Harbin	N McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	N Heard	N McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	N Simpson	Y Whitaker
Y Chambless	N Hegstrom	N Mills	Y Sinkfield	Y White
N Channell	Y Hembree	Y Mobley, B	N Skipper	Y Wiles
Y Childers	N Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	N Holland	N Mosley	N Smith, C.W	Y Williams, J
N Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
N Coleman, T	Y Howard	Y O'Neal	N Smith, P	Y Woods
N Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, as amended, the ayes were 104, nays 67.

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

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

Mr. Speaker:

The Senate insists on its substitute to the following bill of the House:

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

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

SB 674. By Senators Abernathy of the 38th, Clay of the 37th, Edge of the 28th and others:

A bill to amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, so as to restrict the location of commercial establishments where nudity is exhibited; to define a certain term.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1583. www.libtool.com.cn By Representative Jones of the 71st:

A bill to amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to the adoption of rules and regulations by the Department of Human Resources, so as to provide that documents relating to nursing home surveys shall be disclosed.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Land of the 16th, Ralston of the 51st and Farrow of the 54th.

The Senate has agreed to the Crews and Twiggs House amendments to SB 624 and agrees to the Shaw House amendment as amended by the Senate to the following bill of the Senate:

SB 624. By Senators Bowen of the 13th and Clay of the 37th:

A bill to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to provide certain additional exemptions from the provisions of Code Section 16-11-126 through 16-11-128; to provide an effective date.

The Senate adheres to its amendment and has appointed a Committee of Conference on the following bill of the House:

HB 339. By Representative Barnes of the 33rd:

A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Land of the 16th, Ralston of the 51st and Farrow of the 54th.

The Senate has agreed to the House amendment as amended by the Senate to the following bill of the Senate:

SB 563. By Senators Taylor of the 12th, Thompson of the 33rd, Langford of the 29th and Gochenour of the 27th:

A bill to amend Code Section 40-6-10 of the Official Code of Georgia Annotated, relating to proof of insurance required for motor vehicles, so as to provide for satisfactory proof of insurance for certain recently acquired vehicles.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

Representative Jamieson of the 22nd moved that the House insist on its position in disagreeing to the Senate substitute to HB 1256 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Jamieson of the 22nd, Chambless of the 163rd and Parham of the 122nd.

Under the general order of business, established by the Committee on Rules, the following Bill of the Senate was taken up for consideration and read the third time:

SB 560. By Senators Starr of the 44th, Perdue of the 18th and Henson of the 55th:

A bill to amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to the crime of driving under the influence of alcohol or drugs, so as to provide for the applicability of said statute to driving under the influence of any glue, aerosol, or other toxic vapor; to provide for related matters; to provide for an effective date and applicability.

The following amendment was read and adopted:

The Committee on Special Judiciary moves to amend SB 560 by adding on line 4 of page 1 between the word "the" and the word "influence" the following:

"intentional".

By adding on line 22 of page 1 between the word "the" and the word "influence" the following:

"intentional"

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

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

Y Allen	Y Benefield	Y Bunn	Y Coleman, T	Y Dix
Y Anderson	Y Birdsong	Y Burkhalter	Y Connell	Y Dixon, H
Y Ashe	Y Bordeaux	Y Byrd	Y Crawford	Y Dixon, S
Y Bailey	Y Bostick	Y Campbell	Y Crews	Y Dobbs
Y Baker	Y Breedlove	Y Canty	Y Culbreth	Y Ehrhart
Y Bannister	Y Brooks, D	Y Carter	Y Cummings	Y Epps
Y Barfoot	Y Brooks, T	Y Chambless	Y Davis, G	Y Evans
Y Bargeron	Y Brown, J	Y Channell	Y Davis, M	Y Falls
Y Barnard	Y Brush	Y Childers	Y Day	Y Felton
Y Barnes	Y Buck	Y Coker	Y DeLoach, B	Y Floyd
Y Bates	Y Buckner	Y Coleman, B	Y DeLoach, G	Y Godbee

Y Golden	Y Joyce	Y O'Neal	Scoggins	Y Taylor
Y Goodwin	Y Kaye	Y Orrock	Y Shanahan	Y Teague
Y Greene	Y Kinnamon	Y Parham	Y Shaw	Y Teper
Y Grindley	Y Klein	Y Parrish	Y Sherrill	Y Thomas
Y Hanner	Y Ladd	Y Parsons	Y Shipp	Y Tillman
Y Harbin	Y Lakly	Y Pelote	Y Simpson	Y Titus
Y Harris	Y Lane	Y Perry	Y Sinkfield	Y Towery
Y Heard	Y Lawrence	Y Pinholster	Y Skipper	Y Trense
Y Heckstall	Y Lee	Y Polak	Y Smith, C	Y Turnquest
Y Hegstrom	Y Lewis	Y Ponder	Y Smith, C.W	Y Twiggs
Y Hembree	Y Lifsey	Y Porter	Y Smith, L	Y Walker, L
Y Henson	Y Lord	Y Poston	Y Smith, P	Y Walker, R.L
Y Holland	Y Lucas	Y Powell	Y Smith, T	Y Wall
Y Holmes	Y Maddox	Y Purcell, A	Y Smith, V	Y Watson
Howard	Y Mann	Y Purcell, B	Y Smith, W	Y Watts
Y Hudson	Y Martin	Y Randall	Y Smyre	Y Westmoreland
Y Hugley	Y McBee	Y Randolph	Y Snelling	Y Whitaker
Y Irvin	Y McCall	Y Ray	Y Snow	Y White
Y James	Y McClinton	Reaves	Y Stallings	Y Wiles
Y Jamieson	Y McKinney	Y Reichert	Y Stancil, F	Y Williams, B
Y Jenkins	Y Mills	Y Roberts	Y Stancil, S	Y Williams, J
Y Johnson, G	Y Mobley, B	Y Rogers	Y Stanley, L	Y Williams, R
Y Johnson, J	Y Mobley, J	Y Royal	Y Stanley, P	Y Woods
Y Johnston	Y Mosley	Y Sanders	Y Stephenson	Y Yates
Y Jones	Y Mueller	Y Sauder	Y Streat	Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 168, nays 0.

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

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House amendment thereto:

SB 624. By Senators Bowen of the 13th and Clay of the 37th:

A bill to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of fire-arms, so as to provide certain additional exemptions from the provisions of Code Section 16-11-126 through 16-11-128; to provide an effective date.

The following Senate amendment was read:

Amend the Shaw House amendment to SB 624 by striking lines 3 through 10 of page 1 thereof and inserting in their place the following:

“Amend SB 624 by adding ‘district attorneys emeritus,’ immediately following the comma on line 3 of page 2.

By striking ‘and’ at the end of line 34 of page 2, and inserting ‘and’, by striking the period and inserting ‘; and’ on line 35 of page 2, and by adding between lines 35 and 36 of page 2 the following:

‘(14) Elected constitutional executive officers and members and former members of the General Assembly who have obtained a license in accordance with Code Section 16-11-129.’”

Representative Shaw of the 176th moved that the House agree to the Senate amendment to the House amendment to SB 624.

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

N Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargeron	Y Bates	Y Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
N Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
N Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	N Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	N Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	N Teper
Y Canty	Y Hanner	Y Lucas	N Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	N Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	N McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	N Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	Y Mills	Y Sherrill	Y Walker, R.L
N Crawford	Y Holmes	N Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	N Sinkfield	Y Watts
Y Cummings	N Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	N Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	Y Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	N Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the motion, the ayes were 148, nays 16.

The motion prevailed.

Representative Crawford of the 129th stated that he inadvertently voted "nay" on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1555

The Committee of Conference on HB 1555 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1555 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Mike Egan
 Senator, 40th District

/s/ Mary Margaret Oliver
 Senator, 42nd District

/s/ Arthur B. Edge, IV
 Senator, 28th District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Tommy Chambliss
 Representative, 163rd District

/s/ McCracken Poston
 Representative, 3rd District

/s/ Mack Crawford
 Representative, 129th District

A BILL

To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change the listing of Schedule IV controlled substances; to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances; to provide for the effect of Code Section 17-10-7; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, is amended by adding between paragraph (2.1) and (2.2) of subsection (a) of Code Section 16-13-28, relating to Schedule IV controlled substances, the following:

“(2.15) Butorphanol;”

SECTION 1.1.

Said chapter is further amended by striking subsection (d) of Code Section 16-13-30, relating to purchase and possession of controlled substances, and inserting in its place the following:

“(d) Except as otherwise provided, any person who violates subsection (b) of this Code section with respect to a controlled substance in Schedule I or a ~~narcotic drug~~ in Schedule II shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than five years nor more than 30 years. Upon conviction of a second or subsequent offense, he or she shall be imprisoned for not less than ten years nor more than 40 years or life imprisonment. The provisions of subsection (a) of Code Section 17-10-7 shall not apply to a sentence imposed for a second such offense; provided, however, that the remaining provisions of Code Section 17-10-7 shall apply for any subsequent offense.”

SECTION 2.

Said Code section is further amended by striking in its entirety subsection (f), which reads as follows:

“(f) Any person who violates subsection (b) of this Code section with respect to a controlled substance in Schedule II, other than a narcotic drug, shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than five years nor more than 30 years.”,

and inserting in lieu thereof the following:

“(f) Reserved.”

SECTION 3.

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

Representative Chambliss of the 163rd moved that the House adopt the report of the Committee of Conference on HB 1555.

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

Y Allen	Y Crews	Y Irvin	N Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	N Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	N Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	N Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Watts
Y Canty	Y Heard	McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrick	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 159, nays 9.

The motion prevailed.

Due to a mechanical malfunction, the vote of Representative Parrish of the 144th was not recorded correctly on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 674. By Senators Abernathy of the 38th, Clay of the 37th and Edge of the 28th:

A bill to amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, so as to restrict the location of commercial establishments where nudity is exhibited; to define a certain term.

The following Senate amendment was read:

Amend the House substitute to SB 674 by adding at the beginning of line 3 on page 1 the following:

"restrict the location of commercial establishments where nudity is exhibited; to define a certain term; to"

By renumbering Sections 1, 2, and 3 as Sections 2, 3, and 4, respectively, and inserting a new Section 1 to read as follows:

SECTION 1.

Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, is amended by adding at the end thereof a new Code Section 50-16-19 to read as follows:

'50-16-19.

(a) As used in this Code section, the term "nudity" means the displaying of any portion of the female breast below the top of the areola or the displaying of any portion of any person's pubic hair, anus, cleft of the buttocks, vulva, or genitals.

(b) No person knowingly and intentionally may operate a commercial establishment where nudity is exhibited within 1,500 feet of any real property owned by the state."

Representative Dobbs of the 92nd moved that the House disagree to the Senate amendment to the House substitute to SB 674.

The motion prevailed.

The following Resolutions of the House were taken up for the purpose of considering the reports of the Committees of Conference thereon:

HR 876. By Representative Jenkins of the 110th:

A resolution compensating Ms. Sylvia A. Cone.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HR 876

The Committee of Conference on HR 876 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HR 876 be adopted.

Respectfully submitted,

FOR THE HOUSE
OF REPRESENTATIVES:

FOR THE SENATE:

/s/ Eddie M. Madden
Senator, 47th District

/s/ Harold J. Ragan
Senator, 11th District

/s/ David Ralston
Senator, 51st District

/s/ Roy E. Barnes
Representative, 33rd District

/s/ J. Max Davis
Representative, 60th District

/s/ Curtis S. Jenkins
Representative, 110th District

A RESOLUTION

Compensating Ms. Sylvia A. Cone; and for other purposes.

WHEREAS, on August 26, 1995, Ms. Sylvia A. Cone, her husband, and friends were visiting the Little White House Historic Site at Warm Springs, Georgia; and

WHEREAS, as Ms. Cone entered the gate to the Little White House, she fell on a slippery walkway and fractured her left wrist; and

WHEREAS, she was treated at Meriwether Memorial Hospital and later by Dr. Frank Kelly, an orthopedic surgeon in Macon, Georgia; and

WHEREAS, Dr. Kelly classified her fracture as a severe injury, and Ms. Cone is still suffering pain from the injury and has restricted use of her left hand; and

WHEREAS, Ms. Cone has suffered personal injury, medical expenses, and lost wages totaling \$6,000.00; and

WHEREAS, the accident occurred through no fault or negligence on the part of Ms. Cone, and it is only fitting and proper that she be compensated for her loss.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the Department of Natural Resources is authorized and directed to pay the sum of \$6,000.00 as compensation as provided above. Said sum shall be paid from funds appropriated to or available to said department and shall be in full and complete satisfaction of all claims against the state arising out of said occurrence.

Representative Jenkins of the 110th moved that the House adopt the report of the Committee of Conference on HR 876.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Bargeron	DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Evans	Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towner
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Walker, L
Y Bunn	Y Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 160, nays 0.

The motion prevailed.

HR 884. By Representative Davis of the 60th:

A resolution compensating Ms. Margaret C. Ritchie.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HR 884

The Committee of Conference on HR 884 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HR 884 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Eddie M. Madden
 Senator, 47th District

 /s/ Harold J. Ragan
 Senator, 11th District

 /s/ David Ralston
 Senator, 51st District

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ Roy E. Barnes
 Representative, 33rd District

 /s/ J. Max Davis
 Representative, 60th District

 /s/ Curtis S. Jenkins
 Representative, 110th District

A RESOLUTION

Compensating Ms. Margaret C. Ritchie; and for other purposes.

WHEREAS, on March 11, 1988, Ms. Margaret Ritchie, her daughter, and grandchildren were visiting High Falls State Park in Monroe County, Georgia; and

WHEREAS, when Ms. Ritchie started up the stairs to the left of the swings and climbing apparatus, one of the steps gave way; and

WHEREAS, although Ms. Ritchie grabbed the railing, it was too loose to provide any support, and she fell backwards hitting her head on a large rock at the bottom of the stairs; and

WHEREAS, Ms. Ritchie has received treatment numerous times at the VA Medical Center in Decatur, Georgia, and continues to suffer headaches and chronic maxillary sinusitis which she attributes to the accident; and

WHEREAS, Ms. Ritchie has suffered personal injury, pain and suffering, and medical expenses totaling \$4,000.00; and

WHEREAS, the accident occurred through no fault or negligence on the part of Ms. Ritchie, and it is only fitting and proper that she be compensated for her loss.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the Department of Natural Resources is authorized and directed to pay the sum of \$4,000.00 as compensation as provided above. Said sum shall be paid from funds appropriated to or available to said department and shall be in full and complete satisfaction of all claims against the state arising out of said occurrence.

Representative Jenkins of the 110th moved that the House adopt the report of the Committee of Conference on HR 884.

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

Y Allen	Y Barnard	Y Brooks, D	Y Byrd	Y Coleman, B
Y Anderson	Y Barnes	Y Brooks, T	Y Campbell	Y Coleman, T
Y Ashe	Y Bates	Y Brown, J	Y Canty	Y Connell
Y Bailey	Y Benefield	Y Brush	Y Carter	Y Crawford
Y Baker	Birdsong	Y Buck	Y Chambless	Y Crews
Y Bannister	Y Bordeaux	Y Buckner	Y Channell	Y Culbreth
Y Barfoot	Y Bostick	Y Bunn	Y Childers	Y Cummings
Y Bargeron	Y Breedlove	Y Burkhalter	Y Coker	Y Davis, G

Y Davis, M	Y Holmes	Y McBee	Y Reichert	Y Stanley, P
Y Day	Howard	Y McCall	Y Roberts	Y Stephenson
Y DeLoach, B	Y Hudson	Y McClinton	Y Rogers	Y Streat
Y DeLoach, G	Y Hugley	McKinney	Y Royal	Y Taylor
Y Dix	Y Irvin	Y Mills	Y Sanders	Y Teague
Dixon, H	Y James	Y Mobley, B	Y Sauder	Y Teper
Y Dixon, S	Y Jamieson	Y Mobley, J	Scoggins	Y Thomas
Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan	Y Tillman
Y Ehrhart	Y Johnson, G	Y Mueller	Y Shaw	Y Titus
Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill	Y Towery
Y Evans	Y Johnston	Y Orrock	Y Shipp	Y Trense
Y Falls	Y Jones	Y Parham	Simpson	Y Turnquest
Y Felton	Joyce	Y Parrish	Y Sinkfield	Twiggs
Y Floyd	Y Kaye	Y Parsons	Y Skipper	Walker, L
Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C	Walker, R.L
Y Golden	Y Klein	Y Perry	Y Smith, C.W	Y Wall
Y Goodwin	Y Ladd	Y Pinholster	Y Smith, L	Y Watson
Y Greene	Y Lakly	Y Polak	Y Smith, P	Y Watts
Y Grindley	Y Lane	Y Ponder	Y Smith, T	Y Westmoreland
Hanner	Y Lawrence	Y Porter	Y Smith, V	Y Whitaker
Y Harbin	Y Lee	Y Poston	Y Smith, W	White
Y Harris	Y Lewis	Y Powell	Y Smyre	Y Wiles
Y Heard	Y Lifsey	Y Purcell, A	Y Snelling	Y Williams, B
Y Heckstall	Y Lord	Y Purcell, B	Y Snow	Williams, J
Y Hegstrom	Y Lucas	Y Randall	Y Stallings	Y Williams, R
Y Hembree	Y Maddox	Y Randolph	Y Stancil, F	Y Woods
Y Henson	Y Mann	Y Ray	Y Stancil, S	Y Yates
Y Holland	Y Martin	Y Reaves	Y Stanley, L	Murphy, Spkr

On the motion, the ayes were 166, nays 0.

The motion prevailed.

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House amendment thereto:

SB 563. By Senators Taylor of the 12th, Thompson of the 33rd, Langford of the 29th and others:

A bill to amend Code Section 40-6-10 of the Official Code of Georgia Annotated, relating to proof of insurance required for motor vehicles, so as to provide for satisfactory proof of insurance for certain recently acquired vehicles.

The following Senate amendment was read:

Amend the House amendment to SB 563 by striking lines 23 through 35 of page 1 and inserting in lieu thereof the following:

“self-insurers, and inserting in lieu thereof a new subparagraph (D) and by adding at the end of paragraph (3) of subsection (a) a new subparagraph (G) to read as follows:

‘(D) Any person operating as a self-insurer pursuant to a certificate of self-insurance issued prior to July 1, 1994, shall be allowed a transition period in which to meet the requirements of subparagraph (C) of this paragraph; provided, however, that, except as provided in subparagraph (G) of this paragraph, on and after December 31, 1995, all self-insurers under this paragraph shall comply fully with the requirements of subparagraph (C) of this paragraph. The Commissioner of Insurance shall promulgate rules and regulations relative to the transition period for compliance provided in this subparagraph.’

‘(G) Until December 30, 1996, the provisions of subparagraph (c) of this paragraph shall not apply to taxicab self-insurers which were located in counties with populations of 400,000 or less according to the United States decennial census of 1990 or any future such census and were licensed by the Commissioner on December 31, 1995.”

Representative Williams of the 114th moved that the House agree to the Senate amendment to the House amendment to SB 563.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Barger	Y DeLoach, G	Y Jones	Y Porter	Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
N Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Lifsey	Y Rogers	Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Buck	Y Goodwin	Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Mann	Scoggins	Walker, R.L
Burkhalter	Hanner	Y Martin	N Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Watson
Y Campbell	Harris	N McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	N Heckstall	McKinney	Y Simpson	N Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
N Channell	Y Hembree	Y Mobley, B	Y Skipper	N Wiles
Y Childers	Y Henson	Y Mobley, J	N Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	N Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 142, nays 14.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the House receding from its position in disagreeing to the Senate substitute thereto:

HB 1583. By Representative Jones of the 71st:

A bill to amend Code Section 31-7-2.1 of the Official Code of Georgia Annotated, relating to the adoption of rules and regulations by the Department of Human Resources, so as to provide that documents relating to nursing home surveys shall be disclosed.

Representative Jones of the 71st moved that the House recede from its position in disagreeing to the Senate substitute to HB 1583.

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

Y Allen	Barger	Y Bostick	Y Buckner	Y Chambless
Y Anderson	Y Barnard	Y Breedlove	Y Bunn	Y Channell
Y Ashe	Y Barnes	Y Brooks, D	Y Burkhalter	Y Childers
Y Bailey	Y Bates	Y Brooks, T	Y Byrd	Y Coker
Y Baker	Y Benefield	Y Brown, J	Y Campbell	Y Coleman, B
Y Bannister	Birdsong	Y Brush	Y Canty	Y Coleman, T
Y Barfoot	Y Bordeaux	Y Buck	Y Carter	Y Connell

Y Crawford	Y Hegstrom	Y Maddox	Y Ray	Y Stanley, L
Y Crews	Y Hembree	Y Mann	Y Reaves	Y Stanley, P
Y Culbreth	Y Henson	Y Martin	Y Reichert	Y Stephenson
Y Cummings	Y Holland	Y McBee	Y Roberts	Y Streat
Y Davis, G	Y Holmes	Y McCall	Y Rogers	Y Taylor
Y Davis, M	Y Howard	Y McClinton	Y Royal	Y Teague
Y Day	Y Hudson	Y McKinney	Y Sanders	Y Teper
Y DeLoach, B	Y Hugley	Y Mills	Y Sauder	Y Thomas
Y DeLoach, G	Y Irvin	Y Mobley, B	Y Scoggins	Y Tillman
Y Dix	Y James	Y Mobley, J	Y Shanahan	Y Titus
Y Dixon, H	Y Jamieson	Y Mosley	Y Shaw	Y Towery
Y Dixon, S	Y Jenkins	Y Mueller	Y Sherrill	Y Trense
Y Dobbs	Y Johnson, G	Y O'Neal	Y Shipp	Y Turnquest
Y Ehrhart	Y Johnson, J	Y Orrock	Y Simpson	Y Twiggs
Y Epps	Y Johnston	Y Parham	Y Sinkfield	Y Walker, L
Y Evans	Y Jones	Y Parrish	Y Skipper	Y Walker, R.L
Y Falls	Y Joyce	Y Parsons	Y Smith, C	Y Wall
Y Felton	Y Kaye	Y Pelote	Y Smith, C.W	Y Watson
Y Floyd	Y Kinnamon	Y Perry	Y Smith, L	Y Watts
Y Godbee	Y Klein	Y Pinholster	Y Smith, P	Y Westmoreland
Y Golden	Y Ladd	Y Polak	Y Smith, T	Y Whitaker
Y Goodwin	Y Lakly	Y Ponder	Y Smith, V	Y White
Y Greene	Y Lane	Y Porter	Y Smith, W	Y Wiles
Y Grindley	Y Lawrence	Y Poston	Y Smyre	Y Williams, B
Y Hanner	Y Lee	Y Powell	Y Snelling	Y Williams, J
Y Harbin	Y Lewis	Y Purcell, A	Y Snow	Y Williams, R
Y Harris	Y Lifsey	Y Purcell, B	Y Stallings	Y Woods
Y Heard	Y Lord	Y Randall	Y Stancil, F	Y Yates
Y Heckstall	Y Lucas	Y Randolph	Y Stancil, S	Y Murphy, Spkr

On the motion, the ayes were 166, nays 0.

The motion prevailed.

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

Mr. Speaker:

The Senate has adopted, as amended, by the requisite constitutional majority the following resolution of the House:

HR 1129. By Representatives Dobbs of the 92nd, Coleman of the 142nd, Buck of the 135th and others:

A resolution proposing an amendment to the Constitution so as to provide that the General Assembly may by general law establish a State Land Trust.

The Senate has adopted the report of the Committee of Conference on the following bill of the House:

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

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

SB 539. By Senators Starr of the 44th, Perdue of the 18th and Oliver of the 42nd:

A bill to amend Code Section 15-11-59 of the Official Code of Georgia Annotated, relating to juvenile law enforcement records, so as to provide that juvenile law enforcement records and files involving an offense which would constitute a felony if committed by an adult shall be kept and reported in the same manner as the law enforcement records of adults.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Moblely, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Moblely, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, the ayes were 169, nays 0.

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

SB 575. By Senators Clay of the 37th, Thompson of the 33rd and Lamutt of the 21st:

A bill to amend Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and agencies permitted access to records of child abuse, sexual abuse, or sexual harassment of children, so as to provide for access to such records by certain child advocacy centers.

The following Committee substitute was read and adopted:

A BILL

To amend Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to programs and protection for children and youth, so as to provide for access to records of child

abuse, sexual abuse, or sexual harassment of children by certain child advocacy centers; to provide for confidentiality and penalties for unauthorized access to or use of such records; to change the provisions relating to definitions relative to the child abuse registry; to change the provisions regarding whose names may be included in such registry and regarding notice and hearing for inclusion of names upon or expungement of names from such registry; to change the provisions relating to appeals; to provide effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to programs and protection for children and youth, is amended in Code Section 49-5-41, relating to persons and agencies permitted access to records of child abuse, sexual abuse, or sexual harassment of children, by inserting in subsection (a), following paragraph (7), a new paragraph (7.1) to read as follows:

“(7.1) A child advocacy center which is certified by the Child Abuse Protocol Committee of the county where the principal office of the center is located as participating in the Georgia Network of Children’s Advocacy Centers or a similar accreditation organization and which is operated for the purpose of investigation of known or suspected child abuse and treatment of a child or a family which is the subject of a report of abuse, and which has been created and supported through one or more intracommunity compacts between such advocacy center and one or more police agencies, the office of the district attorney, a legally mandated public or private child protective agency, a mental health board, and a community health service board; provided, however, any child advocacy center which is granted access to records concerning reports of child abuse shall be subject to the confidentiality provisions of subsection (b) of Code Section 49-5-40 and shall be subject to the penalties imposed by Code Section 49-5-44 for authorizing or permitting unauthorized access to or use of such records;”

SECTION 2.

Said chapter is further amended by striking Code Section 49-5-180, relating to definitions, and inserting in its place the following:

“49-5-180.

As used in this article, the term:

(1) ‘Abuse investigator’ means the department, any local department of family and children services, law enforcement agency, or district attorney or designee thereof.

(2) ‘Abuse registry’ means the Child Protective Services Information System required to be established by Code Section 49-5-181.

(3) ‘Abused’ means subjected to child abuse.

(3.1) ‘Administrative law judge’ means the person who conducts a hearing for the Office of State Administrative Hearings pursuant to this article.

~~(3.1)~~(3.2) ‘Alleged child abuser’ means a person deemed to be an alleged child abuser pursuant to Code Section 49-5-183.1.

(4) ‘Child’ means any person under 18 years of age.

(5) ‘Child abuse’ means:

(A) Physical injury or death inflicted upon a child by a parent or caretaker thereof by other than accidental means, and this shall be deemed to be physical abuse for purposes of the classification required by paragraph (4) of subsection ~~(e)~~ (b) of Code Section 49-5-183; provided, however, physical forms of discipline may be used as long as there is no physical injury to the child;

(B) Neglect or exploitation of a child by a parent or caretaker thereof if said neglect or exploitation consists of a lack of supervision, abandonment, or intentional or unintentional disregard by a parent or caretaker of a child’s basic needs for food, shelter, medical care, or education as evidenced by repeated incidents or a single incident which places the child at substantial risk of harm, and this shall be deemed

to be child neglect for purposes of the classification required by paragraph (4) of subsection (e) ~~(b)~~ of Code Section 49-5-183; and

(C) Sexual ~~assault~~ abuse of a child, and this shall be deemed to be sexual abuse for purposes ~~of the classification~~ required by paragraph (4) of subsection (e) ~~(b)~~ of Code Section 49-5-183;

~~(D) Sexual exploitation of a child, and this shall be deemed to be sexual abuse for purposes of the classification required by paragraph (4) of subsection (e) of Code Section 49-5-183; and~~

~~(E) However, no~~ No child who in good faith is being treated solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be an 'abused' child.

(6) 'Confirmed' means that an investigation by an abuse investigator has revealed that there is equal or greater credible evidence that child abuse occurred than the credible evidence that child abuse did not occur.

(6.1) 'DFACS office' means the principal office of a county department of family and children services.

(7) 'Division' means the Division of Family and Children Services of the Department of Human Resources.

~~(7.1) 'Hearing office' means the Office of State Administrative Hearings created under Code Section 50-13-40.~~

(8) 'Out-of-state abuse investigator' means a public child protective agency or law enforcement agency of any other state bound by confidentiality requirements as to information obtained under this article which are similar to those provided in this article.

(8.1) 'Sexual abuse' means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any act which involves:

(A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;

(B) Bestiality;

(C) Masturbation;

(D) Lewd exhibition of the genitals or pubic area of any person;

(E) Flagellation or torture by or upon a person who is nude;

(F) Condition of being fettered, bound, or otherwise physically restrained on the part of a person who is nude;

(G) Physical contact in an act of apparent sexual stimulation or gratification with any person's clothed or unclothed genitals, pubic area, or buttocks or with a female's clothed or unclothed breasts;

(H) Defecation or urination for the purpose of sexual stimulation; ~~or~~

(I) Penetration of the vagina or rectum by any object except when done as part of a recognized medical procedure; or

(J) Sexual exploitation.

'Sexual abuse' shall not include consensual sex acts involving persons of the opposite sex when the sex acts are between minors or between a minor and an adult who is not more than five years older than the minor. This provision shall not be deemed or construed to repeal any law concerning the age or capacity to consent.

(9) 'Sexual exploitation' means conduct by a ~~child's parent or caretaker~~ person who allows, permits, encourages, or requires ~~that a~~ child to engage in:

(A) Prostitution, as defined in Code Section 16-6-9; or

(B) Sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct, as defined in Code Section 16-12-100.

(10) 'Unconfirmed' means that an investigation by an abuse investigator has revealed that there is some credible evidence that child abuse occurred but there is not sufficient credible evidence to classify that child abuse as confirmed.

(11) Reserved.

(12) 'Unfounded' means that an investigation by an abuse investigator has determined that there is no credible evidence that child abuse occurred."

SECTION 3.

Said chapter is further amended by striking Code Section 49-5-183.1, relating to notice to alleged child abusers of their classifications, and inserting in its place the following:

~~“49-5-183.1.~~ www.libtool.com.cn

(a) If a DFACS office, pursuant to Code Section 49-5-183, receives an abuse investigator's report naming a person as having committed an act of child abuse classified as 'confirmed' or 'unconfirmed' in the report and such person was at least 13 years of age at the time of the commission of such act, the person so named shall be deemed to be an alleged child abuser for purposes of this article.

(b) ~~A~~ When a DFACS office which, pursuant to Code Section 49-5-183, receives an investigator's report pursuant to subsection (a) of this Code section naming an alleged child abuser, that office shall mail to each alleged child abuser so classified in such report a notice regarding such classification. It shall be a rebuttable presumption that any such notice is received five days after deposit in the United States mail with the current address of the alleged child abuser and proper postage affixed. The notice of classification shall further inform such alleged child abuser of such person's right to a hearing and to appeal such classification. The notice of classification shall further inform such alleged child abuser of the procedures for obtaining the hearing, and that an opportunity shall be afforded all parties to be represented by legal counsel and to respond and present evidence on all issues involved.

(c) Any alleged child abuser who has not attained the age of majority set forth by Code Section 39-1-1 at the time of the hearing requested pursuant to subsection (e) of this Code section who is alleged to have committed an act of child abuse shall be entitled to representation at the hearing either by the alleged child abuser's parent or other legal guardian or by an attorney employed by such parent or guardian. In the event the administrative law judge conducting the hearing determines that any such alleged minor child abuser will not be so represented at the hearing, or that the interests of any such alleged minor child abuser may conflict with the interests of the alleged minor child abuser's parent or other legal guardian, the administrative law judge shall order the DFACS office which transmitted the hearing request to apply to the superior court of the county in which such DFACS office is located to have counsel appointed for the alleged minor child abuser. Payment for any such court appointed representation shall be made by the county in which such DFACS office is located. The hearing shall be for the purpose of an administrative determination regarding whether or not there was sufficient credible evidence of child abuse by the alleged child abuser to justify the investigator's classification of such abuse as 'confirmed' or 'unconfirmed.'

(d) In order to exercise such right to a hearing, the alleged child abuser must file a written request for a hearing with the DFACS office which mailed the ~~hearing notice~~ notice of classification within ten days after receipt of such notice. The written request shall contain the alleged child abuser's current residence address and, if the person has a telephone, a telephone number at which such person may be notified of the hearing. ~~It shall be a rebuttable presumption that any such notice is received five days after deposit in the United States mail.~~

(e)(e) A DFACS office which receives a timely written request for a hearing under subsection ~~(b)~~ (d) of this Code section shall transmit that request to the ~~hearing office~~ Office of State Administrative Hearings within ten days after such receipt. Notwithstanding any other provision of law, ~~the hearing office~~ the Office of State Administrative Hearings shall conduct a hearing upon that request ~~as provided in this Code section. That in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act' and the rules of the Office of State Administrative Hearings adopted pursuant thereto, except as otherwise provided in this article. The hearing shall be for the purpose of an administrative determination regarding whether there was sufficient credible evidence of child abuse by the alleged child abuser to justify the investigator's classification of such abuse as 'confirmed' or 'unconfirmed.'~~ The Office of State Administrative Hearings shall give notice of the time and place of the hearing to the alleged child abuser by first class mail to the address specified in the written request for a hearing and to the DFACS office by first class mail at least ten days prior to the date of the

hearing. It shall be a rebuttable presumption that any such notice is received five days after deposit in the United States mail with the correct address of the alleged child abuser and the DFACS office, respectively, and proper postage affixed. Unless postponed by mutual consent of the parties and the administrative law judge or for good cause shown, that hearing shall be held and a decision rendered within 15 30 business days following receipt by that hearing office the Office of State Administrative Hearings of the request for a hearing. The, and a decision shall be rendered within five business days following such hearing. A motion for an expedited hearing may be filed in accordance with rules and regulations promulgated by the Office of State Administrative Hearings. The hearing may be continued as necessary to allow the appointment of counsel. A telephone hearing may be conducted concerning this matter in accordance with standards prescribed in paragraph (5) of Code Section 50-13-15. Upon the request of any party to the proceeding or the assigned administrative law judge, venue may be transferred to any location within the state if all parties and the administrative law judge consent to such a change of venue. Otherwise, the hearing shall be conducted in the county of the DFACS office which transmitted the hearing request to the hearing office Office of State Administrative Hearings. That DFACS office, the investigator whose report and classification created the issues to be determined at such hearing, and the alleged child abuser so classified in that report shall all be notified by mail or by telephone of the time and place of the hearing and be given a reasonable opportunity to be heard on the issues. The doctrines of collateral estoppel and res judicata as applied in judicial proceedings are applicable to the administrative hearings held pursuant to this article.

~~(d)~~(f) At the conclusion of the hearing under subsection ~~(e)~~ (e) of this Code section, the hearing office administrative law judge shall order that the alleged child abuser's name not be included in the abuse registry upon a finding that there is no credible evidence that such individual committed the child abuse alleged; otherwise, the hearing office administrative law judge shall order listing of the alleged child abuser's name on the abuse registry as confirmed if there is equal or greater credible evidence that such individual committed the child abuse alleged than such individual did not commit the child abuse alleged or as unconfirmed if there is some credible evidence that the alleged child abuser committed the alleged child abuse but not enough credible evidence to classify the individual as confirmed. The general public shall be excluded from hearings of the hearing office Office of State Administrative Hearings held pursuant to this article and the files and records relating thereto shall be confidential and not subject to public inspection.

~~(e)~~(g) Notwithstanding any other provision of law, the decision of the hearing office administrative law judge under subsection ~~(d)~~ (f) of this Code section may be appealed by the alleged child abuser as provided in this Code section. The shall constitute the final administrative decision. Any party shall have the right of judicial review of such decision in accordance with Chapter 13 of Title 50, except that the petition for appeal review shall be filed within ten days after such decision; but and may only be filed with and the decision appealed to the juvenile superior court of the county where the hearing took place or, if the hearing was conducted by telephone, the Superior Court of Fulton County. The procedures for such appeal to the juvenile court shall be substantially the same as those for superior court judicial review of contested cases under Code Section 50-13-19 except that the filing of a petition for judicial review stays the listing of the petitioner's name upon the abuse registry and the juvenile superior court shall conduct the review and render its decision thereon within 30 days following the filing of the petition. The review and records thereof shall be closed to the public and not subject to public inspection. The decision of the juvenile superior court under this subsection shall not be subject to further appeal or review.

~~(#)~~(h) The DFACS office which notifies a person of that person's classification as an alleged child abuser and of that person's right to a hearing regarding that classification shall transmit to the division the investigator's report so naming such person unless that office receives a written request for such hearing within the time for making such request under subsection ~~(b)~~ (d) of this Code section. If a timely request for hearing is

received, the ~~hearing office~~ administrative law judge shall transmit to the division ~~its~~ his or her decision regarding the classification of the alleged child abuser and the investigator's report regarding such individual within ten days following that decision unless ~~a petition for judicial review of that decision is filed within the permitted time period. If a timely petition for judicial review is filed within the permitted time period,~~ the juvenile superior court shall transmit to the division its decision regarding the classification of the alleged child abuser and the investigator's report regarding such individual within ten days following that decision.

~~(g)~~ (i) No child under the age of 14 shall be compelled to appear to testify at any hearing held pursuant to this Code section. If a child under the age of 14 testifies voluntarily, such testimony shall be given in compliance with procedures analogous to those contained in Code Section 17-8-55. Nothing in this article shall prohibit introducing a child's statement in a hearing held pursuant to this Code section if the statement meets the criteria of Code Section 24-3-16."

SECTION 4.

Said chapter is further amended by striking Code Section 49-5-184, relating to hearing on expungement of names from the abuse registry, and inserting in its place the following:

"49-5-184.

(a) If the division receives an investigator's report, ~~hearing office~~ administrative law judge's decision, or juvenile superior court decision which finds credible evidence that an alleged child abuser has committed an act of child abuse which is confirmed or unconfirmed, the division shall include on the abuse registry the name and such classification of the alleged child abuser along with the investigator's report regarding such individual.

(b) All identifying information in the abuse registry of cases classified as 'unconfirmed' shall be expunged from the abuse registry within two years after the case is so classified.

(c) Any person whose name appears in the abuse registry without a hearing having been held to determine whether or not there was sufficient credible evidence of child abuse by such person or a reasonable basis to justify such inclusion on the registry is entitled to a hearing for an administrative determination of that issue and whether or not expungement of ~~the~~ such person's name should be ordered. In order to exercise such right, the person must file a written request for a hearing with the DFACS office of any county in which the investigation was conducted which resulted in such person's name being included in the abuse registry. The provisions of this subsection shall not apply to persons who have had a hearing pursuant to Code Section 49-5-183.1 or have waived their hearing after receipt of notice.

(d) A DFACS office which receives a written request for a hearing by a person entitled to a hearing under pursuant to subsection (c) of this Code section shall transmit that request to the ~~hearing office~~ Office of State Administrative Hearings within ten days after such receipt. Notwithstanding any other provisions of law, the ~~hearing office~~ State Office of Administrative Hearings shall conduct a hearing as provided in this subsection. A hearing shall be conducted upon that request within 60 days following its receipt by ~~that hearing office~~ the Office of State Administrative Hearings. The procedures and standards for such hearing shall be substantially the same as those for administrative hearings under Code Section 49-5-183.1. Upon a finding that there is no credible evidence that the person who requested the hearing committed the child abuse which was the basis for including such person's name on the abuse registry, the ~~hearing office~~ Office of State Administrative Hearings shall order the division to expunge that name from the registry; otherwise, the ~~hearing office~~ Office of State Administrative Hearings shall not take any action regarding the inclusion of such person's name on the registry unless the ~~office~~ Office of State Administrative Hearings finds credible evidence of child abuse by such person which justifies a different classification of the named person than the classification shown on the registry, in which case the ~~office~~ Office of State Administrative Hearings shall order the appropriate classification to be shown by the division on the registry. The general public shall be excluded from such hearings and the files and records relating thereto shall be confidential and not subject to public inspection.

(e) Notwithstanding any other provision of law, the decision of the ~~hearing office~~ Office of State Administrative Hearings under subsection (d) of this Code section ~~may be appealed by the person who requested the hearing as provided in this subsection. The appeal shall constitute the final administrative decision. Any party shall have the right of judicial review of that decision in accordance with Chapter 13 of Title 50, except that the petition for review shall be filed within 30 days after such decision; but and may only be filed with and the decision appealed to the juvenile superior court of the county where the hearing took place or, if the hearing was conducted by telephone, the Superior Court of Fulton County.~~ The procedures for such appeal ~~to the juvenile court~~ shall be ~~substantially~~ the same as those for ~~superior court~~ judicial review of contested cases under Code Section 50-13-19. The review and records thereof shall be closed to the public and not subject to public inspection. The decision of the ~~juvenile superior court~~ under this subsection shall not be subject to further appeal or review."

SECTION 5.

- (a) Except as provided by subsection (b) of this section, 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 become effective July 1, 1996.

SECTION 6.

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 Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 164, nays 0.

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

SB 596. By Senators Taylor of the 12th, Hooks of the 14th and Harbison of the 15th:

A bill to amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to provide for a comprehensive change in the guardianship of beneficiaries of the United States Department of Veterans Affairs; to provide for definitions; to provide for the appointment of guardians; to provide for procedures relating to guardianship.

The following Committee substitute was read and adopted:

A BILL

To amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to change provisions relating to guardians' compensation and expenses; to provide for a comprehensive change in the guardianship of beneficiaries of the United States Department of Veterans Affairs; to provide for definitions; to provide for the appointment of guardians; to provide for procedures relating to guardianship; to provide for the bond of the guardian; to provide for the investment of funds; to provide for an accounting of funds; to provide for the payment of guardians; to provide for the removal of guardians; to provide that general guardianship laws are applicable; to provide liberal construction of Chapter 6; 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 29 of the Official Code of Georgia Annotated, relating to guardian and ward, is amended by striking in its entirety Code Section 29-2-42, relating to guardians' commissions, extra compensation, and traveling expenses, and inserting in its place a new Code Section 29-2-42 to read as follows:

"29-2-42.

(a) Guardians shall be allowed the same commissions for receiving and paying out the estates of their wards as are allowed to administrators. Guardians may be allowed an additional annual commission of ~~5~~ one-half of 1 percent of the market value, determined as of December 31 of each year, of the property held in their estates.

(b) Extra compensation, compensation for delivery of property in kind, and traveling expenses shall be allowed to ~~them~~ guardians upon the same principles as to administrators.

(c) The provisions of this Code section shall not apply to any guardianship created by appointment made pursuant to the provisions of Chapter 6 of this title."

SECTION 2.

Said title is further amended by striking Chapter 6 thereof, relating to the guardianship of beneficiaries of the United States Department of Veterans Affairs, and inserting in lieu thereof a new Chapter 6 to read as follows:

"CHAPTER 6

29-6-1.

As used in this chapter, the term:

- (1) 'Benefits' means all moneys payable by the United States through the United States Department of Veterans Affairs.
- (2) 'Estate' and 'income' shall include only moneys received by the guardian from the United States Department of Veterans Affairs and all earnings, interest, and profits derived therefrom.

(3) 'Guardian' means any person acting as a fiduciary for a ward appointed by any probate court within the State of Georgia under the provisions of this chapter.

(4) 'Incompetent' means a person of unsound mind rated incompetent by the United States Department of Veterans Affairs as provided under the provisions of Code Section 29-6-3.

(5) 'Person' includes a partnership, a corporation, or an association.

(6) 'Secretary of veterans affairs' means the secretary of veterans affairs of the United States Department of Veterans Affairs or his or her successor.

(7) 'United States Department of Veterans Affairs' means the United States Department of Veterans Affairs, its predecessors, or its successors.

(8) 'Ward' means a beneficiary of the United States Department of Veterans Affairs.

29-6-2.

Whenever, pursuant to any law of the United States or regulation of the United States Department of Veterans Affairs, the secretary of veterans affairs requires, prior to payment of benefits, that a guardian be appointed for a ward, the appointment shall be made in the manner provided in this chapter.

29-6-3.

Where a petition is filed for the appointment of a guardian for a mentally incompetent ward, a certificate of the secretary of veterans affairs or his or her authorized representative, setting forth the fact that the person was rated incompetent by the United States Department of Veterans Affairs on examination in accordance with the laws and regulations governing the United States Department of Veterans Affairs and that the appointment of a guardian is a condition precedent to the payment of any moneys due the person by the United States Department of Veterans Affairs, shall be prima-facie evidence of the necessity for the appointment. The judges of the probate courts of the several counties are authorized to appoint guardians pursuant to this chapter for any incompetent wards entitled to any benefits which may be payable to the incompetents by the United States Department of Veterans Affairs or its successor.

29-6-4.

Where a petition is filed for the appointment of a guardian for a minor ward, a certificate of the secretary of veterans affairs or his or her representative, setting forth the age of the minor as shown by the records of the United States Department of Veterans Affairs, and the fact that the appointment of a guardian is a condition precedent to the payment of any moneys due the minor by the United States Department of Veterans Affairs, shall be prima-facie evidence of the necessity for the appointment.

29-6-5.

Upon an application for the appointment of a guardian under this chapter, notice shall be given as provided by Code Section 29-4-10 for the appointment of guardians for minors under the age of 14 years who are not the children of the applicant to the United States Department of Veterans Affairs Guardianship Unit and to two adult relatives of the proposed ward by certified mail by the clerk of the probate court unless service is acknowledged. If two adult relatives of the proposed ward cannot be located, notice to one adult relative shall be sufficient. If no adult relative can be located, the court shall give notice of the application in the newspaper in which legal advertisements of the county are published once a week for two weeks. At the next regular term after notice has been given, or after notice has been published, the letters of guardianship may, in the discretion of the court, be granted to the applicant or to some other suitable person. If all parties entitled to notice waive further notice and consent to appointment instanter, the court may, in its discretion, grant letters instanter to the applicant.

29-6-6.

(a) A petition for the appointment of a guardian may be filed in the probate court having jurisdiction by or on behalf of any person who is entitled to priority of appointment. If there is no person so entitled or if the person so entitled neglects or refuses to file

such a petition within 30 days after the mailing of a notice by the United States Department of Veterans Affairs to the last known address of such person indicating the necessity for the same; a petition for the appointment may be filed in the probate court having jurisdiction, by or on behalf of any responsible person residing in this state of the United States Department of Veterans Affairs or any person designated by the United States Department of Veterans Affairs or its representative.

(b) The petition for appointment shall set forth:

- (1) The name, age, and place of residence of the ward;
- (2) The names and places of residence of the nearest two adult relatives, if known;
- (3) The fact that the ward is entitled to receive moneys payable by or through the United States Department of Veterans Affairs;
- (4) The amount of money then due and the amount of probable future payments;
- (5) The name and address of the person or institution, if any, having actual custody of the ward; and
- (6) In the case of a mentally incompetent ward, that the ward has been rated incompetent on examination by the United States Department of Veterans Affairs in accordance with the laws and regulations governing the United States Department of Veteran Affairs; and
- (7) The name and address of the person or institution sought to be appointed as guardian of the ward and the relationship, if any, of the proposed guardian to the ward.

(c) Preferences for appointment of a guardian shall be as provided in Code Section 29-5-2.

29-6-7.

Before making an appointment under this chapter, the judge of the probate court hearing the petition shall be satisfied that the guardian whose appointment is sought is a fit and proper person to be appointed. The nomination of a person by the Department of Veterans Affairs shall be prima-facie evidence of that person's fitness. A qualified natural person shall ordinarily be preferred for appointment as guardian under this chapter, but the judge of the probate court may in his or her discretion appoint a qualified nonnatural person as guardian.

29-6-8.

Except as otherwise provided in this chapter, it shall be unlawful for any person to accept appointment as guardian of any ward if the proposed guardian is already acting as guardian for five other wards at that time. Upon presentation of a petition by an attorney of the United States Department of Veterans Affairs alleging that a guardian is acting in a fiduciary capacity for more than five wards and requesting his discharge in a case for that reason, the probate court, upon proof substantiating the petition, shall require a final accounting forthwith from such guardian and shall discharge the guardian in the case. The limitations of this Code section shall not apply where the guardian is a bank or trust company acting only for the ward's estate nor where the wards are members of the same family.

(a) The following persons and entities may serve as guardians subject to the restrictions listed:

- (1) A person deemed fit and proper by the probate court may be guardian for his or her children, parents, and grandparents, without limitation;
- (2) A bank or trust company doing business in this state may serve as guardian under this chapter for an unlimited number of beneficiaries;
- (3) A person appointed while serving as county guardian in any county in this state may serve as guardian under this chapter for an unlimited number of beneficiaries; or
- (4) Any other person currently serving as guardian under the provisions of this chapter for ten or more wards must so state in his or her petition to be appointed as guardian for additional wards. In such a case, the Department of Veterans Affairs will have the right to direct the judge of the probate court in writing to deny the petition.

(b) Upon presentation of a petition by the Department of Veterans Affairs alleging that a guardian is acting in a fiduciary capacity in violation of this Code section and requesting his or her discharge, the probate court, upon proof substantiating the petition, shall require a final accounting forthwith from a sufficient number of guardianships, in reverse chronological order, to bring the guardian within compliance with this Code section, shall require final accountings forthwith on such guardianships, and shall discharge the guardian in such cases.

29-6-9.

(a) Upon the appointment of a guardian by the probate court under this chapter, the guardian shall execute and file a bond, to be approved by the court, in an amount not less than the sum then due and estimated to become payable during the ensuing year, which bond shall be a security bond made by a solvent surety company in the form required for bonds of guardians appointed under the general guardianship laws and shall be conditioned as are such bonds. Where the total estate coming into the hands of the guardian will at no time exceed the sum of \$1,000.00, a bond with at least two personal sureties may be accepted if the personal sureties are solvent and are each worth the amount named as the penalty of the bond.

(b) The court shall have the power from time to time to require the guardian to file an additional bond.

(c) The judge of the probate court, upon a proper showing that the value of the ward's estate has decreased, may permit a decrease in the amount of the bond to then current value of the estate, plus the sums estimated to be payable to the ward during the ensuing year. No such reduction shall affect the liability of the surety for past waste or misconduct of the guardian.

(d) The judge of the probate court may order the guardian to post the bond for a period in excess of one year, as may be appropriate in the circumstances. A surety on a bond posted pursuant to this subsection shall not be relieved of liability merely because of the expiration of the term of the bond but shall be subject to the provisions of law for the discharge of a surety applicable to other bonds.

(a) A bank or trust company doing business in this state shall not be required to file a bond for any guardianship in connection with this chapter unless required by the United States Department of Veterans Affairs.

(b) Any other person serving as a guardian under this chapter shall execute and file a bond, to be approved by the probate court, in an amount not less than the sum of the value of the estate at the time of the last accounting and funds estimated to become payable during the ensuing year, which bond shall be a security bond made by a solvent and acceptable surety company in the form required for bonds of guardians appointed under the general guardianship laws and shall be conditioned as are such bonds. After each annual accounting, the court shall review the amount of the bond and shall order such increase or decrease as shall be warranted by the accounting. No reduction shall affect the liability of the surety for past waste or misconduct of the guardian.

(c) A surety on a bond posted pursuant to this Code section shall not be relieved from liability merely because of the expiration of the term of the bond but shall be subject to provisions of law for discharge of a surety applicable to other bonds.

29-6-10.

Every guardian shall invest the funds of his or her ward's estate in the manner provided by law for general guardians, in which investments the guardian shall have no interest.

29-6-11.

(a) A guardian shall not apply any portion of the estate of his or her ward for the support, maintenance, and education of any person other than his or her ward, his or her ward's spouse, and the children of the ward who are legally dependent upon the ward, except upon order of the court after a hearing, notice of which has been given to the proper office of the United States Department of Veterans Affairs in the manner provided in Code Section 29-6-15. A guardian shall be authorized to make expenditures of funds of his ward for the proper support, maintenance, and education of the spouse or

dependent child of the ward without a court order, in the same manner as expenditures are made for the support, maintenance, and education of the ward by certified mail to the United States Department of Veterans Affairs Guardianship Unit not less than 30 days prior to a hearing on the petition, unless the Department of Veterans Affairs consents in writing to the petition, in which case no hearing need be had.

(b) No guardian shall name himself or herself as beneficiary of any insurance policy which insures the life of his or her ward. As to any insurance policy which is purchased after the establishment of the guardianship where premiums are or have been paid from benefits, the guardian shall ensure that the beneficiary named is the estate of his or her ward.

(c) Unless a guardian under this chapter is the next of kin under the laws of descent and distribution of the State of Georgia, no such guardian shall be named as a beneficiary under the last will and testament of his or her ward under any will executed while the guardian is serving as such. Any provision in any such will to the contrary shall be null and void.

(d) All property of a ward having a guardian under this chapter which is purchased with benefits shall be titled in the name of the current guardian or any successor guardian for (name of ward) a beneficiary of the Department of Veterans Affairs, further indicating the fact of guardianship and the name of the beneficiary, on any documents of title. Any such assets which should prudently be insured shall be insured with a policy of insurance denominated in the same manner.

29-6-12.

Every guardian who receives on account of his ward any money from the United States Department of Veterans Affairs appointed pursuant to this chapter shall file with the probate court annually, in the same manner as provided under the general law for guardians, a full, true, and accurate account accounting, on oath, of all moneys so received by him or her and all disbursements thereof, showing the balance in his or her hands at the date of the account accounting and how it is invested. The guardian shall list in each account accounting all the investments of his or her ward's funds, showing therein the amount of each investment, the date made, the interest rate, the date of maturity, the dates and amounts of any liquidations, and the dates and amounts of interest payments. A certified copy of each of such accounts accountings filed with the court shall be sent by the guardian the court within ten days after the account accounting is filed to the office of the United States Department of Veterans Affairs Guardianship Unit having jurisdiction over the area in which the court is located. Each such accounting shall include a computation of commissions allowed and taken during the period covered by the accounting. No account accounting shall be allowed or admitted to record for a period of 60 days following the date of the filing thereof.

29-6-13.

If any guardian fails to file the accounting any account of the moneys received by him from the United States Department of Veterans Affairs or fails to furnish the United States Department of Veterans Affairs a copy of his accounts as required by Code Section 29-6-12, such failure shall be grounds for removal. If any guardian fails to file any accounting within 30 days after demand is made by the judge of any probate court to do so, the court shall notify the surety for such guardian of such failure by certified mail. Whereafter, on the motion of any interested party, including the surety, or on its own motion, the court may enter an order moving the guardian without further notice or hearing. Every guardian who fails or refuses to file his or her return by the due date shall receive no commission or compensation for any service during that year unless by special order of the probate court he or she is exonerated from all fault.

29-6-14.

The secretary of veterans affairs or his authorized representative shall be a party in interest in any proceeding brought under any law of this state for the appointment or discharge of the guardian of a veteran or other beneficiary on whose account benefits are payable by the United States Department of Veterans Affairs and in the administration of the estate of any such ward on whose account such benefits are payable or whose

estate includes assets derived from benefits paid by the United States Department of Veterans Affairs, its predecessor, or its successor. Written notice of the time and place for hearing on any petition or pleading or in connection with any proceeding pertaining to or affecting in any manner the administration of the estate of any beneficiary of the United States Department of Veterans Affairs shall be given to the office of the United States Department of Veterans Affairs having jurisdiction over the area in which the court is located. The notice shall include a copy of the petition or other pleading and shall be given at such time so as to reach the office in due course of mailing not less than ten days before the date of the hearing or other proceeding, unless otherwise provided in this chapter.

(a) The United States Department of Veterans Affairs Guardianship Unit for Georgia shall be a party in interest in any proceedings for the appointment or discharge of a guardian of a veteran or a beneficiary appointed pursuant to this chapter and in the administration of the estate of any such ward. Written notice of the time and place for hearing on any petition or pleading or in connection with any proceeding pertaining to a guardianship pursuant to this chapter shall be given by certified mail to the United States Department of Veterans Affairs Guardianship Unit for Georgia. The notice shall include a copy of the petition or other pleadings and shall be given so as to arrive in due course of mailing not less than ten days before the date of a hearing or other proceedings, unless otherwise provided in this chapter.

(b) In any proceeding involving a guardianship established pursuant to any other chapter of this title, the United States Department of Veterans Affairs Guardianship Unit for Georgia may, by giving written notice to the probate court having jurisdiction over such proceedings and to the guardian or proposed guardian, become a party in interest as to any such guardianship or proposed guardianship and shall thereafter be entitled to notice as if such guardianship was originally established under this chapter.

29-6-15.

(a) As compensation for his or her service, a guardian shall have a commission of 5 percent on all income of the ward during any year coming into his or her hands during any months while the guardian serves as such. If the ward receives at least \$350.00 per month, the minimum fee shall be \$35.00 per month.

(b) In the event that the ward's monthly service connected disability compensation payment from the United States Department of Veterans Affairs is discontinued or suspended pursuant to Public Law 101-508, known as the federal Congressional Omnibus Budget Reconciliation Act of 1990, then in that event, the guardian, subject to court approval which shall be given unless it appears to the court that the estate is unfairly prejudiced or the payment would be a manifest injustice, shall be entitled to 5 percent additional commission on all sums paid out by him or her from the time the disability compensation payment is discontinued or suspended until the time the disability compensation payment is resumed.

(c) In the event that extraordinary services are rendered by the guardian, the court, upon petition and after hearing thereon, may authorize additional compensation therefor, payable from the estate of the ward. Notice of the petition and hearing shall be given to the proper office of the United States Department of Veterans Affairs by certified mail to the United States Department of Veterans Affairs Guardianship Unit not less than 30 days prior to the hearing on the petition. No compensation shall be allowed on the corpus of an estate received from a preceding guardian. The guardian may also be allowed from the estate of his ward reasonable premiums paid by him to any corporate surety upon his bond.

(d) A guardian shall be allowed from the estate of his or her ward reasonable premiums paid by him or her to any corporate surety on his or her bond.

29-6-16.

(a) A guardian appointed under this chapter, upon filing a petition and making a satisfactory accounting, shall be discharged when his or her ward, if a minor at the time of his or her appointment, reaches the age of majority, and whether or not a minor at the

time of his or her appointment, if previously declared incompetent, is declared competent by the United States Department of Veterans Affairs and or the probate court.

(b) A county guardian who ceases to serve as such continues to serve as a guardian under this chapter at the pleasure of the probate court for which he or she formerly served as county guardian. The probate court may at any time require his or her final accounting and discharge as to any or all guardianships under this chapter which he or she accepted as county guardian, whereupon the probate court shall appoint as successor guardian the new county guardian or such other person as shall be requested by the Department of Veterans Affairs. A former county guardian may file a petition with the probate court, a copy of which shall be served by certified mail upon the United States Department of Veterans Affairs Guardianship Unit, together with his or her final accounting as to any or all guardianships under this chapter, whereupon the probate judge shall appoint as his or her successor the new county guardian or such other person as shall be designated by the Department of Veterans Affairs.

29-6-17.

Except where inconsistent with this chapter, the general guardianship laws of this state and the laws establishing the practice in such matters, including rights of appeal, shall be applicable to wards and their estates governed by this chapter.

29-6-18.

This chapter shall be construed liberally to secure the beneficial intents and purposes thereof and shall apply only to beneficiaries of the United States Department of Veterans Affairs who are entitled to benefits from the United States Department of Veterans Affairs."

SECTION 3.

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 Allen	Y Coleman, B	Y Hegstrom	McBee	Y Sanders
Y Anderson	Y Coleman, T	Y Hembree	Y McCall	Y Sauder
Y Ashe	Y Connell	Y Henson	Y McClinton	Y Scoggins
Y Bailey	Y Crawford	Y Holland	McKinney	Y Shanahan
Y Baker	Y Crews	Y Holmes	Y Mills	Y Shaw
Y Bannister	Y Culbreth	Y Howard	Y Mobley, B	Y Sherrill
Y Barfoot	Y Cummings	Y Hudson	Y Mobley, J	Y Shipp
Y Bargeron	Y Davis, G	Y Hugley	Y Mosley	Y Simpson
Y Barnard	Y Davis, M	Y Irvin	Y Mueller	Y Sinkfield
Y Barnes	Y Day	Y James	Y O'Neal	Y Skipper
Y Bates	Y DeLoach, B	Y Jamieson	Y Orrock	Y Smith, C
Y Benefield	Y DeLoach, G	Y Jenkins	Y Parham	Y Smith, C.W
Y Birdsong	Y Dix	Y Johnson, G	Y Parrish	Y Smith, L
Y Bordeaux	Y Dixon, H	Y Johnson, J	Y Parsons	Y Smith, P
Y Bostick	Y Dixon, S	Y Johnston	Y Pelote	Y Smith, T
Y Breedlove	Y Dobbs	Y Jones	Y Perry	Y Smith, V
Y Brooks, D	Y Ehrhart	Y Joyce	Y Pinholster	Y Smith, W
Y Brooks, T	Y Epps	Y Kaye	Y Polak	Y Smyre
Y Brown, J	Y Evans	Y Kinnamon	Y Ponder	Y Snelling
Y Brush	Y Falls	Y Klein	Y Porter	Y Snow
Y Buck	Y Felton	Y Ladd	Y Poston	Y Stallings
Y Buckner	Y Floyd	Y Lakly	Y Powell	Y Stancil, F
Y Bunn	Y Godbee	Y Lane	Y Purcell, A	Y Stancil, S
Y Burkhalter	Y Golden	Y Lawrence	Y Purcell, B	Y Stanley, L
Y Byrd	Y Goodwin	Y Lee	Y Randall	Y Stanley, P
Y Campbell	Y Greene	Y Lewis	Y Randolph	Y Stephenson
Y Canty	Y Grindley	Y Lifsey	Y Ray	Y Streat
Y Carter	Y Hanner	Y Lord	Y Reaves	Y Taylor
Y Chambless	Y Harbin	Y Lucas	Y Reichert	Y Teague
Y Channell	Y Harris	Y Maddox	Y Roberts	Y Teper
Y Childers	Y Heard	Y Mann	Y Rogers	Y Thomas
Y Coker	Y Heckstall	Y Martin	Y Royal	Y Tillman

Y Titus	Y Twiggs	Y Watson	White	Y Williams, R
Y Towery	Y Walker, L	Y Watts	Y Wiles	Y Woods
Y Trense	Y Walker, R.L	Y Westmoreland	Y Williams, B	Y Yates
Turnquest	Y Wall	Y Whitaker	Y Williams, J	Murphy, Spkr

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On the passage of the Bill, by substitute, the ayes were 165, nays 0.

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

The following Bill of the Senate was taken up for the purpose of considering the report of the Committee of Conference thereon:

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 678

The Committee of Conference on SB 678 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 678 be adopted.

Respectfully submitted,

FOR THE SENATE:

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Sonny Perdue
Senator, 18th District

/s/ Burke Day
Representative, 153rd District

/s/ Nathan Dean
Senator, 31st District

/s/ Twiggs
Representative, 8th District

/s/ Richard O. Marable
Senator, 52nd District

/s/ Curtis S. Jenkins
Representative, 110th District

A BILL

To amend Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions; to provide that licenses issued by other states which authorize the carrying of handguns will be recognized according to the terms thereof but only while a licenseholder is not a resident of Georgia; to provide that such licenses may be issued to members of the armed forces residing in this state; to change the time period relating to background checks relative to the the Brady law; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices, is amended by striking in its entirety Code Section 16-11-126, relating to carrying a concealed weapon, and inserting in lieu thereof a new Code Section 16-11-126 to read as follows:

"16-11-126.

(a) A person commits the offense of carrying a concealed weapon when ~~he~~ such person knowingly has or carries about his or her person, unless in an open manner and fully exposed ~~to view, any bludgeon,~~ metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon or instrument of like character outside of his or her home or place of business, except as permitted under this Code section.

(b) Upon conviction of the offense of carrying a concealed weapon, a person shall be punished as follows:

(1) For the first offense, he or she shall be guilty of a misdemeanor; and

(2) For the second offense, and for any subsequent offense, he or she shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one year and not more than five years.

(c) This Code section shall not permit, outside of his or her home, motor vehicle, or place of business, the concealed carrying of a pistol, revolver, or concealable firearm by any person unless ~~he~~ that person has on his or her person a valid license issued under Code Section 16-11-129 and the pistol, revolver, or firearm may only be carried in a shoulder ~~or holster,~~ waist belt holster, any other holster, hipgrip, or any other similar device, in which event the weapon may be concealed by the person's clothing, or a handbag, purse, attache case, briefcase, or other closed container. Carrying on the person in a concealed manner other than as provided in this subsection shall not be permitted and shall be a violation of this Code section.

(d) This Code section shall not forbid the transportation of any firearm by a person who is not among those enumerated as ineligible for a license under Code Section 16-11-129, provided the firearm is enclosed in a case, unloaded, and separated from its ammunition. This Code section shall not forbid ~~the transportation of any person who is not among those enumerated as ineligible for a license under Code Section 16-11-129 from transporting~~ a loaded firearm in any private passenger motor vehicle in an open manner and fully exposed to view or in the glove compartment of the vehicle; provided, however, that any person in possession of a valid permit issued pursuant to Code Section 16-11-129 may carry a handgun in any location in a motor vehicle."

(e) On and after October 1, 1996, a person licensed to carry a handgun in any state whose laws recognize and give effect within such state to a license issued pursuant to this part shall be authorized to carry a handgun in this state, but only while the licensee is not a resident of this state; provided, however, that such licenseholder shall carry the handgun in compliance with the laws of this state."

SECTION 2.

Said article is further amended by adding at the end of Code Section 16-11-128, relating to the crime of carrying a pistol without a license, a new subsection (c) to read as follows:

"(c) On and after October 1, 1996, a person licensed to carry a handgun in any state whose laws recognize and give effect within such state to a license issued pursuant to this part shall be authorized to carry a handgun in this state, but only while the licensee is not a resident of this state; provided, however, that such licenseholder shall carry the handgun in compliance with the laws of this state."

SECTION 3.

Said article is further amended by striking in its entirety subsection (a) of Code Section 16-11-129, relating to licenses to carry pistols or revolvers, and inserting in lieu thereof the following:

"(a) Application for license; term. The judge of the probate court of each county may, on application under oath and on payment of a fee of \$15.00, issue a license valid for a period of five years to any person ~~who is a resident of whose domicile is in~~ that county or who is on active duty with the United States armed forces and who is not a domiciliary of this state but who either resides in that county or on a military reservation located in whole or in part in that county at the time of such application, which license shall authorize that person to carry any pistol or revolver in any county of this state notwithstanding any change in that person's county of residence or state of domicile.

Applicants shall submit the application for a license to the judge of the probate court on forms prescribed and furnished free of charge to persons wishing to apply for the license. Forms shall be designed to elicit information from the applicant pertinent to his or her ~~eligibility under this~~ Code section but shall not require data which is nonpertinent or irrelevant such as serial numbers or other identification capable of being used as a de facto registration of firearms owned by the applicant. The Department of Public Safety shall furnish application forms and license forms required by this Code section. The forms shall be furnished to each judge of each probate court within the state at no cost."

SECTION 4.

Said article is further amended by striking in its entirety paragraph (3) of subsection (c) of said Code section and inserting in lieu thereof the following:

"(3) Applications for renewal of licenses issued under this Code section shall be made to the judge of the probate court of the county in which the applicant is domiciled or, if the applicant is a member of the United States armed forces, the county in which he or she resides or in which the military reservation on which the applicant resides is located in whole or in part at the time of making the renewal application. In the case of an applicant for a renewal of a license, the judge of the probate court may, in his or her discretion, direct that the local county law enforcement agency request a search of the criminal history file and wanted persons file of the Georgia Crime Information Center by computer access from that county in lieu of transmitting the application and forms."

SECTION 5.

Said article is further amended by striking in its entirety subsection (f) of said Code section and inserting in lieu thereof the following:

"(f) License specifications. Licenses issued as prescribed in this Code section shall be printed on durable but lightweight card stock, and the completed card shall be laminated in plastic to improve its wearing qualities and to inhibit alterations. Measurements shall be 3 ¹/₄ inches long, and 2 ¹/₄ inches wide. Each shall be serially numbered within the county of issuance and shall bear the full name, ~~actual residence~~ residential address, birth date, weight, height, color of eyes, sex, and a clear print of the right index finger of the licensee. If the right index fingerprint cannot be secured for any reason, the print of another finger may be used but such print shall be marked to identify the finger from which the print is taken. The license shall show the date of issuance, the expiration date, and the probate court in which issued; and shall be signed by the licensee and bear the signature or facsimile thereof of the judge. The seal of the court shall be placed on the face before the license is laminated. The reverse side of the license shall have imprinted thereon in its entirety Code Section 16-11-127."

SECTION 6.

Said article is further amended by striking in its entirety subsection (a) of Code Section 16-11-174, relating to electronic delays in Brady records checks, and inserting in lieu thereof the following:

"(a) In the event of electronic failure, scheduled computer downtime, or similar emergency beyond the control of the bureau or center which prevents or delays the checks from being made as provided in Code Section 16-11-173, the bureau shall immediately notify the requesting licensee of the reason for, and estimated length of, such delay. If the delay is expected to extend beyond the close of business of the day the request is made, the firearm dealer may complete the transaction immediately without being a violation of this part. After such notification, the bureau shall forthwith, and in no event later than the end of the day the request is made by the licensee, either inform the requesting licensee if its records demonstrate that the potential buyer is prohibited from receipt or possession of a handgun under state or federal law or provide the licensee a unique transaction number. After such notification, the center shall, as soon as possible but in no event later than noon of the next business day after the day the request is made, inform the licensee if its records indicate the buyer or transferee is prohibited

from possessing or transporting a firearm by state or federal law or if a requested purchase of transfer is authorized. Unless notified by the ~~close of business~~ the morning of the next day after the request is made that the potential buyer or transferee is so prohibited, ~~and without regard to whether he or she has received a unique transaction number,~~ the licensee may complete the transaction and shall not be deemed in violation of this part."

SECTION 7.

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

Representative Jenkins of the 110th moved that the House adopt the report of the Committee of Conference on SB 678.

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

Allen	Y Crews	N Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	N Smyre
N Asbe	Y Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	N Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Porter	N Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	N Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	N Taylor
Y Birdsong	Y Ehrhart	Ladd	Y Randall	Teague
N Bordeaux	Y Epps	Y Lakly	Y Randolph	N Teper
Y Bostick	Y Evans	Y Lane	Y Ray	N Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	Y Lewis	Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brusb	Y Golden	Y Lord	Y Royal	Turnquest
Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	N McBee	Shaw	Y Watson
N Campbell	Y Harris	Y McCall	N Sherrill	Y Watts
Y Canty	Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chabless	N Hegstrom	Y Mills	N Sinkfield	White
Y Channell	Y Hembree	N Mobley, B	Skipper	Y Wiles
Y Childers	N Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	N Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	N Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	N Orrock	Y Smith, T	Y Yates
Y Crawford	N Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 139, nays 24.

The motion prevailed.

Representative Heard of the 89th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

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

Mr. Speaker:

The Senate has appointed a second Committee of Conference on the following bill of the House:

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The President has appointed as a Committee of Conference the following:

Senators Gillis of the 20th, Marable of the 52nd and Madden of the 47th.

The Senate has disagreed to the House amendment to the Senate amendment to the following bill of the House:

HB 1486. By Representatives Channell of the 111th, Royal of the 164th and Jamieson of the 22nd:

A bill to amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to redemption of property sold for taxes, so as to change certain amounts payable for redemption.

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

SB 348. By Senator Ralston of the 51st:

A bill to amend Code Section 19-7-1 of the Official Code of Georgia Annotated, relating to in whom parental power lies, how such power is lost, and recovery for homicide of a child, so as to provide for additional grounds upon which parental power may be lost; to provide for a standard for loss of parental power.

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

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and Ray of the 19th:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Pollard of the 24th, Ray of the 19th and Ralston of the 51st.

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

HB 1368. By Representatives Sinkfield of the 57th, Walker of the 141st, Murphy of the 18th and Lee of the 94th:

A bill to amend Code Section 28-1-8 of the Official Code of Georgia Annotated, relating to compensation and reimbursement of members and officers of the General Assembly, so as to change provisions relating to reimbursement of transportation costs for air travel.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in amending the same:

HB 1486. By Representatives Channell of the 111th, Royal of the 164th and Jamieson of the 22nd:

A bill to amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to redemption of property sold for taxes, so as to change certain amounts payable for redemption.

Representative Jamieson of the 22nd moved that the House recede from its position in disagreeing to the Senate amendment to HB 1486.

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

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	James	Y Parsons	Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Bailey	Davis, G	Y Jenkins	Y Pery	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 159, nays 1.

The motion prevailed.

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

SB 157. www.legis.state.ga.us By Senators Clay of the 37th, Burton of the 5th and Boshears of the 6th:

A bill to amend Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to family violence, so as to provide that judges may order any person who has committed family violence to participate in a domestic violence intervention program; to provide for the contents and cost of such programs; to provide for monitoring of such offenders by the court.

The following Committee substitute was read and adopted:

A BILL

To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, so as to require the Department of Corrections to provide a Family Violence Counseling Program; to provide that the program shall be made available to certain inmates; to provide that a court sentencing a defendant to probation for an offense involving family violence shall, to the extent that services are available, require as a condition of probation that the defendant participate in a court approved family violence intervention program or receive counseling related to family violence; to authorize other terms and conditions of probation; to provide for payment of the cost of counseling or participation in a family violence intervention program under certain circumstances; to provide that an inmate who has committed an offense which has been identified to involve family violence shall not be released on parole until such inmate has successfully completed a Family Violence Counseling Program; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by adding at the end of Article 1 of Chapter 5, relating to general provisions applicable to state and county correctional institutions, a new Code Section 42-5-21 to read as follows:

"42-5-21.

The department shall provide within the correctional system a Family Violence Counseling Program. The program shall be made available to every person sentenced to the custody of the state who committed an offense which has been identified to involve family violence as such term is defined in Code Section 19-13-1; provided, however, that the provisions of this Code section shall not apply to a person who has been sentenced to the punishment of death or to those deemed mentally incompetent."

SECTION 2.

Said title is further amended by adding between Code Sections 42-8-35.5 and 42-8-36 a new Code Section 42-8-35.6 to read as follows:

"42-8-35.6.

Notwithstanding any other terms or conditions of probation which may be imposed, a court sentencing a defendant to probation for an offense involving family violence as such term is defined in Code Section 19-13-1 shall, to the extent that services are available, require as a condition of probation that the defendant participate in a court approved family violence intervention program or receive counseling related to family violence. Unless the defendant is indigent, the cost of such participation in the program or counseling shall be borne by the defendant."

SECTION 3.

Said title is further amended by adding at the end of Code Section 42-9-45, relating to the general rule-making power of the State Board of Pardons and Paroles, a new subsection (i) to read as follows:

“(i) An inmate who has committed an offense which has been identified to involve family violence as such term is defined in Code Section 19-13-1 shall not be released on parole until such inmate has successfully completed a Family Violence Counseling Program offered by the Department of Corrections.”

SECTION 4.

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:

Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Y Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Lucas	Y Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 162, nays 0.

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

SB 659. By Senators Dean of the 31st, Ray of the 19th and Marable of the 52nd:

A bill to amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions relative to counties, so as to amend the provisions relating to county financial statements and audits; to delete certain provisions relating to publication and posting of such statements; to conform various requirements relative to such matters; to provide that copies of the county audit be submitted to the grand jury.

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 Allen	Y Crews	Y Irvin	Y Parrish	Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
Y Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	Y Ehrhart	Y Ladd	Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Brush	Y Golden	Y Lord	Y Royal	Turnquest
Y Buck	Y Goodwin	Y Lucas	Y Sanders	Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClintone	Y Shipp	Y Westmoreland
Y Carter	Heckstall	McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Murphy, Spkr

On the passage of the Bill, the ayes were 165, nays 0.

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

The following Bill of the Senate was taken up for the purpose of considering the Senate amendment to the House substitute thereto:

SB 348. By Senator Ralston of the 51st:

A bill to amend Code Section 19-7-1 of the Official Code of Georgia Annotated, relating to in whom parental power lies, how such power is lost, and recovery for homicide of a child, so as to provide for additional grounds upon which parental power may be lost; to provide for a standard for loss of parental power.

The following Senate amendment was read:

Amend the House Substitute to SB 348 by changing "19-16-15" to "19-6-15" in line 13 of page 1, line 32 of page 3, and line 29 of page 4.

Representative Barnes of the 33rd moved that the House agree to the Senate amendment to the House substitute to SB 348.

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

Y Allen	Y Bailey	Y Barfoot	Y Barnes	Y Birdsong
Y Anderson	Y Baker	Y Bargeron	Y Bates	Y Bordeaux
Y Ashe	Y Bannister	Y Barnard	Y Benefield	Y Bostick

Y Breedlove	Y Ehrhart	Y Kaye	Y Ponder	Y Snow
Y Brooks, D	Y Epps	Y Kinnamon	Y Porter	Y Stallings
Y Brooks, T	Y Evans	Y Klein	Y Poston	Y Stancil, F
Y Brown, J	Y Falls	Y Ladd	Y Powell	Y Stancil, S
Y Brush	Y Felton	Y Lakly	Y Purcell, A	Y Stanley, L
Y Buck	Y Floyd	Y Lane	Y Purcell, B	Y Stanley, P
Y Buckner	Y Godbee	Y Lawrence	Y Randall	Y Stephenson
Y Bunn	Y Golden	Y Lee	Y Randolph	Y Streat
Y Burkhalter	Y Goodwin	Y Lewis	Y Ray	Y Taylor
Y Byrd	Y Greene	Y Lifsey	Y Reaves	Y Teague
Y Campbell	Y Grindley	Y Lord	Y Reichert	Y Teper
Y Canty	Y Hanner	Y Lucas	Y Roberts	Y Thomas
Y Carter	Y Harbin	Y Maddox	Y Rogers	Y Tillman
Y Chambless	Y Harris	Y Mann	Y Royal	Y Titus
Y Channell	Y Heard	Y Martin	Y Sanders	Y Towery
Y Childers	Y Heckstall	Y McBee	Y Sauder	Y Trense
Y Coker	Y Hegstrom	Y McCall	Y Scoggins	Y Turnquest
Y Coleman, B	Y Hembree	Y McClinton	Y Shanahan	Y Twiggs
Y Coleman, T	Y Henson	Y McKinney	Y Shaw	Y Walker, L
Y Connell	Y Holland	Y Mills	Y Sherrill	Y Walker, R.L
Y Crawford	Y Holmes	Y Mobley, B	Y Shipp	Y Wall
Y Crews	Y Howard	Y Mobley, J	Y Simpson	Y Watson
Y Culbreth	Y Hudson	Y Mosley	Y Sinkfield	Y Watts
Y Cummings	Y Hugley	Y Mueller	Y Skipper	Y Westmoreland
Y Davis, G	Y Irvin	Y O'Neal	Y Smith, C	Y Whitaker
Y Davis, M	Y James	Y Orrock	Y Smith, C.W	Y White
Y Day	Y Jamieson	Y Parham	Y Smith, L	Y Wiles
Y DeLoach, B	Y Jenkins	Y Parrish	Y Smith, P	Y Williams, B
Y DeLoach, G	Y Johnson, G	Y Parsons	Y Smith, T	N Williams, J
Y Dix	Y Johnson, J	Y Pelote	Y Smith, V	Y Williams, R
Y Dixon, H	Y Johnston	Y Perry	Y Smith, W	Y Woods
Y Dixon, S	Y Jones	Y Pinholster	Y Smyre	Y Yates
Y Dobbs	Y Joyce	Y Polak	Y Snelling	Y Murphy, Spkr

On the motion, the ayes were 164, nays 1.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the report of the second Committee of Conference thereon:

HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The following report of the second Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1647

The Committee of Conference on HB 1647 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1647 be adopted.

FOR THE SENATE:

/s/ Hugh M. Gillis
Senator, 20th District

/s/ Eddie M. Madden
Senator, 47th District

/s/ Richard O. Marable
Senator, 52nd District

Respectfully submitted,

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Roy H. Watson, Jr.
Representative, 139th District

/s/ DuBose Porter
Representative, 143rd District

/s/ Alan T. Powell
Representative, 23rd District

A BILL

To amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by clear and convincing evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error; to provide for individual actions only; to provide an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," is amended by adding at the end thereof two new subsections (e) and (f) to read as follows:

"(e) A seller or holder shall not be held liable in any action brought under this Code section for a violation of this article if the seller or holder shows by clear and convincing evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

(f) The penalties under this Code section shall be the sole remedy for violations of this article and a claim of violation of this article may be asserted in an individual action only."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall apply to all violations of "The Retail Installment and Home Solicitation Sales Act" occurring on or after said effective date.

SECTION 3.

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

Representative Watson of the 139th moved that the House adopt the report of the second Committee of Conference on HB 1647.

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

Y Allen	Y Childers	Y Harbin	Y Lifsey	Y Randall
Y Anderson	Y Coker	Y Harris	Y Lord	Y Randolph
Y Ashe	Y Coleman, B	Y Heard	Y Lucas	Y Ray
Y Bailey	Y Coleman, T	Y Heckstall	Y Maddox	Y Reaves
Y Baker	Y Connell	N Hegstrom	Y Mann	Y Reichert
Y Bannister	Y Crawford	N Hembree	Y Martin	Y Roberts
Y Barfoot	Y Crews	Y Henson	Y McBee	Y Rogers
Y Bargerone	Y Culbreth	Y Holland	Y McCall	Y Royal
Y Barnard	Y Cummings	N Holmes	Y McClinton	Y Sanders
N Barnes	N Davis, G	Y Howard	Y McKinney	Y Sauder
Y Bates	Y Davis, M	Y Hudson	Y Mills	Y Scoggins
Y Benefield	N Day	Y Hugley	Y Mobley, B	Y Shanahan
Y Birdsong	Y DeLoach, B	Y Irvin	Y Mobley, J	Y Shaw
N Bordeaux	Y DeLoach, G	Y James	Y Mosley	Y Sherrill
Y Bostick	N Dix	Y Jamieson	N Mueller	Y Shipp
Y Breedlove	Y Dixon, H	Y Jenkins	Y O'Neal	N Simpson
Y Brooks, D	Y Dixon, S	Y Johnson, G	Y Orrock	Y Sinkfield
Y Brooks, T	Y Dobbs	N Johnson, J	Y Parham	Y Skipper
Y Brown, J	Y Ehrhart	Y Johnston	Y Parrish	Y Smith, C
Y Brush	Y Epps	Y Jones	Y Parsons	Y Smith, C.W
Y Buck	Y Evans	Y Joyce	Y Pelote	N Smith, L
Y Buckner	Y Falls	Y Kaye	Y Perry	Y Smith, P
Y Bunn	Y Felton	Y Kinnamon	Y Pinholster	Y Smith, T
Y Burkhalter	Y Floyd	Y Klein	Y Polak	Y Smith, V
Y Byrd	Y Godbee	Y Ladd	Y Ponder	Y Smith, W
Y Campbell	Y Golden	Y Lakly	Y Porter	Y Smyre
Y Canty	Y Goodwin	Y Lane	Y Poston	Y Snelling
N Carter	Y Greene	Y Lawrence	Y Powell	Y Snow
Y Chambless	Y Grindley	Y Lee	Y Purcell, A	Y Stallings
Y Channell	Y Hanner	Y Lewis	Y Purcell, B	Y Stancil, F

Y Stancil, S	Y Teague	Y Trense	Y Watson	Y Williams, B
Y Stanley, L	Y Teper	Y Turnquest	Y Watts	Y Williams, J
Y Stanley, P	Y Thomas	Y Twiggs	Y Westmoreland	Y Williams, R
Y Stephenson	Y Tillman	Y Walker, L	Y Whitaker	Y Woods
Y Streat	Y Titus	Y Walker, R.L	White	Y Yates
N Taylor	Y Towery	Y Wall	Y Wiles	Murphy, Spkr

On the motion, the ayes were 156, nays 14.

The motion prevailed.

Representative Barnes of the 33rd moved that the House reconsider its action in adopting the second Committee of Conference report on HB 1647.

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

N Allen	N Crews	N Irvin	N Parrish	N Smith, W
N Anderson	N Culbreth	N James	Y Parsons	N Smyre
N Ashe	N Cummings	N Jamieson	N Pelote	N Snelling
N Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
N Baker	Y Davis, M	Y Johnson, G	N Pinholster	N Stallings
Y Bannister	Y Day	Y Johnson, J	N Polak	Y Stancil, F
N Barfoot	N DeLoach, B	N Johnston	N Ponder	N Stancil, S
N Bargeron	N DeLoach, G	N Jones	N Porter	N Stanley, L
N Barnard	Y Dix	N Joyce	Y Poston	N Stanley, P
Y Barnes	N Dixon, H	N Kaye	N Powell	N Stephenson
N Bates	N Dixon, S	N Kinnamon	N Purcell, A	N Streat
N Benefield	Dobbs	Y Klein	N Purcell, B	Y Taylor
N Birdsong	N Ehrhart	N Ladd	N Randall	N Teague
Y Bordeaux	Epps	N Lakly	N Randolph	Y Teper
Bostick	N Evans	Y Lane	Y Ray	N Thomas
N Breedlove	N Falls	N Lawrence	N Reaves	N Tillman
N Brooks, D	N Felton	N Lee	N Reichert	N Titus
N Brooks, T	N Floyd	N Lewis	Y Roberts	N Towery
N Brown, J	N Godbee	N Lifsey	Y Rogers	N Trense
N Brush	N Golden	N Lord	N Royal	Y Turnquest
N Buck	N Goodwin	N Lucas	Y Sanders	N Twiggs
Y Buckner	N Greene	N Maddox	Y Sauder	N Walker, L
N Bunn	N Grindley	Y Mann	Scoggins	N Walker, R.L
N Burkhalter	N Hanner	Martin	N Shanahan	N Wall
N Byrd	N Harbin	N McBee	N Shaw	N Watson
N Campbell	N Harris	N McCall	N Sherrill	N Watts
N Canty	N Heard	N McClinton	Y Shipp	N Westmoreland
Y Carter	N Heckstall	McKinney	Y Simpson	N Whitaker
N Chambliss	Y Hegstrom	N Mills	N Sinkfield	White
N Channell	Y Hembree	N Mobley, B	N Skipper	N Wiles
N Childers	N Henson	N Mobley, J	Smith, C	Y Williams, B
N Coker	Y Holland	N Mosley	N Smith, C.W	N Williams, J
N Coleman, B	Y Holmes	Y Mueller	Y Smith, L	N Williams, R
N Coleman, T	N Howard	N O'Neal	N Smith, P	N Woods
N Connell	Hudson	Y Orrock	N Smith, T	Y Yates
N Crawford	N Hugley	N Parham	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 37, nays 132.

The motion was lost.

The following Bill of the Senate was taken up for the purpose of considering the Senate's disagreeing to the House substitute thereto:

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and others:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

Representative Ray of 128th moved that the House insist on its position in substituting SB 510.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1222

The Committee of Conference on HB 1222 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1222 be adopted.

FOR THE SENATE:

- /s/ Perry McGuire
Senator, 30th District
- /s/ Steve Henson
Senator, 55th District
- /s/ Arthur B. Edge, IV
Senator, 28th District

Respectfully submitted,

FOR THE HOUSE
OF REPRESENTATIVES:

- /s/ John Simpson
Representative, 101st District
- /s/ Tracy Stallings
Representative, 100th District
- /s/ Brooks
Representative, 103rd District

A BILL

To amend Chapter 12 of Title 3 of the Official Code of Georgia Annotated, relating to residential community development districts, so as to change the definition of residential community development district; to change provisions relating to the filing of the articles of establishment of a district; to change provisions relating to the holding of a referendum; to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide for the creation of community improvement districts as authorized by Article IX, Section VII of the Constitution of the State of Georgia; to provide a short title; to provide for definitions; to provide for specific requirements for the creation of community improvement districts; to provide for the establishment and membership of an administrative body for a community improvement district; to confer upon such administrative body certain powers and duties, including the power to levy taxes, fees, and assessments upon lands included within such community improvement district in order to provide for the acquisition, construction, installation, and equipping of systems and facilities and provision of services by such district, including expenses of operation and maintenance and payment of amounts due with respect to any of such district's outstanding bonds or other obligations; to provide for budgets; to authorize the issuance of general obligation bonds by a community improvement district secured by and payable from the full faith, credit, and taxing power of such community improvement district; to authorize the issuance of revenue bonds secured by and payable from fees, charges, or other revenues derived by

such community improvement district from specific systems or facilities of such district; to authorize the issuance of assessment bonds secured by and payable from benefit assessments levied by a district; to provide that any bonds, revenue bonds, or other obligations issued by a community improvement district shall not be an obligation of the State of Georgia or any other unit of government of the State of Georgia other than the community improvement district; to provide that any bonds or other obligations of a community improvement district shall be legal investments and that any such bonds or other obligations, their transfer, and the income therefrom shall at all times be free from taxation of every kind by the State of Georgia and by political subdivisions of the State of Georgia; to provide for practices, procedures, and requirements related to community service districts and the operation and abolition thereof; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 12 of Title 3 of the Official Code of Georgia Annotated, relating to residential community development districts, is amended by striking paragraph (3) of Code Section 3-12-1, relating to the definition of residential community development district, and inserting in lieu thereof a new paragraph (3) to read as follows:

“(3) Has at least 200 residential sites, owned by individual owners who actually reside within the residential district, which are platted and recorded in the office of the clerk of the superior court of the county as a residential subdivision;”

SECTION 2.

Said chapter is further amended by striking Code Section 3-12-2, relating to the establishment of residential community development districts, and inserting in lieu thereof the following:

“3-12-2.

(a) The exclusive and uniform method for the establishment of a residential community development district shall be by the filing of the articles of establishment of a community development district with the clerk of the superior court of the county governing authority in which the district is to be located or, if located in more than one county, of each of the counties in which the district is located.

(b) The articles of establishment of a residential community development district shall contain the following:

(1) ~~The written consent to the establishment of the district by the owner or owners of 80 percent of the real property to be included in the district, or documentation demonstrating that the petitioner has control of 80 percent of the real property to be included in the district by deed, trust agreement, contract, or option on a single document of two-thirds of the property owners who actually reside within the borders of the proposed residential community development district. Each property owner signing such document shall indicate whether he or she is a landowner within the district and shall print or type thereon his or her name, address, and date of signature;~~

(2) A metes and bounds description of the external boundaries of the district, with a specific metes and bounds description of any real property within the boundaries of the district which is to be excluded from the district;

(3) A schematic layout of the proposed district with a map of the proposed and existing residential subdivisions, streets, and roads in the district and the buildings and grounds to be used in common by members of the club operating in the district, together with a commitment that the owner or owners of the real property located within the district will bear the costs of the construction of such proposed streets and roads and will maintain the same at no expense to the county;

(4) The proposed name of the district and the location and the mailing address of the principal office of the district; and

(5) A list of at least three persons designated to be the initial members of the board of control of the district who shall serve in that capacity until replaced by elected members; provided, that the members of the board of control shall be elected by the

owners of the real estate within the district who may vote in person or by proxy in writing at an annual meeting of the district which date shall be specified in the petition.

(c) ~~The articles of establishment~~ and two copies thereof shall be delivered to the clerk of the ~~superior court~~ county governing authority who shall, upon the payment of the fees prescribed in this Code section:

(1) Endorse on the articles and on each of such copies the word 'Filed' and the hour, day, month, and year of the filing thereof;

(2) File the articles in his or her office and certify the two copies thereof; and

(3) Issue a certificate of establishment to which he or she shall affix one certified copy of the articles of establishment and return such certificate with a certified copy of the articles of establishment affixed thereto to the board of control of the district.

(d) Upon the filing of the articles of establishment of the community development district with the clerk of the ~~superior court~~ county governing authority, the district's existence shall begin.

(e) In lieu of all other charges and fees, the clerk of the ~~superior court~~ county governing authority shall charge and collect a fee for filing the articles of establishment and issuing a certificate of establishment not to exceed \$100.00 ~~for the county and \$25.00 for the clerk of the superior court.~~"

SECTION 3.

Said chapter is further amended by striking paragraphs (2) and (3) of subsection (b) of Code Section 3-12-3, relating to licenses for the sale of alcoholic beverages within residential community development districts, and inserting in its place the following:

"(2) No resolution or ordinance adopted pursuant to paragraph (1) of this subsection shall become effective until the governing authority of the county submits to the qualified electors of the voting precinct wherein the residential community development district is located the question of whether the ordinance or resolution shall be approved or rejected. If in the election, a majority of the electors voting on the question vote for approval, the ordinance or resolution shall become effective at such time as is provided for in the resolution or ordinance; otherwise, it shall be of no force and effect. A change in the precinct boundaries wherein a district is located effected after an ordinance or resolution is approved shall not affect the continued validity and effectiveness of such ordinance or resolution.

(3) The county governing authority shall establish the date of the election, which shall coincide with the date of the next general or primary election, and which shall be not less than 30 days after the call of the election, and shall notify the county election superintendent of its decision as to the date. The election superintendent shall issue the call for the election and shall specify that the election shall be held on the date determined by the county governing authority. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of the county. The ballot shall have written or printed thereon the following:

() YES Shall the issuance of licenses to sell ~~distilled spirits~~ alcoholic beverages by the drink to certain residential community development districts be approved?
 () NO

Those persons desiring to vote in favor of issuance of the licenses shall vote 'Yes' and those persons opposed to issuance of the licenses shall vote 'No.' If more than one-half of the votes cast on the question are in favor of issuance of the licenses, then the licenses may be issued in accordance with paragraph (1) of this subsection; otherwise, the licenses may not be issued. The question of the issuance of the licenses may not again be submitted to the voters of the precinct within 24 months immediately following the month in which such election was held. The county election superintendent shall hold and conduct the election under the same rules and regulations as govern special elections. He or she shall canvass the returns and declare and certify the result of the election to the Secretary of State and to the commissioner. ~~The~~ Any additional

expense of any such elections shall be borne by the county wherein the election was held applicant."

www.libtool.com.cn SECTION 4.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by adding at the end thereof a new Chapter 88 to read as follows:

"CHAPTER 88

36-88-1.

This chapter shall be known and may be cited as the 'Community Improvement District Act.'

36-88-2.

As used in this chapter, the term:

- (1) 'Assessment bonds' means special obligations of a district which are payable from proceeds of benefit assessments levied by a district under this chapter.
- (2) 'Assessments' means any benefit assessments and maintenance assessments levied by a district under this chapter.
- (3) 'Benefit assessments' means any assessments specifically relating to any project or projects, or any portion thereof, undertaken by the district, which may be levied, collected by the district, and pledged to the payment of assessment bonds issued by the district, all as provided in this chapter.
- (4) 'Board' or 'board of supervisors' means the governing board of the district or, if such board has been abolished, the board, body, or commission succeeding to the principal functions thereof or to whom the powers given to the board by this chapter have been given by law.
- (5) 'Bond' includes any general obligation bond, assessment bond, revenue bond, or bond anticipation note as provided for in this chapter, as the case may be.
- (6) 'Community improvement district' or 'district' means an independent unit of government and a political subdivision of this state which is created pursuant to, and the power and authority of which is limited to, that specifically contained in Article IX, Section VII of the Constitution of the State of Georgia and this chapter.
- (7) 'Cost,' when used with reference to any project, includes, but is not limited to:
 - (A) All costs incurred for the acquisition, construction, reconstruction, improvement, installation, and equipping of any project, including, but not limited to, (i) expenses of determining the feasibility or practicability of acquisition, construction, reconstruction, or improvement; (ii) the cost of surveys, estimates, plans, and specifications; (iii) engineering, fiscal, and legal expenses and charges; (iv) the cost of all labor, materials, machinery, and equipment; (v) the cost of all lands, properties, rights, easements, and franchises acquired; (vi) payments, contributions, dedications, and any other exactions required as a condition to receive any government approval or permit necessary for any project; (vii) reasonable administrative and start-up costs associated with such project; and (viii) such other expenses as may be necessary or incidental to the acquisition, construction, reconstruction, installation, or equipping of any project;
 - (B) Financing and interest charges incurred or estimated to be incurred on money borrowed prior to and during construction and acquisition of any project and for such reasonable period of time after completion of construction or acquisition as the district may determine;
 - (C) Costs of issuing bonds pursuant to this chapter, including, but not limited to, advertising and printing costs, legal and professional fees, and any underwriter's and original issue discount on the initial sale or exchange of bonds;
 - (D) Costs of bond insurance or other credit enhancement or liquidity support, or both, for bonds issued under this chapter; and
 - (E) The funding of initial reserve and debt service funds.
- (8) 'District manager' means the manager of the district selected and employed by the board of such district as set forth in subsection (a) of Code Section 36-88-5.

- (9) 'General obligation bond law' means and includes all terms and provisions of Articles 1 and 2 of Chapter 82 of Title 36 of the Official Code of Georgia Annotated, as now or hereafter amended.
- (10) 'General obligation bonds' means bonds which are secured by, or provide for their payment from, the full faith, credit, and taxing power of the district.
- (11) 'Governmental body' means the elected or duly appointed officials constituting the governing body of any county or municipality.
- (12) 'Landowner' means the owner of a freehold estate as appears by the deed record, including a trustee, a private corporation, and an owner of a condominium unit; it does not include a reversioner, remainderman, mortgagee, or any governmental entity, who shall not be counted and need not be notified of proceedings under this chapter.
- (13) 'Maintenance assessments' means any assessments levied and collected by a district specifically for the maintenance of any of the projects or facilities of such district, all as provided in this chapter.
- (14) 'Person' means any natural person, firm, partnership, association, corporation, or other entity.
- (15) 'Project' means the acquisition, construction, reconstruction, rehabilitation, improvement, installation, and equipping of any of the following:
- (A) Streets and roads, including curbs, sidewalks, streetlights, and devices to control the flow of traffic on street and roads;
 - (B) Parks and recreational areas and facilities;
 - (C) Storm-water and sewage collection and disposal systems;
 - (D) Facilities for the development, storage, treatment, purification, and distribution of water;
 - (E) Public transportation facilities;
 - (F) Terminal and dock facilities and parking facilities; and
 - (G) Such other facilities as may be provided for by general law.
- (16) 'Qualified elector' means any person at least 18 years of age who is a citizen of the United States, a legal resident of this state and of the applicable district, and registered to vote within the county in which such district is located.
- (17) 'Revenue bonds' means obligations of a district which are secured by and payable from revenues derived from specific facilities and services provided by such district, and which are not secured by or payable from the general faith, credit, and taxing power of such district.
- (18) 'Revenue Bond Law' means all terms and provisions of Article 3 of Chapter 82 of Title 36 of the Official Code of Georgia Annotated, as heretofore or hereafter amended.
- (19) 'State' means the State of Georgia.
- (20) 'Value' for purposes of consent by landowners to the creation of a community improvement district, means assessed value as determined by the most recent approved county ad valorem tax digest.
- 36-88-3.
- (a) No community improvement district shall be created unless:
- (1) Written consent to the creation of such community improvement district is provided by:
 - (A) At least a majority of the owners of real property within the community improvement district which will be subject to taxes, fees, and assessments levied by the board of supervisors of such community improvement district; and
 - (B) The owners of real property within the community improvement district which constitutes at least 75 percent by value of all real property within the community improvement district which will be subject to taxes, fees, and assessments levied by the board of supervisors of the community improvement district; and
 - (2) The governing bodies of the county and of each municipality within which all or a portion of the proposed district is to be located shall consent, by resolution, to the creation of the proposed district.
- (b) Except as otherwise provided in subsection (c) of Code Section 36-88-8, consents to be obtained from landowners within the proposed district shall be in the form of an affidavit, obtained prior to the submission of a petition for the creation of such district to

the governing bodies of the county and any municipality within which the proposed district is to be created as provided in subsection (c) of this Code section, to the effect that:

(1) ~~Such landowner is the~~ owner of record of property to be included within such district, which property shall be reasonably identified in such affidavit or in an attachment thereto;

(2) Such landowner understands that the board of supervisors of the proposed district may be authorized by the terms of this chapter to levy taxes, fees, and assessments upon such property; and

(3) Such landowner consents to the creation of the proposed district. Such affidavit shall be duly executed by the landowner and notarized. Once obtained, such consent shall thereafter be effective and, subject to the provisions of this chapter, shall be binding upon any successors or assigns of the landowner or landowners providing such consent.

(c) In order to obtain the consent of the governing bodies of the county and any municipality within which all or a portion of the proposed community improvement district is to be located, the person seeking the creation of such community improvement district shall file with the governing bodies of such county and any such municipality a petition for the establishment of a community improvement district containing the following information:

(1) A metes and bounds description of the external boundaries of the district, together with a list of the names and last known addresses of all landowners of real property to be included, in whole or in part, within the district, including a means of identifying the parcel or parcels of real property of each such landowner proposed to be included within such district;

(2) The proposed name of the district;

(3) A map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence;

(4) Based upon available data, the proposed timetable for construction of any project or other facilities and services to be provided by the district and the estimated cost of constructing the proposed project or projects, facilities, and services, which estimates shall be submitted in good faith but shall not be binding and may be subject to change;

(5) A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district; and

(6) Evidence that the consents required to be obtained by the terms of this chapter from the landowners whose property is to be included, in whole or in part, within the district have been obtained.

(d) Within 45 days of the submission of such petition in final form, or such later date as may be requested by the petitioner and agreed to by the governing bodies of the county and any municipality to which such petition was submitted, such governing bodies shall conduct a joint public hearing relating to the creation of the proposed community improvement district. The governing bodies conducting such hearing shall consider oral and written comments on the petition pertinent to the factors specified in subsection (e) of this Code section. The hearing shall be held in the county in which the community improvement district is to be located, at a location which is reasonably accessible by residents of the proposed community improvement district, the county, and any municipality within which all or a portion of the district is to be located. The petitioner shall cause a notice of the hearing to be published in a newspaper or newspapers of general circulation in the county and any municipality in which such district or portion thereof is to be located, at least once a week for the four successive weeks immediately prior to the hearing. Such notice shall give the time and place for the hearing, state the purpose of the hearing, and provide a description of the area to be included in the district.

(e) The governing bodies of the county and any municipality within which all or a portion of the proposed district is to be located must consent by resolution to the creation of such proposed district. In making such determination, such governing bodies shall

consider the entire record of the public hearing, the transcript of the hearing, and the following factors:

- (1) Whether all statements contained within the petition have been found to be true and correct;
 - (2) Whether the creation of the district is inconsistent with any applicable element or portion of any comprehensive plan adopted by such county or municipality pursuant to the laws of this state;
 - (3) Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functionally interrelated community;
 - (4) Whether the district is the best alternative available for delivering community improvement services and facilities to the area that will be served by the district; and
 - (5) Whether the community improvement services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community improvement services and facilities.
- (f) The resolutions adopted by the county and any municipality consenting to the creation of a community improvement district shall contain a metes and bounds description of the property to be included within the district, a list of the owners of record of such property, site maps of such property as currently developed or configured, and any other information identifying the property included within such district. In addition, such resolutions shall provide for the appointment of two members of the initial board of supervisors of the district as provided in paragraph (1) of subsection (b) of Code Section 36-88-4.
- (g) Notwithstanding any provision of this Code section to the contrary, no property included within a district shall be sold or the title thereto otherwise transferred without the inclusion upon the deed or other instrument of transfer of the legend set forth in Code Section 36-88-39.

36-88-4.

(a) The board of supervisors of any district created under this chapter shall consist of five members to be appointed or elected in accordance with the terms of subsection (b) of this Code section. Except as set forth in this chapter for the members of the initial board of supervisors of any district created under this chapter, each member shall hold office for a term of four years and until his or her successor is chosen and qualifies, which term shall commence on January 1 of the year following the appointment or election of such member and shall expire on December 31 of the fourth year following the commencement of such term. The board shall be authorized to exercise all powers granted to, and to perform all duties imposed upon, the district pursuant to this chapter.

(b) The board of supervisors of any district created under this chapter shall be appointed or elected in the following manner:

- (1) Two members of the board shall be appointed by the governing body of the county in which the district is to be located, provided that if all or any portion of such district is located within an incorporated municipality, one of such members shall be appointed by the governing body of such municipality. The initial appointment of such members shall be provided for in the resolution adopted by the governing body of such county or municipality authorizing the creation of the district. The terms of the initial members so appointed shall commence immediately upon such appointment and shall continue until December 31 of the fourth year following such appointment. Thereafter, the terms of members so appointed shall commence on January 1 of the year following such appointment and shall continue until December 31 of the fourth year following such commencement;

(2) The remaining three members of the board of supervisors shall be elected as follows:

- (A) Within 90 days following the effective date of the resolution establishing the district, there shall be held a meeting of the landowners of the district for the purpose of electing the remaining three members of the initial board of supervisors for

the district. Notice of such meeting shall be published once a week for two consecutive weeks in a newspaper of general circulation in the area of the district, the last day of such publication to be not fewer than 14 days or more than 28 days before the ~~date of the election.~~ The landowners, when assembled at such meeting, shall organize by electing a chairperson who shall conduct the meeting;

(B) At such meeting, each landowner shall be entitled to cast one vote per acre of land owned by such landowner and located within the district for each person to be elected. A landowner may vote in person or by proxy in writing. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. The candidate receiving the greatest number of votes shall be elected for a term which expires on December 31 of the year which is four years after the year in which the election is held and the two candidates receiving the next largest number of votes shall be elected for terms which expire on December 31 of the year which is two years after the year in which the election is held;

(C) After the initial election of the three remaining members of the board of supervisors, there shall be held a general election within the district on the first Tuesday after the first Monday in November to determine the successors to those members whose terms expire on December 31 of such year. Each member so elected shall serve a term of four years, commencing on January 1 of the year following the election of such member and terminating on December 31 of the fourth year thereafter;

(D) On or before July 15 of each year, the board shall determine the number of qualified electors in the district as of the immediately preceding June 1. The board shall use and rely upon the official records maintained by the supervisor of elections and property appraiser or tax collector in the county in which the district is located in making this determination. Such determination shall be made at a properly noticed meeting of the board and shall become a part of the official minutes of the district;

(E) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with all applicable provisions of the laws of this state;

(F) The election superintendent of the county in which the district is located shall appoint the election managers for district elections, prepare and furnish the ballots, designate polling places, and canvass the returns of the election of board members by qualified electors. The governing body of the county in which the district is located shall declare and certify the results of the election; and

(G) Notwithstanding any provision of this Code section to the contrary, any election held under the terms of this chapter shall be conducted in the manner provided for in the laws of this state relating to general elections.

(c) If, during the term of office, a vacancy occurs on the board of supervisors, the remaining members of the board shall fill the vacancy by an appointment for the remainder of the unexpired term.

(d) A majority of the members of the board shall constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. Action taken by the district shall be upon a vote of a majority of the members present unless general law or a rule of the district requires a greater number.

(e) As soon as practicable after the appointment and election of the initial board of supervisors, the members of the board shall elect one of its members as chairperson and shall also elect a secretary who need not be a member of the board, and such other officers as the board may deem necessary. Upon the appointment or election of a new member or members to the board as provided in this Code section, the board shall elect a new chairperson and secretary, and any such other officers as the board deems appropriate. Nothing contained in this Code section shall prevent any officer from succeeding himself or herself to an office previously held.

(f) The board shall keep a permanent record book entitled 'Record of Proceedings of (name of district) Community Improvement District,' in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds given by all employees, and any and all corporate acts. The record book shall at reasonable times be opened to

inspection in the same manner as state, county, and municipal records as provided by general law. The record book shall be kept at the office or other regular place of business maintained by the board in the county in which the district is located.

(g) Each ~~member of the board~~ shall be entitled to receive for his or her services an amount not to exceed \$200.00 per meeting of the board of supervisors, not to exceed \$4,800.00 per year per supervisor, or such greater amount as may be established by the consent of a majority of the landowners within the district and reimbursement for actual expenses reasonably incurred in connection with his or her service on the board. Such compensation shall be paid exclusively from taxes, fees, and assessments levied by the board of supervisors upon property located within the district as authorized in this chapter.

(h) All meetings and records of the board shall be open to the public and governed by all laws of this state relating to open meetings and records.

36-88-5.

(a) The board shall employ and fix the compensation of a district manager. The district manager shall have charge and supervision of the works of the district and shall be responsible for preserving and maintaining any improvement or facility constructed or erected pursuant to the provisions of this chapter, for maintaining and operating the equipment owned by the district, and for performing such other duties as may be prescribed by the board. Any board member or the district manager or any other employee of the district may be a stockholder, officer, or employee of a landowner. The district manager may hire or otherwise employ and terminate the employment of such other persons, including, without limitation, professional, supervisory, and clerical employees, as may be necessary and authorized by the board. The compensation and other conditions of employment of the officers and employees of the district shall be as provided by the board.

(b) The board shall designate a person to serve as treasurer of the district, who shall have charge of the funds of the district. Such funds shall be disbursed only upon the order, or pursuant to the resolution, of the board by warrant or check countersigned by the treasurer and by the chairperson or such other member of the board as may be authorized by the board. The board may give the treasurer such other or additional powers and duties as the board may deem appropriate and may fix his or her compensation. The board may require the treasurer to give a bond in such amount, on such terms, and with such sureties as may be deemed satisfactory to the board to secure the performance by the treasurer of his or her power and duties. The financial records of the board shall be audited by an independent certified public accountant at least once a year.

(c) The board is authorized to select a depository for its funds which meets all requirements of the laws of this state for depositories of public funds, upon such terms and conditions as to the payment of interest by such depository upon the funds so deposited as the board may deem just and reasonable.

36-88-6.

Any district created under this chapter shall have, and the board may exercise, the following powers:

(1) To sue and be sued in the name of the district; to adopt and use a seal and authorize the use of a facsimile thereof; to acquire, by purchase, gift, devise, or otherwise and to dispose of real and personal property or an estate therein; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers;

(2) To contract for the services of consultants to perform planning, engineering, legal, or other appropriate services of a professional nature;

(3) To borrow money and accept gifts; to apply for and use grants or loans of money or other property from the United States, this state, a unit of local government, or any person for any district purposes and enter into agreements required in connection therewith; and to hold, use, and dispose of such moneys or property for any district

purposes in accordance with the terms of the gift, grant, loan, or agreement relating thereto;

(4) To adopt bylaws or other rules prescribing the powers, duties, and functions of the officers of the district, the conduct of the business of the district and the maintenance of its records; to adopt administrative rules with respect to any of the projects of the district and define the area to be included therein; and to adopt resolutions which may be necessary for the conduct of district business;

(5) To maintain an office at such place or places as it may designate within the county in which the district is located, which office must be reasonably accessible to the landowners;

(6) To hold, control, and acquire by donation, purchase, or condemnation or dispose of any public easements, dedications to public use, platted reservations for public purposes, or any reservations for those purposes authorized by this chapter and to make use of such easements, dedications, or reservations for any of the purposes authorized by this chapter;

(7) To lease as lessor or lessee to or from any person, firm, corporation, association, or body, public or private, any projects of the type that the district is authorized to undertake and facilities or property of any nature for the use of the district to carry out any of the purposes authorized by this chapter;

(8) To borrow money and issue bonds, certificates, warrants, notes, or other evidence of indebtedness as provided in this chapter;

(9) To levy such taxes and assessments and to charge, collect, and enforce fees and other user charges as may be authorized by the terms of this chapter;

(10) To raise, by user charges or fees authorized by resolution of the board, amounts of money which are necessary for the conduct of the district activities and services and to enforce their receipt and collection in the manner prescribed by resolution not inconsistent with law;

(11) To exercise within the district, or beyond the district with prior approval by resolution of the governing body of the county if the taking will occur in an unincorporated area or with prior approval by resolution of the governing body of the municipality if the taking will occur within a municipality, the right and power of eminent domain over any property within this state, except municipal, county, state, and federal property, for the uses and purposes of the district relating solely to water, sewer, streets and roads and related improvements, and water management, specifically including, without limitation, the power for the taking of easements for the drainage of the land of one person over and through the land of another;

(12) To cooperate with, or contract with, other governmental agencies as may be necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this chapter; and

(13) To exercise all of the powers necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this chapter.

36-88-7.

(a) On or before July 15 of each year, the district manager shall prepare a proposed budget for the ensuing fiscal year to be submitted to the board for approval. The proposed budget shall include at the direction of the board an estimate of all necessary expenditures of the district for the ensuing fiscal year and an estimate of income to the district from the taxes, fees, and assessments authorized to be levied by the board pursuant to the provisions of this chapter. The board shall consider the proposed budget item by item and may either approve the budget as proposed by the district manager or modify the same in part or in whole. The board shall indicate its approval of the budget by resolution, which resolution shall provide for a hearing on the budget as approved. Notice of the hearing on the budget shall be published in a newspaper of general circulation in the area of the district once a week for two consecutive weeks, except that the first publication shall be not fewer than 15 days prior to the date of the hearing. The notice shall further contain a designation of the day, time, and place of the public hearing. At the time and place designated in the notice, the board shall hear all objections to the budget as proposed and may make such changes as the board deems

necessary. At the conclusion of the budget hearing, the board shall by resolution adopt the budget as finally approved by the board. The budget shall be adopted prior to October 1 of each year.

(b) At least 60 days prior to adoption, the district board shall submit to the governing bodies of the county and any municipality in which the district is located, for purposes of disclosure and information only, the proposed annual budget for the ensuing fiscal year and any proposed long-term financial plan or program of the district for future operations.

(c) The governing bodies of the county and any municipality in which the district is located may review the proposed annual budget and any long-term financial plan or program and may submit written comments to the board for its assistance and information in adopting its annual budget and long-term financial plan or program.

36-88-8.

(a) Subject to the provisions of subsections (b) and (c) of this Code section, the board of supervisors of any community improvement district is authorized to levy and collect within such community improvement district taxes, fees, and assessments upon property located wholly within such district.

(b) Except as provided in subsection (c) of this Code section, taxes, fees, and assessments levied by the board of supervisors of any district shall only be levied on property located within the district and used nonresidentially, specifically excluding all property used for residential, agricultural, or forestry purposes and specifically excluding tangible personal property and intangible property, and any tax, fee, or assessment so levied shall not exceed 2 ½ percent of the assessed value of the real property subject to such taxes, fees, and assessments.

(c) Notwithstanding any other provision of this chapter to the contrary, if 100 percent of the landowners owning property located in whole or in part within the boundaries of the proposed district consent in writing to the creation of the proposed district, the foregoing limitations of subsection (b) of this Code section relating to the power and authority of the board of supervisors of the district to levy taxes, fees, and assessments shall not apply. Any consent obtained pursuant to the provisions of this subsection shall be in the form described in subsection (b) of Code Section 36-88-3 and shall also contain a statement that the landowner providing such consent understands that the board of supervisors of the district may levy taxes, fees, and assessments upon the property described in such consent without the limitations contained in subsection (b) of this Code section. Any such consent shall be obtained prior to the submission of a petition to the governing body of the county and any municipality within which all or a portion of such district is to be located. Once obtained, such consent shall thereafter be effective and, subject to the provisions of this chapter, shall be binding upon any successors or assigns of the landowner or landowners providing such consent.

(d) Any taxes, fees, and assessments levied by the board of supervisors of any district created under this chapter shall be equitably apportioned among the properties subject to such taxes, fees, and assessments according to the need for governmental services and facilities created by the degree of density of development of each such property. Proceeds of any such taxes, fees, and assessments levied by the board of supervisors of any district created under this chapter shall be used only for the purpose of providing the governmental services and facilities which are specifically required by the degree of density of development within the district, including, without limitation, the payment of debt service on bonds issued under this chapter to provide such services and facilities, and not for the purpose of providing such governmental services and facilities to the county or municipality as a whole.

36-88-9.

(a) The board of any district created under this chapter shall have the power to levy and collect ad valorem taxes upon property located within the district in accordance with the terms and provisions of this chapter. Revenues derived from such taxes may be used to construct, operate, and maintain any project or other improvements within the district; to pay the principal of, redemption premium, if any, and interest on, any

general obligation bonds of the district; and to provide for any sinking fund, reserve fund, or other funds established in connection with any such bonds. Ad valorem taxes provided for in this chapter shall be in addition to county and all other ad valorem taxes provided for by law.

(b) The board of any district created under this chapter shall have the power to levy and collect assessments upon property located within such district as follows:

(1) In order to provide for the acquisition, construction, reconstruction, improvement, installation, and equipping of any project, the district may levy and collect benefit assessments in an amount per parcel of property to be determined by the board based upon the actual or estimated cost of such project; and

(2) In order to maintain and preserve the facilities and projects of the district, the district may levy and collect a maintenance assessment in an annual amount per parcel of property to be determined by the board; provided, however, any such maintenance assessment so levied shall not exceed five mills.

(c) Any assessments levied as provided in this chapter shall be levied upon all lands benefited by the project or other facilities, improvements, and services provided, operated, and maintained by the district to which such assessments relate, in proportion to the benefits received by each respective parcel of property subject to such assessment. Any assessment so levied shall be payable at the time and in the manner stipulated in the resolution providing therefor, required to be adopted by the board pursuant to Code Section 36-88-18. Any assessment or portion thereof duly levied by the board under this chapter and not paid when due shall bear interest at a rate not in excess of 8 percent per annum, as shall be specified by the board in the resolution providing for the levy of such assessments adopted pursuant to Code Section 36-88-18.

(d) Prior to the levy of any benefit assessments by the board under this chapter, the board shall have caused to have been prepared plans and specifications for the project or projects to which such benefit assessments relate and shall have approved such plans and specifications in the manner and subject to the conditions set forth in Code Section 36-88-17.

(e) By no later than August 31 of each year, the board shall determine and certify to the tax commissioner of the county in which the district is located the respective total amounts of ad valorem taxes, benefit assessments, and maintenance assessments levied or to be levied upon each parcel of property located within the district, which taxes, benefit assessments, and maintenance assessments shall be entered by the county tax commissioner on the county tax rolls. Any tax or assessment so levied shall be collected by the county in which the district is located in the same manner as taxes levied by such county or municipality. The proceeds of taxes so levied, less such fee to cover the cost of collection as may be specified by law, shall be transmitted by the collecting county to the board of supervisors of the community improvement district and shall be expended by the board of supervisors of the district for the purposes authorized by this chapter.

36-88-10.

Notwithstanding any provision of this chapter to the contrary, all ad valorem taxes levied by a district under this chapter shall be subject to the same exemptions as ad valorem taxes levied by a county under the laws of this state.

36-88-11.

The collection and enforcement of all ad valorem taxes and assessments levied by any district created under this chapter shall be at the same time and in like manner as ad valorem taxes levied by a county. All provisions of the laws of this state relating to the levy and collection by a county within the state of ad valorem taxes, the creation and priority of liens upon property for the nonpayment of such taxes, and the foreclosure of such liens, and all procedures to be undertaken or complied with under the laws of this state in connection therewith, shall be applicable to any ad valorem taxes, benefit assessments, and maintenance assessments levied by a district in accordance with the terms of this chapter to the same extent as if a district were a county within this state,

and all of such provisions, as now or hereafter amended, are incorporated in this chapter as if expressly set forth in this chapter.

36-88-12.

(a) Any district created under this chapter shall have the right to:

- (1) Pay any delinquent state, county, district, municipal, or other tax or assessment upon lands located wholly or partially within the boundaries of the district; and
- (2) Purchase any execution issued on account of any state, county, district, municipal, or other taxes or assessments upon lands located wholly or partially within the boundaries of the district.

(b) Delinquent taxes paid or executions purchased by the district together with all penalties for the default in payment of the same and all costs in collecting the same and a reasonable attorney's fee shall constitute a lien in favor of the district upon the related property in the same manner and with the same priority, and may be foreclosed in the same manner, as any lien created or which would have been created under the laws of this state in favor of the state, county, district, or municipality to which such taxes were paid or from which such execution was purchased, all as provided for by the laws of this state relating thereto.

36-88-13.

(a) Any district created under this chapter is authorized to prescribe, fix, establish, and collect rates, fees, rentals, or other charges, hereinafter referred to collectively as 'fees' or 'revenues,' and to revise the same from time to time, for the facilities and services furnished by the district, within the limits of the district, including, but not limited to, recreational facilities, water management and control facilities, and water and sewer systems; to recover the costs of making connection with any district facility or system; and to provide for reasonable penalties against any user or property for nonpayment of any such fees.

(b) No such fees for any of the facilities or services of a district shall be fixed until after a public hearing at which all the users of the proposed facility or services or owners, tenants, or occupants served or to be served thereby, and all other interested persons shall have an opportunity to be heard concerning the proposed fees. Fees shall be adopted under the administrative rule-making authority of the district but shall not apply to district leases. Notice of such public hearing setting forth the proposed schedule or schedules of fees shall have been published in a newspaper of general circulation in the district at least once and at least ten days prior to such public hearing. The rule-making hearing may be adjourned from time to time. After such hearing, such schedule or schedules, either as initially proposed or as modified or amended, may be finally adopted. A copy of the schedule or schedules of such rates, fees, rentals, or charges as finally adopted shall be kept on file in an office designated by the board and shall be open at all reasonable times to public inspection. The rates, fees, rentals, or charges so fixed for any class of users or property served shall be extended to cover any additional users or properties thereafter served which shall fall in the same class, without the necessity of any notice or hearing.

(c) Such fees shall be just and equitable and uniform for users of the same class and when appropriate may be based or computed either upon the amount of service furnished, upon the number or average number of persons residing or working in or otherwise occupying the premises served, or upon any other factor affecting the user of the facilities furnished, or upon any combination of the foregoing factors, as may be determined by the board on an equitable basis.

(d) The fees prescribed shall be such as will produce revenues, together with any other assessments, taxes, revenues, or funds available or pledged for such purpose, at least sufficient to provide for the items in this subsection listed, but not necessarily in the order stated:

- (1) All expenses of operation and maintenance of such facility or service;
- (2) Payment when due of all bonds or other obligations and the interest thereon which are or will be secured by or payable from such revenues, including reasonable reserves for such payments; and

(3) The funding of any other funds which may be required under the resolution or resolutions authorizing the issuance of bonds or other obligations secured by or payable from such revenues pursuant to this chapter.

(e) ~~The board of any district~~ created under this chapter shall have the power to enter into contracts for the lease, rental, or other use of the projects of the district and with respect to the services and facilities furnished or to be furnished by the district and shall charge such fees for the lease, rental, or other use of such projects, services, and facilities as the board of the district shall determine.

36-88-14.

(a) In the event that any fees duly determined and charged by the board of any district pursuant to the terms of this chapter shall not have been paid within 60 days of the date set by the board as the date such fees are due and payable, the unpaid balance thereof and all interest accrued thereon, together with reasonable attorney's fees and costs, may be recovered by the district in a civil action filed by the district in accordance with the laws of this state.

(b) In the event any fees for water and sewer services, or either of them, are not paid when due, the board shall have the power, under such reasonable rules and regulations as the board may adopt, to discontinue and shut off both water and sewer services until such fees, including interest, penalties, and charges for the shutting off and discontinuance and the restoration of such water and sewer services or both, are fully paid; and, for such purposes, the board may enter on any lands, waters, or premises of any person within the district limits. Such delinquent fees, together with interest, penalties, and charges for the shutting off and discontinuance and the restoration of such services and facilities and reasonable attorney's fees and other expenses may be recovered by the district, which may also enforce payment of such delinquent fees, rentals, or other charges by any other lawful method of enforcement.

36-88-15.

To the full extent permitted by law, any district created under this chapter shall require all lands, buildings, premises, persons, firms, and corporations within the district to use the water management and control facilities and water and sewer facilities of the district.

36-88-16.

(a) No community improvement district may purchase or sell a water or sewer utility that provides service to the public for compensation until the governing body of the community improvement district has held a public hearing on such purchase or sale and made a determination that the purchase or sale is in the public interest. The community improvement district shall consider, at a minimum, the following:

- (1) The most recent available income and expense statement for the utility;
- (2) The most recent available balance sheet for the utility listing assets and liabilities and clearly showing the amount of contributions in aid of construction and the accumulated depreciation thereon;
- (3) A statement of the existing rate base of the utility for regulatory purposes;
- (4) The physical condition of the utility facilities being purchased or sold;
- (5) The reasonableness of the purchase or sales price and terms;
- (6) The impacts of the purchase or sale on utility customers, both positive and negative;
- (7) Any additional investment required and the ability and willingness of the purchaser to make that investment, whether the purchaser is the community improvement district or the entity purchasing the utility from the community improvement district;
- (8) The alternatives to the purchase or sale and the potential impact on utility customers if the purchase or sale is not made; and
- (9) The ability of the purchaser to provide and maintain high-quality and cost-effective utility service, whether the purchaser is the community improvement district or the entity purchasing the utility from the community improvement district.

(b) The community improvement district shall prepare a statement showing that the purchase or sale described in subsection (a) of this Code section is in the public interest, including a summary of the purchaser's experience in water and sewer utility operation and a showing of financial ability to provide the service, whether the purchaser is the community improvement district or the entity purchasing the utility from the community improvement district.

36-88-17.

In the event any district created under this chapter undertakes any project as provided in this chapter, the board shall proceed to adopt plans and specifications for such project as follows:

(1) The board shall cause to be made by the district's engineer, or such other engineer or engineers as the board may employ for that purpose, complete and comprehensive plans and specifications for the lands located within the district that will be improved in any part or in whole by any system or facilities that may be outlined and adopted. Said engineer or engineers shall make a report in writing to the board describing the project and setting forth the projected cost of completion of the project, which report shall include surveys, maps, and profiles of said project or projects.

(2) The board shall also prepare, or cause to be prepared, a financing plan for the project or projects being considered, which plan shall include a description of the proposed source or sources of financing for such project, which may include the issuance of bonds by the district under this chapter, and a statement of projected revenues, if any, from the project. To the extent the cost of such project or projects is to be paid, in whole or in part, through benefit assessments levied by the district, whether directly or through the issuance of assessment or revenue bonds, the board shall also cause to be prepared an assessment plat showing the lands to be benefited by the project and the proposed amount of total assessments per acre to be levied upon such lands;

(3) Upon the completion of such plans and specifications and submission of such report and financing plan, the board shall hold a hearing thereon to hear objections thereto, shall give notice of the time and place fixed for such hearing by publication once each week for two consecutive weeks in a newspaper of general circulation in the general area of the district, and shall permit the inspection of the plans and specifications, engineer's report, and financing plan at the office of the district by all persons interested. All objections thereto shall be filed at or before the time fixed in the notice for the hearing and shall be in writing; and

(4) After the hearing, the board shall consider the proposed plans and specifications, engineer's report, and financing plan and any objections thereto and may modify, reject, or adopt the same or continue the hearing to a day certain for further consideration or modification thereof. If the board determines to approve the proposed plans and specifications, engineer's report, and financing plan, the board shall adopt a resolution declaring such approval, which may be included in a resolution of the board declaring the levy of benefit assessments for such project or projects, as set forth in Code Section 36-88-18.

36-88-18.

(a) Prior to levying any assessments under this chapter, the board shall adopt a resolution declaring its intent to levy such assessments, which resolution shall include the following:

(1) If the board intends to levy benefit assessments, the resolution shall include, or shall refer to, the board's approval of the plans and specifications, engineer's report, and financing plan for the project or projects for which the benefit assessments are to be levied, as provided in Code Section 36-88-17;

(2) A description of the project or projects, facilities, and improvements for which such assessments are being levied;

(3) An assessment plat and legal description of the specific parcel or parcels of land to be assessed, together with the respective amounts of benefit assessments and maintenance assessments to be levied per acre, which amounts shall be prorated accordingly for portions thereof;

(4) The total amount of benefit assessments and the total amount of maintenance assessments to be levied upon each parcel of land assessed, based upon the per acre assessment referred to in paragraph (3) of this subsection; and

(5) ~~With respect to any~~ benefit assessment to be levied, the term over which such benefit assessment may be paid, which term shall not exceed 30 years, together with the amount of the installment due in each year of such term, determined such that such installments are materially the same in each year of such term.

(b) Upon the adoption of the resolution declaring the board's intent to levy assessments as described in subsection (a) of this Code section, the board shall cause to be made an assessment roll in accordance with the method of assessment provided for in said resolution, which assessment roll shall be completed and filed with the tax commissioner of the county within which the district is located as promptly as possible. Said assessment roll shall describe the lots and lands assessed, the total amount of the benefit assessments, the total amount of maintenance assessments levied against each lot or parcel of land, and if any such benefit assessment is to be paid in installments, the number of installments and amount of each such installment of such benefit assessment due in each year.

(c) Upon completion of the assessment roll, the board shall by resolution fix a time and place at which the owners of the property to be assessed or any other persons interested therein may appear before the board and be heard regarding the amount, purpose, and necessity of any maintenance assessments being levied and the propriety and advisability of undertaking the project or projects for which any benefit assessments are being levied, the cost thereof, the manner of payment therefor, and the amount of the benefit assessment to be levied against each benefitted property. The board shall provide at least ten days' notice in writing of such time and place to the owners of any property being assessed, which notice shall be mailed to each such property owner at his or her last known address. Notice of the time and place of such hearing shall also be published in a newspaper of general circulation in the district, once a week for the two consecutive weeks immediately preceding said hearing, which notice shall state the board's intention to levy maintenance assessments or benefit assessments or both, describe the facilities to which such maintenance assessments relate or the project or projects to be undertaken or both, and advise all persons interested that the description of each property to be assessed and the amount of the benefit or maintenance assessment or both attributable to each such parcel may be ascertained at the office of the board of supervisors of the district.

(d) At the hearing regarding the assessment roll described in subsection (c) of this Code section, the board shall meet as an equalizing board to hear and consider any and all complaints as to the assessments to be levied and shall adjust and equalize such assessments, if appropriate, on a basis of justice and right, and when so equalized and approved by resolution of the board, such assessments shall stand confirmed and remain legal, valid, and binding liens upon the property against which such assessments are made, until paid, with such priority as may be provided for in this chapter. Notwithstanding the foregoing provisions of this subsection, upon completion of any project or projects for which any benefit assessments are levied, the district shall credit to each of such benefit assessments the difference in the benefit assessment as originally made, approved, and confirmed and the proportionate part of the actual cost of the project or projects to be paid from such benefit assessments as finally determined upon the completion of the project or projects, but in no event shall the final benefit assessments levied exceed the amount originally assessed.

(e) Promptly after confirmation of such assessments, such assessments shall be recorded by the secretary of the board in a special book to be known as the 'Improvement Lien Book,' and the record of the lien recorded in such book shall constitute prima facie evidence of its validity.

(f) Any informality or irregularity in the proceedings in connection with the levy of any assessment under the provisions of this chapter shall not affect the validity of the same where the assessment roll has been confirmed by the board, and the assessment roll as finally approved and confirmed shall be competent and sufficient evidence that the

assessment was duly levied, that the benefit assessment was duly made and adopted, and that all other proceedings adequate to the adoption of the said assessment roll were duly had, taken, and performed as required by this chapter. No variance from the directions under this chapter shall be held material unless it is clearly shown that the party objecting was materially injured thereby.

36-88-19.

(a) No contract shall be let by the board of any district created under this chapter for the construction of any project authorized by this chapter, nor shall any goods, supplies, or materials be purchased, when the amount thereof to be paid by the district shall exceed \$10,000.00 unless notice of bids shall be advertised once in a newspaper in general circulation in the county in which the district is located and in the district. In each case, the bid of the lowest responsive and responsible bidder shall be accepted unless all bids are rejected because the bids are too high, or the board determines it is in the best interests of the district to reject all bids. The board may require the bidders to furnish bond with a responsible surety to be approved by the board. No provision of this Code section shall prevent the board from undertaking and performing the construction, operation, and maintenance of any project or facility authorized by this chapter by the employment of labor, material, and machinery.

(b) Contracts for maintenance services for any district facility or project or for other services to be performed for a district shall be subject to competitive bidding requirements to the same extent and subject to the same requirements as set forth by the laws of this state for contracts for similar services entered into by the governing body of a county within this state. Contracts for services not subject to competitive bidding under such laws shall not be subject to competitive bidding for a district unless the district adopts a rule applying competitive bidding procedures to said contracts.

36-88-20.

The district shall take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of any projects or other improvements to real property undertaken by the district. Such information shall be made available to all existing residents and to all prospective residents of the district. The district shall furnish each developer of a residential development within the district with sufficient copies of that information to provide each prospective purchaser of property in that development with a copy. Any developer of a residential development within the district, when required by law to provide a public offering statement, shall include a copy of such information relating to the public financing and maintenance of improvements in the public offering statement. The Department of Community Affairs shall keep a current list of districts and their disclosures pursuant to this chapter and shall make such studies and reports and take such actions as it deems necessary.

36-88-21.

Any district created under this chapter may issue general obligation bonds, revenue bonds or assessment bonds, bond anticipation notes, or other evidences of indebtedness in accordance with the terms and provisions of this chapter.

36-88-22.

Any bonds issued by a district under this chapter may be sold at public or private sale upon such terms and conditions as the board may reasonably determine, but in any event not at a price less than 90 percent of the par value thereof, together with accrued interest thereon.

36-88-23.

Any series of bonds to be issued under this chapter shall be authorized by resolution or resolutions of the board which shall be adopted by a majority of all the members thereof then in office. Such resolution or resolutions may be adopted at the same meeting at which they are introduced and need not be published or posted. Any such resolution shall:

- (1) Authorize the issuance of bonds and fix the aggregate amount of bonds to be issued;
- (2) Set forth the purpose or purposes for which the moneys derived from the issuance of ~~bonds authorized thereby~~ shall be expended;
- (3) Set forth the source or sources of payment of the bonds and any revenues, taxes, assessments, or other amounts pledged or to be pledged to the payment thereof, and whether such bonds shall be payable from and secured by the full faith, credit, and taxing power of the district;
- (4) If such bonds are revenue bonds or assessment bonds, authorize the terms and conditions under which additional parity bonds may be issued and secured by and payable from the assessments or revenues pledged to and securing the bonds being authorized;
- (5) Authorize the rate or rates of interest to be borne by the bonds and the authorized denomination or denominations of the bonds;
- (6) Authorize the date or dates of maturity of such bonds, which shall not exceed 40 years from the respective date of issuance of such bonds;
- (7) Authorize the creation of funds or accounts relating to such bonds and the project or projects or other facilities to be financed thereby;
- (8) Set forth the medium of payment of principal, redemption premium, if any, and interest on the bonds and the place or places within or outside this state where such payments shall be made;
- (9) Set forth the provisions regarding registration and registration of transfer and exchange of bonds, redemption terms, and privileges, whether with or without premium, the manner of execution of such bonds, the form of such bonds, and any and all other terms, covenants, and conditions thereof; and
- (10) Contain such covenants with the holders of such bonds as the board may deem advisable. All such covenants shall constitute valid and legal binding and enforceable contracts between the district and the bondholders. Covenants may include, without limitation, covenants concerning the disposition of proceeds of the bonds; the use and disposition of project revenues; the pledging of revenues, taxes, and assessments; the obligations of the district with respect to the operation of the project and the maintenance of adequate project revenues; the issuance of additional bonds; the appointment, powers, and duties of trustees and receivers; the acquisition of outstanding bonds and obligations; restrictions on the establishing of competing projects or facilities; restrictions on the sale or disposal of the assets and property of the district; the maintenance of deposits to assure the payment of revenues by users of district facilities and services; the discontinuance of district services by reason of delinquent payments; acceleration upon default; the execution of necessary instruments; the procedure for amending or abrogating covenants with the bondholders; and such other covenants as may be deemed necessary or desirable for the security of the bondholders.

36-88-24.

Bonds issued by a district under this chapter shall be executed by the manual or duly authorized facsimile signature of the chairperson or other officer of the board specifically authorized to execute bonds on behalf of the district, and the official seal of the district, or an authorized facsimile thereof, shall be impressed, affixed, lithographed, engraved, or otherwise reproduced on such bonds. In case any officer whose signature shall appear on any bonds shall cease to be such officer before the delivery of such bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

36-88-25.

Pending the preparation of definitive bonds, the board may issue interim certificates or receipts or temporary bonds, in such form and with such provisions as the board may determine, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The board may also provide for the replacement of any bonds which become mutilated, lost, or destroyed.

36-88-26.

Any bond issued under this chapter or any temporary bond, in the absence of an express recital on the face thereof that it is nonnegotiable, shall be fully negotiable and shall be and constitute a negotiable instrument within the meaning and for all purposes of the laws of this state.

36-88-27.

(a) Any district created under this chapter shall have the power and authority to issue revenue bonds from time to time without limitation as to amount, in compliance with the terms and provisions of Article 3 of Chapter 82 of Title 36, the "Revenue Bond Law." Such revenue bonds may be secured by, or be payable from, the gross or net pledge of the revenues to be derived from any project or combination of projects; from the rates, fees, or other charges to be collected from the users of any project or projects; from any revenue-producing undertaking or activity of the district; or from any other revenues of the district. Such bonds shall not constitute an indebtedness of the district, this state, or any political subdivision of this state and shall not be secured by or be payable from the full faith and credit nor the taxing power of the district.

(b) Any two or more projects may be combined and consolidated into a single project and may thereafter be operated and maintained as a single project. Revenue bonds authorized in this Code section may be issued to finance any one or more of such projects, regardless of whether or not such projects have been combined and consolidated into a single project. If the board deems it advisable, the proceedings authorizing such revenue bonds may provide that the district may thereafter combine the projects then being financed or theretofore financed with other projects to be subsequently financed by the district and that revenue bonds to be thereafter issued by the district shall be on parity with the revenue bonds then being issued, all on such terms, conditions, and limitations as shall have been provided in the proceeding which authorized the original bonds.

36-88-28.

(a) Any district created under this chapter shall have the power from time to time to issue general obligation bonds to finance or refinance capital projects or facilities of the district, or to refund general obligation bonds theretofore issued by the district and currently outstanding, in compliance with the terms and provisions of the general obligation bond law, including the requirement of a referendum authorizing the issuance of such bonds held within the district.

(b) All provisions contained in the general obligation bond law relating to the issuance of bonds by any county within this state shall apply to the issuance of general obligation bonds by any district as if such district were a county for purposes of such general obligation bond law. Notwithstanding the foregoing provisions of this subsection, no referendum shall be required to be held on behalf of, and no consent or other approval shall be required to be obtained from, any person or persons who are not landowners within the district at the time such general obligation bonds are to be authorized and issued by such district.

(c) Any such general obligation bonds issued by a district shall be payable from and shall be secured by the full faith, credit, and taxing power of the district but shall not be payable from, or be secured by, or otherwise have any claim upon the faith, credit, or taxing power of this state or any political subdivision of this state, other than the district.

36-88-29.

(a) Any district created under this chapter may, after any benefit assessments for assessable improvements are determined and levied as provided in this chapter, issue assessment bonds payable from a special fund into which moneys received by the district from such benefit assessments shall be deposited, which special fund shall be pledged as security for such assessment bonds. Moneys deposited in such special fund, together with any interest earnings thereon, shall be used only for the payment of the assessment bonds to which such moneys are pledged.

(b) Any district issuing assessment bonds under this chapter is authorized to covenant with the holders of such assessment bonds that:

(1) It will diligently and faithfully enforce and collect all the benefit assessments and interest and penalties thereon pledged as security for such assessment bonds and deposit the amounts so collected in the special fund created therefor; and

(2) It will act diligently to foreclose any liens on property subject to such assessments created and existing by virtue of the nonpayment thereof, as provided by the terms of this chapter, and to deposit the proceeds derived from any such foreclosure, including interest and penalties, in such special fund.

(c) Any district issuing assessment bonds under this Code section may also pledge to the payment of such assessment bonds any revenues of the district derived from any project or projects or other facilities of the district; provided, however, that any lien upon any such revenues created in favor of the holders of any assessment bonds shall be subordinate to the lien or liens thereon in favor of the holders of any revenue bonds or other assessment bonds of the district to which such revenues have theretofore been pledged, unless the resolution authorizing such revenue bonds or other assessment bonds specifically contemplates otherwise.

(d) Notwithstanding any provision of this Code section to the contrary, assessment bonds issued under this Code section shall mature not later than two years after the due date of the last permitted installment of any benefit assessments securing the payment of such assessment bonds.

36-88-30.

In addition to the other powers provided for in this chapter, and not in limitation thereof, any district created under this chapter shall have the power, at any time and from time to time after the issuance of any bonds of the district shall have been authorized, to borrow money for the purposes for which such bonds are to be issued in anticipation of the receipt of the proceeds of the sale of such bonds and to issue bond anticipation notes in a principal sum not in excess of the authorized maximum amount of such bond issue. Such notes shall be in such denomination or denominations, bear interest at such rate or rates as the board may determine, mature at such time or times not later than five years from the date of issuance, and be in such form and executed in such manner as the board shall prescribe. Such notes may be sold at either public or private sale or, if such notes shall be renewal notes, may be exchanged for notes then outstanding on such terms as the board shall determine. Such notes shall be paid from the proceeds of such bonds when issued. The board may, in its discretion, in lieu of retiring the notes by means of bonds, retire them by means of current revenues or from any taxes or assessments levied for the payment of such bonds; but in such event a like amount of the bonds authorized shall not be issued.

36-88-31.

Any revenue bonds or assessment bonds issued by a district under this chapter shall be validated in the manner and under the terms and conditions set forth in Article 3 of Chapter 82 of Title 36, the "Revenue Bond Law." Any general obligation bonds issued by a district under this chapter shall be validated in the manner and under the terms and conditions set forth in the general obligation bond law.

36-88-32.

All bonds issued under this chapter and interest paid thereon, all fees, charges, and other revenues derived by any district created under this chapter from the projects provided for by this chapter, and any tangible or intangible real or personal property owned by any such district shall be exempt from all taxes by this state or by any political subdivision, agency, or instrumentality thereof.

36-88-33.

Notwithstanding any provisions of any other law to the contrary, all bonds issued under the provisions of this chapter shall constitute legal investments for savings banks, banks, trust companies, insurance companies, executors, administrators, trustees, guardians, and other fiduciaries and for any board, body, agency, instrumentality, county, municipality,

or other political subdivision of this state and shall be and constitute security which may be deposited by banks or trust companies as security for deposits of state, county, municipal, or other public funds or by insurance companies as required or voluntary statutory deposits. www.deposits.tool.com.cn

36-88-34.

Any bonds issued by a district under this chapter may be secured by a trust agreement by and between the district and a corporate trustee or trustees, which may be any trust company or bank having the powers of a trust company within or outside this state. The resolution authorizing the issuance of the bonds may authorize the execution and delivery of such trust agreement, a copy of which shall be attached to such resolution and expressly refer to the provisions of such trust agreement with respect to certain provisions regarding such bonds which are required to be set forth in such resolution. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as the board may approve, including, without limitation, covenants setting forth the duties of the district in relation to the acquisition, construction, reconstruction, improvement, maintenance, repair, operation, and insurance of any projects; the fixing and revising of rates, fees, and charges with respect to any projects; and the custody, safeguarding, and application of all moneys and for the employment of consulting engineers in connection with such acquisition, construction, reconstruction, improvement, maintenance, repair, or operation. It shall be lawful for any bank or trust company within or outside this state which may act as a depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such securities as may be required by the district. Such resolution or trust agreement may set forth the rights and remedies of the bondholders and of the trustee, if any, and may restrict the individual right of action by bondholders. The board may provide for the payment of proceeds of the sale of the bonds and the revenues of any project to such officer, board, or depository as it may designate for the custody thereof and may provide for the method of disbursement thereof with such safeguards and restrictions as it may determine. All expenses incurred in carrying out the provisions of such resolution or trust agreement may be treated as part of the cost of operation of the project to which such trust agreement pertains.

36-88-35.

All district property shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against such property, nor shall any judgment against the district be a charge or lien on its property or revenues; however, nothing contained in this Code section shall apply to or limit the rights of bondholders to pursue any remedy for the enforcement of any lien or pledge given by the district in connection with any of the bonds or obligations of the district.

36-88-36.

Any suit or action brought or maintained against any district created under this chapter for damages arising out of tort, including, without limitation, any claim arising upon account of an act causing an injury or loss of property, personal injury, or death, shall be subject to the laws of this state relating to sovereign immunity of the state and any of its political subdivisions with respect to any such action.

36-88-37.

The board of any district created under this chapter may resolve, of its own accord or upon request of a landowner pursuant to reasonable guidelines adopted by the board, to petition to contract or expand the boundaries of a community improvement district. Such petition shall be submitted and reviewed and consents to such expansion or contraction shall be obtained as follows:

- (1) The petition shall be submitted to the governing bodies of the county and any municipality within which all or part of the district is located, which petition shall contain the same information required by subsection (c) of Code Section 36-88-3. In addition, if the petitioner seeks to expand the district, the petition shall describe the proposed timetable for construction of any district services to the area, the estimated

cost of constructing the proposed services, and the designation of the future general distribution, location, and extent of public and private uses of land proposed for the area. If the petitioner seeks to contract the district, the petition shall describe what services and facilities are currently provided by the district to the area being removed and the designation of the future general distribution, location, and extent of public and private uses of land proposed for the area.

(2) In order to expand or contract the boundaries of a district, written consent of the landowners whose property is to be excluded from or included within the district following such contraction or expansion shall be obtained to the same extent, and in the same manner, as provided in subsection (b) of Code Section 36-88-3. Notwithstanding the foregoing provisions of this paragraph, if the creation of the district, as originally bounded, was consented to by 100 percent of the landowners originally included therein as provided in subsection (c) of Code Section 36-88-8, the consent of 100 percent of the landowners to be excluded from or included within the district after contraction or expansion of the boundaries thereof shall be obtained prior to such contraction or expansion.

(3) A public hearing with respect to such petition shall be held in the same manner and with the same public notice as provided in subsection (d) of Code Section 36-88-3, and the governing bodies of the county and any municipality within which all or a part of such district is located shall be required to consent by resolution to the expansion or contraction of the boundaries of the district, prior to such expansion or contraction. Such determination shall be made in the same manner, contain the same information, and with consideration of the same factors set forth in subsections (e) and (f) of Code Section 36-88-3.

36-88-38.

(a) A district duly created under this chapter shall continue to exist unless and until all of the specific community improvement services that it is authorized to perform and all facilities related thereto have been transferred to the county or any municipality within which all or a part of such district is located, or both, and such district has been dissolved as provided in subsections (b) and (c) of this Code section.

(b) The governing body of the county or of any municipality within which a district is located may adopt a resolution providing for a plan for the transfer of a specific community improvement service from a district to such county or municipality (a 'transfer plan resolution'). The plan must provide for the assumption and guarantee of the district debt that is related to the service by the county or municipality and must demonstrate the ability of the county or municipality to provide such service:

(1) As efficiently as the district;

(2) At a level of quality equal to or higher than the level of quality actually delivered by the district to the users of the service; and

(3) At a charge equal to or lower than the actual charge by the district to the users of the service.

(c) No later than 30 days following the adoption of a transfer plan resolution provided for in subsection (a) of this Code section, the board of supervisors may file, in the superior court for the county in which the governing body adopting the transfer plan resolution is located, a petition seeking review by certiorari of the factual and legal basis for the adoption of the transfer plan resolution.

(d) Upon the transfer of all of the community improvement services of the district to the county or municipality within which all or a part of such district is located, or both, the district shall be terminated and dissolved in accordance with a plan of termination and dissolution which shall be adopted by the board of supervisors and filed with the clerk of the superior court of the county within which the district is located.

36-88-39.

Subsequent to the creation of a district under this chapter, each contract for the sale of real estate within the district shall include, immediately prior to the space reserved in the contract for the signature of the purchaser, the following statement in boldface and conspicuous type which is larger than the type in the remaining text of the contract:

'THE (Name of District) DISTRICT IMPOSES TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY THROUGH A SPECIAL TAXING DISTRICT. THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW'

36-88-40.

The board of any district created under this chapter or any aggrieved person may have recourse to such remedies in law and at equity as may be necessary to ensure compliance with the provisions of this chapter, including injunctive relief to enjoin or restrain any person violating the provisions of this chapter or any bylaws, resolutions, regulations, rules, codes, or orders adopted under this chapter. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, land, or water is used, in violation of this chapter or of any code, order, resolution, or other regulation made under authority conferred by this chapter or under law, the board or any citizen residing in the district may institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; to restrain, correct, or avoid such violation; to prevent the occupancy of such building, structure, land, or water; and to prevent any illegal act, conduct, business, or use in or about such premises, land, or water."

SECTION 5.

This Act shall become effective only upon adoption by the General Assembly of Senate Resolution No. 497 proposing an amendment to Article IX, Section VII, Paragraph III(c) of the Constitution and the ratification of such amendment by a majority of the voters of this state as provided in Article X, Section I, Paragraph II of the Constitution, and the approval by the Governor or upon its becoming law without such approval.

SECTION 6.

Nothing in this Act shall conflict or repeal any local acts creating community improvement districts established pursuant to the power of the General Assembly of Georgia, or repeal any of their provisions. This Act shall also apply only to counties and political subdivisions with a population of "400,000" or less.

SECTION 7

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

Representative Simpson of the 101st moved that the House adopt the report of the Committee of Conference on HB 1222.

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

Allen	Y Brooks, T	Y Connell	Y Falls	Y Holmes
Anderson	Y Brown, J	Crawford	Y Felton	Y Howard
Ashe	Y Brush	N Crews	Y Floyd	Y Hudson
Bailey	Buck	N Culbreth	Y Godbee	Y Hugley
Baker	Y Buckner	N Cummings	Y Golden	Y Irvin
Bannister	N Bunn	Y Davis, G	N Goodwin	Y James
Barfoot	Y Burkhalter	Y Davis, M	Y Greene	Y Jamieson
Bargeron	Y Byrd	N Day	N Grindley	Y Jenkins
Barnard	Y Campbell	Y DeLoach, B	Hanner	Y Johnson, G
Barnes	Y Canty	N DeLoach, G	Y Harbin	N Johnson, J
Bates	Y Carter	N Dix	Y Harris	N Johnston
Benefield	Y Chambless	Y Dixon, H	Y Heard	Y Jones
Birdsong	Y Channell	Y Dixon, S	Heckstall	N Joyce
Bordeaux	Y Childers	Y Dobbs	Y Hegstrom	N Kaye
Bostick	Y Coker	Y Ehrhart	Y Hembree	N Kinnamon
Breedlove	Y Coleman, B	Y Epps	Y Henson	Y Klein
Brooks, D	Y Coleman, T	N Evans	Y Holland	N Ladd

N Lakly	Y Mueller	Y Reaves	Y Smith, T	Y Towery
Y Lane	Y O'Neal	Y Reichert	N Smith, V	Y Trense
Lawrence	Y Orrock	Y Roberts	Smith, W	Y Turnquest
Y Lee	Y Parham	Y Rogers	Y Smyre	Y Twiggs
N Lewis	Y Parrish	N Royal	Y Snelling	Y Walker, L
Y Lifsey	Y Parsons	Sanders	Y Snow	N Walker, R.L
Y Lord	N Pelote	Y Sauder	Y Stallings	Y Wall
Y Lucas	Y Perry	Y Scoggins	Y Stancil, F	Y Watson
N Maddox	Y Pinholster	Y Shanahan	Y Stancil, S	Y Watts
Y Mann	Y Polak	Y Shaw	Y Stanley, L	N Westmoreland
Martin	Y Ponder	Y Sherrill	Y Stanley, P	N Whitaker
Y McBee	Porter	Y Shipp	N Stephenson	White
N McCall	Y Poston	Y Simpson	Y Streat	N Wiles
Y McClinton	Y Powell	Y Sinkfield	Y Taylor	Y Williams, B
McKinney	Y Purcell, A	Y Skipper	Y Teague	N Williams, J
N Mills	N Purcell, B	Y Smith, C	Y Teper	Y Williams, R
Y Mobley, B	Y Randall	Smith, C.W	N Thomas	N Woods
Y Mobley, J	Y Randolph	Y Smith, L	Y Tillman	Yates
Y Mosley	Y Ray	N Smith, P	Y Titus	Murphy, Spkr

On the motion, the ayes were 130, nays 36.

The motion prevailed.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 1368. By Representatives Sinkfield of the 57th, Walker of the 141st, Murphy of the 18th and Lee of the 94th:

A bill to amend Code Section 28-1-8 of the Official Code of Georgia Annotated, relating to compensation and reimbursement of members and officers of the General Assembly, so as to change provisions relating to reimbursement of transportation costs for air travel.

The following Senate amendment was read:

Amend HB 1368 by inserting at the end of line 16 on page 1 the following:

“provide that money in an expense account at the end of the first year of the biennium may be used during the second year of the biennium; to”

By striking line 10 on page 5 and inserting in lieu thereof the following:

“after that date. Any amounts remaining in such expense account at the end of the first year of the two year biennium may be claimed for expenses incurred during the second year of the two year biennium. Any amounts remaining”

By inserting on line 12 on page 5, following the number “15”, the following:

“of the year following the second year of the biennium”

Representative Chambless of the 163rd moved that the House agree to the Senate amendment to HB 1368.

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

Y Allen	Y Barnard	Y Brooks, D	Y Byrd	Y Coleman, B
Y Anderson	Y Barnes	Y Brooks, T	Y Campbell	Y Coleman, T
Y Ashe	Bates	Y Brown, J	Y Canty	Y Connell
Y Bailey	Y Benefield	Y Brush	Y Carter	Y Crawford
Y Baker	Y Birdsong	Buck	Y Chambless	Y Crews
Y Bannister	Y Bordeaux	Y Buckner	Y Channell	Y Culbreth
Y Barfoot	Y Bostick	Y Bunn	Y Childers	Y Cummings
Y Bargeron	Y Breedlove	Y Burkhalter	Y Coker	Y Davis, G

N Davis, M	Y Holmes	Y McBee	Y Reichert	Y Stanley, P
Y Day	Y Howard	McCall	Y Roberts	Stephenson
Y DeLoach, B	Y Hudson	Y McClinton	Y Rogers	Y Streat
Y DeLoach, G	Y Hugley	McKinney	Y Royal	Y Taylor
Y Dix	Y Irvin	N Mills	Y Sanders	Y Teague
Y Dixon, H	Y James	Y Mohley, B	Y Sauder	Y Teper
Y Dixon, S	Y Jamieson	Y Mohley, J	Y Scoggins	Y Thomas
Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan	Y Tillman
N Ehrhart	Y Johnson, G	Y Mueller	Y Shaw	Y Titus
Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill	Y Towery
Y Evans	Y Johnston	Y Orrock	Y Shipp	Y Trense
Y Falls	Y Jones	Y Parham	Y Simpson	Y Turnquest
Y Felton	Y Joyce	Y Parrish	Y Sinkfield	Y Twiggs
Y Floyd	N Kaye	Y Parsons	Y Skipper	Y Walker, L
Y Godbee	Y Kinnamon	Y Pelote	N Smith, C	N Walker, R.L
Golden	Y Klein	Y Perry	N Smith, C.W	Y Wall
Y Goodwin	Y Ladd	N Pinholster	Y Smith, L	Y Watson
Y Greene	Y Lakly	Y Polak	Y Smith, P	Y Watts
Y Grindley	Y Lane	Y Ponder	Y Smith, T	Y Westmoreland
Y Hanner	Y Lawrence	Y Porter	Y Smith, V	N Whitaker
Y Harbin	Y Lee	Y Poston	Y Smith, W	White
Y Harris	Y Lewis	Y Powell	Y Smyre	N Williams
Y Heard	Y Lifsey	Y Purcell, A	Y Snelling	Williams, B
Heckstall	Y Lord	Y Purcell, B	Y Snow	N Williams, J
Y Hegstrom	Y Lucas	Y Randall	Y Stallings	Y Williams, R
Y Hembree	Y Maddox	Y Randolph	Y Stancil, F	Y Woods
Y Henson	Y Mann	Y Ray	N Stancil, S	Y Yates
Holland	Martin	Y Reaves	Y Stanley, L	Murphy, Spkr

On the motion, the ayes were 155, nays 12.

The motion prevailed.

The following Bills of the House were taken up for the purpose of considering the reports of the Committees of Conference thereon:

HB 339. By Representative Barnes of the 33rd:

A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 339

The Committee of Conference on HB 339 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 339 be adopted.

Respectfully submitted,

FOR THE SENATE:

- /s/ Mary Margaret Oliver
Senator, 42nd District
- /s/ Charles C. Clay
Senator, 37th District
- /s/ Clay Land
Senator, 16th District

FOR THE HOUSE
OF REPRESENTATIVES:

- /s/ Roy E. Barnes
Representative, 33rd District
- /s/ Tommy Chambless
Representative, 163rd District
- /s/ Jim Martin
Representative, 47th District

A BILL

To amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem; to provide that the court may, in its discretion, appoint a guardian ad litem to represent a minor child who is the subject of a paternity petition; to provide for payment; to amend Chapters 1 and 5 of Title 29 of the Official Code of Georgia Annotated, relating respectively to general provisions relative to guardians and guardians of incapacitated adults, so as to prohibit the same person from being appointed counsel and guardian ad litem for a ward, proposed ward, or allegedly incompetent or incapacitated person; to strike provisions relating to payment of a person who serves both functions for a ward, proposed ward, or allegedly incapacitated or incompetent person; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, is amended by striking subsection (a) of said Code section and inserting in lieu thereof a new subsection (a) to read as follows:

~~“(a) The child shall be made a party to the action. If the child is a minor, the child shall be represented by a guardian ad litem appointed by the court. If the Department of Human Resources is the petitioner, and the court determines that no conflict of interest exists, the court need not appoint a guardian. The court may, in its discretion, appoint a guardian ad litem to represent a minor child who is the subject of a paternity petition. Payment of the guardian ad litem shall be as ordered by the court. Neither the child’s mother nor the alleged or presumed father may represent the child as guardian ad litem.”~~

SECTION 2.

Chapter 1 of Title 29 of the Official Code of Georgia Annotated, relating to general provisions relative to guardians, is amended by inserting a new Code section to be designated Code Section 29-1-2 to read as follows:

“29-1-2.

Notwithstanding any other provision of law, a person who is appointed as counsel for a ward, proposed ward, or allegedly incompetent or incapacitated person is not eligible to be appointed as guardian ad litem for the same individual, and a person who is appointed as guardian ad litem for a ward, proposed ward, or allegedly incompetent or incapacitated person is not eligible to be appointed as counsel for the same individual.”

SECTION 3.

Chapter 5 of Title 29 of the Official Code of Georgia Annotated, relating to guardians of incapacitated adults, is amended by striking in its entirety subsection (b) of Code Section 29-5-6, relating to procedures for appointing guardians, and inserting in lieu thereof a new subsection to read as follows:

“(b)(1) Upon the filing of the petition, the judge of the probate court shall review the petition and affidavit, if any, and determine whether there is sufficient evidence to believe that the proposed ward is incapacitated within the meaning of Code Section 29-5-1.

(2) If the judge of the probate court determines that there is such evidence, the judge shall:

- (A) Immediately notify the proposed ward of the proceedings by personal service of all pleadings on the proposed ward by an officer of the court;
- (B) Inform the proposed ward of the place and time at which the proposed ward shall submit to the evaluation provided for by subsection (c) of this Code section

and of the right to independent counsel and that the court will appoint counsel within two days unless the proposed ward indicates that he or she has retained counsel by that time;

(C) ~~Give notice of the petition~~ by first-class mail to the spouse and all adult children of the proposed ward whose addresses are known; or, if none, order notice of the petition by first-class mail to the two next of kin whose addresses are known, or, if only one, then that one; or, if none, order notice of the petition by first-class mail to two adult friends of the ward;

(D) Upon application of any interested person or on the court's own motion, consider whether to appoint a guardian ad litem, provided that the decision as to whether to appoint a guardian ad litem shall be in the sole discretion of the judge of the probate court: ~~The guardian ad litem, if an attorney, may also be appointed as counsel for the proposed ward, as provided in subparagraph (B) of this paragraph; and in such a case the person so appointed may be compensated both as the attorney and as the guardian ad litem, as provided in subsections (e) and (f) of Code Section 29-5-13; and~~

(E) Appoint a guardianship evaluation physician or psychologist as provided in subsection (c) of this Code section.

(3) If the probate court determines that there is insufficient evidence to believe that the proposed ward is incapacitated within the meaning of Code Section 29-5-1, the judge shall dismiss the petition and provide the proposed ward with a copy of the petition, affidavit, and order of dismissal."

SECTION 4.

Said chapter is further amended by striking in its entirety subsection (e) of Code Section 29-5-13, relating to compensation and expenses, and inserting in lieu thereof a new subsection to read as follows:

"(e) For any hearing under this chapter, the sum to be paid to an attorney appointed to represent an allegedly incapacitated person shall not exceed \$75.00 and actual expenses. In appropriate circumstances, the attorney may apply to the judge of the probate court of the county in which the hearing was held for an order granting reasonable fees in excess of the amount specified in this subsection which additional fees may only be granted pursuant to subsection (e.1) of this Code section: ~~If the attorney also serves as guardian ad litem, he shall also receive for his services as such the fee specified in subsection (f) of this Code section.~~"

SECTION 5.

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

Representative Barnes of the 33rd moved that the House adopt the report of the Committee of Conference on HB 339.

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

Y Allen	Y Brush	Y Cummings	Y Greene	Y Johnson, G
Y Anderson	Y Buck	Y Davis, G	Y Grindley	Y Johnson, J
Y Ashe	Y Buckner	Y Davis, M	Y Hanner	Y Johnston
Y Bailey	Y Bunn	Y Day	Y Harbin	Y Jones
Y Baker	Y Burkhalter	Y DeLoach, B	Y Harris	Y Joyce
Y Bannister	Y Byrd	Y DeLoach, G	Y Heard	Y Kaye
Y Barfoot	Y Campbell	Y Dix	Y Heckstall	Y Kinnamon
Y Bargeron	Y Canty	Y Dixon, H	Y Hegstrom	Y Klein
Y Barnard	Y Carter	Y Dixon, S	Y Hembree	Y Ladd
Y Barnes	Y Chambless	Y Dobbs	Y Henson	Y Lakly
Y Bates	Y Channell	Y Ehrhart	Y Holland	Y Lane
Y Benefield	Y Childers	Y Epps	Y Holmes	Y Lawrence
Y Birdsong	Y Coker	Y Evans	Y Howard	Y Lee
Y Bordeaux	Y Coleman, B	Y Falls	Y Hudson	Y Lewis
Y Bostick	Y Coleman, T	Y Felton	Y Hugley	Y Lifsey
Y Breedlove	Y Connell	Y Floyd	Y Irvin	Y Lord
Y Brooks, D	Y Crawford	Y Godbee	Y James	Y Lucas
Y Brooks, T	Y Crews	Y Golden	Y Jamieson	Y Maddox
Y Brown, J	Y Culbreth	Y Goodwin	Y Jenkins	Y Mann

Y Martin	Y Pinholster	Y Sauder	Y Snelling	Y Turnquest
Y McBee	Y Polak	Y Scoggins	Y Snow	Y Twiggs
McCall	Y Ponder	Y Shanahan	Y Stallings	Y Walker, L
Y McClinton	Y Porter	Y Shaw	Y Stancil, F	Y Walker, R.L
McKinney	Y Poston	Y Sherrill	Y Stancil, S	Y Wall
Y Mills	Y Powell	Y Shipp	Y Stanley, L	Y Watson
Y Mobley, B	Y Purcell, A	Y Simpson	Y Stanley, P	Y Watts
Y Mobley, J	Y Purcell, B	Y Sinkfield	Y Stephenson	Y Westmoreland
Y Mosley	Y Randall	Y Skipper	Y Streat	Y Whitaker
Y Mueller	Y Randolph	Y Smith, C	Y Taylor	Y White
Y O'Neal	Y Ray	Y Smith, C.W	Y Teague	Y Wiles
Y Orrock	Y Reaves	Y Smith, L	Y Teper	Y Williams, B
Y Parham	Y Reichert	Y Smith, P	Thomas	Y Williams, J
Y Parrish	Y Roberts	Y Smith, T	Y Tillman	Y Williams, R
Y Parsons	Y Rogers	Y Smith, V	Titus	Y Woods
Y Pelote	Y Royal	Y Smith, W	Y Towery	Y Yates
Y Perry	Y Sanders	Y Smyre	Y Trense	Murphy, Spkr

On the motion, the ayes were 170, nays 0.

The motion prevailed.

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 1256

The Committee of Conference on HB 1256 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 1256 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ G. B. Pollard
Senator, 24th District

/s/ David Ralston
Senator, 51st District

/s/ Walter S. Ray
Senator, 19th District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Jamieson
Representative, 22nd District

/s/ Tommy Chambliss
Representative, 163rd District

A BILL

To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, so as to change the definition of "speed detection device"; to change certain provisions relating to certification to use speed detection devices; to provide for notice of certain suspensions or revocations; to provide for the suspension or revocation of certain permits of certain employing agencies; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for the offenses of homicide by interference with an official traffic-control device or railroad sign or signal and serious injury by interference with an official traffic-control device or railroad sign or signal; to provide for penalties; to change the definition of "speed detection device"; to change certain provisions related to permit requirements; to change

certain provisions related to permit applications; to change certain provisions regarding testing of radar devices; to change certain provisions relating to warning signs required; to change certain provisions relating to unlawful use of devices; to change certain provisions relating to investigations by the commissioner of public safety; to provide for notice of certain suspensions or revocations; to provide for the suspension or revocation of certain permits of certain employing agencies; to change certain provisions relating to administrative hearings upon permit suspension or revocation; to change certain provisions relating to appeal of permit suspension or revocation; to change certain provisions relating to petition for reconsideration following permit suspension or revocation; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, is amended by striking paragraph (11) of Code Section 35-8-2, relating to definitions, and inserting in lieu thereof the following:

“(11) ‘Speed detection device’ means that particular device designed to measure the speed or velocity of a motor vehicle and marketed under the name ‘Vascar,’ any device designed to measure the speed or velocity of motor vehicles using the Doppler principle of radio detection and ranging and commonly marketed under the name ‘radar,’ or any similar device, including but not limited to laser, operating under the same or similar principle, which device is approved by the Department of Public Safety for the measurement of speed, including any device for the measurement of speed or velocity based upon the Doppler principle of radar or speed timing principle of laser.”

SECTION 2.

Said chapter is further amended by striking Code Section 35-8-12, relating to certification to use speed detection devices, and inserting in lieu thereof the following:

“35-8-12.

(a) Persons employed or appointed by any agency, organ, or department of this state or a subdivision or municipality thereof authorized to use speed detection devices shall be required to be certified by the council as qualified speed detection device operators. Each person operating radar speed or laser detection devices shall satisfactorily complete a course of instruction in the theory and application of speed detection device operation as a condition for certification. The council shall establish and modify the curriculum for the course of instruction, including a minimum number of hours. Persons authorized and qualified to conduct the course of instruction required by this Code section shall be certified by the council as speed detection device operator instructors upon complying with requirements prescribed by the council. The council shall have the authority to recognize instruction received by persons subject to the requirements of this Code section if, in the determination of the council, the instruction is at least equivalent to that required by this chapter. If the instruction is recognized, then it shall be accepted in lieu of part or parts of the minimum hours of instruction required for speed detection device certification by this chapter. Should any person fail to complete successfully the training requirements for operation of speed detection devices, he or she shall not perform any functions related to the use of the devices until such training shall have been successfully completed and until such time as the council shall issue appropriate certification. All persons certified to use speed detection devices shall complete an update or refresher training course of such duration and at such time as may be prescribed by the council in order for their speed detection device operators’ certifications to remain in force and effect. The council is authorized to withdraw or suspend the certification of any person for failure to meet the update or refresher requirements specified in this Code section or for violation of any portion of this chapter relating to conditions which may lead to the withdrawal or suspension of peace officer certification to operate radar or laser speed detection devices.

(b) Upon the withdrawal or suspension of any certificate to operate speed detection devices for the reasons set forth in this Code section, the executive director of the council shall notify the commissioner. The notification shall contain the officer's name and employing law enforcement agency.

(c) Upon receipt from the commissioner that a speed detection device permit has been suspended or revoked pursuant to Code Section 40-14-11, the council shall withdraw or suspend the certification to operate speed detection devices for every certified operator employed by the agency whose permit has been suspended or revoked. The period of withdrawal or suspension shall be consistent with the action taken by the department."

SECTION 3.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by adding a new Code Section immediately following Code Section 40-6-395, to be designated Code Section 40-6-396 to read as follows:

"40-6-396.

(a) Any person who, without malice aforethought, causes the death of another person through the violation of subsection (a) of Code Section 40-6-26 commits the offense of homicide by interference with an official traffic-control device or railroad sign or signal and, upon conviction thereof, shall be punished by imprisonment for not less than two nor more than 15 years.

(b) Any person who, without malice aforethought, causes bodily harm to another by depriving such other person of a member of his or her body, by rendering a member of his or her body useless, by seriously disfiguring his or her body or a member thereof, or by causing organic brain damage which renders the body or any member thereof useless through the violation of subsection (a) of Code Section 40-6-26 commits the offense of serious injury by interference with an official traffic-control device or railroad sign or signal and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years."

SECTION 4.

Said title is further amended by striking paragraph (4) of Code Section 40-14-1, relating to definitions, and inserting in lieu thereof the following:

"(4) 'Speed detection device' means, unless otherwise indicated, that particular device designed to measure the speed or velocity of a motor vehicle and marketed under the name 'Vascar' or any similar device operating under the same or similar principle and any devices for the measurement of speed or velocity based upon the Doppler principle of radar or the speed timing principle of laser. All such devices must meet or exceed the minimum performance specifications established by the Department of Public Safety."

SECTION 5.

Said title is further amended by striking paragraph (4) of Code Section 40-14-1, relating to definitions, and inserting in lieu thereof the following:

"(4) 'Speed detection device' means, unless otherwise indicated, that particular device designed to measure the speed or velocity of a motor vehicle and marketed under the name 'Vascar' or any similar device operating under the same or similar principle and any devices for the measurement of speed or velocity based upon the Doppler principle of radar or the speed timing principle of laser. All such devices must meet or exceed the minimum performance specifications established by the Department of Public Safety."

SECTION 6.

Said title is further amended by striking Code Section 40-14-2, relating to permit requirements, and inserting in lieu thereof the following:

"40-14-2.

(a) The law enforcement officers of the various counties, municipalities, colleges, and universities may use speed detection devices only if the governing authorities of such

counties and municipalities or the president of such college or university shall approve of and desire the use of such devices and shall apply to the Department of Public Safety for a permit to use such devices in accordance with this chapter.

(b) No ~~county, municipality,~~ college, or university shall be authorized to use speed detection devices where any arresting officer or official of the court having jurisdiction of traffic cases is paid on a fee system. This subsection shall not apply to any official receiving a recording fee.

(c) A permit shall not be issued by the Department of Public Safety to an applicant under this Code section unless the applicant employs full-time or part-time, certified peace officers.

SECTION 7.

Said title is further amended by striking Code Section 40-14-3, relating to application for permit, and inserting in lieu thereof the following:

“40-14-3.

(a) The governing authority of any county or municipality and the president of a college or university may apply to the Department of Public Safety for a permit to authorize the use of speed detection devices for purposes of traffic control within such counties, municipalities, colleges, or universities on streets, roads, and highways, provided the city, county, college, or university shall name the street or road on which the device is to be used and the speed limits on such street or road shall have been approved by the Office of Traffic Operations of the Department of Transportation.

(b) The Department of Public Safety is authorized to prescribe by appropriate rules and regulations the manner and procedure in which applications shall be made for such permits and to prescribe the required information to be submitted by the applicants. The Department of Public Safety may deny the application or suspend the speed detection device permit for failure to provide information or documentation at the department's request.”

SECTION 8.

Said title is further amended by striking subsection (b) of Code Section 40-14-5, relating to testing of radar devices, and inserting in its place a new subsection (b) to read as follows:

“(b) Each county, municipal, or campus law enforcement officer using a radar device shall notify each person against whom the officer intends to make a case based on the use of the radar device that the person has a right to request the officer to test the radar device for accuracy. The notice shall be given prior to the time a citation and complaint or ticket is issued against the person and, if requested to make a test, the officer shall test the radar device for accuracy. In the event the radar device does not meet the minimum accuracy requirements, the citation and complaint or ticket shall not be issued against the person, and the radar device shall be removed from service and thereafter shall not be used by the county, municipal, or campus law enforcement agency until it has been serviced, calibrated, and recertified by a technician with the qualifications specified in Code Section 40-14-4.”

SECTION 9.

Said title is further amended by striking Code Section 40-14-6, relating to the requirement for warning signs, and inserting in its place a new Code Section 40-14-6 to read as follows:

“40-14-6.

(a) Each county, municipality, college, and university using speed detection devices shall erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality, the county boundary, or the boundary of the college or university campus. Such signs shall be at least 30 by 30 inches in area and shall warn approaching motorists that speed detection devices are being employed. No such devices shall be used within 500 feet of any such warning sign erected pursuant to this ~~Code section~~ subsection.

(b) In addition to the signs required under subsection (a) of this Code section, each county, municipality, college, and university using speed detection devices shall erect speed limit warning signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality, the county boundary, or the boundary of the college or university campus. Such signs shall be at least 30 by 30 inches in area, shall warn approaching motorists of changes in the speed limit, shall be visible plainly from every lane of traffic, shall be viewable in any traffic conditions, and shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. No such devices shall be used within 500 feet of any such warning sign erected pursuant to this subsection.

SECTION 10.

Said title is further amended by striking Code Section 40-14-10, relating to unlawful use of devices, and inserting in lieu thereof a new Code Section 40-14-10 to read as follows:

“40-14-10.

It shall be unlawful for ~~radar~~ speed detection devices to be used in any county or municipality or on any campus for which a permit authorizing such use has not been issued or for which a permit authorizing such use has been suspended or revoked and not reissued. It shall be unlawful for any official of such county, municipality, college, or university to order such ~~radar~~ speed detection devices to be used. It shall be unlawful for any law enforcement officer of any such county, municipality, college, or university to use any such ~~radar~~ speed detection devices. Any such official or law enforcement officer violating this Code section shall be guilty of a misdemeanor.”

SECTION 11.

Said title is further amended by striking Code Section 40-14-11, relating to investigations by the commissioner of public safety, and inserting in lieu thereof a new Code Section 40-14-11 to read as follows:

“40-14-11.

(a) Upon a complaint being made to the commissioner of public safety that any county, municipality, college, or university is employing ~~radar~~ speed detection devices for purposes other than the promotion of the public health, welfare, and safety or in a manner which violates this chapter or violates its speed detection device permit, the commissioner or ~~his~~ the commissioner's designee is authorized and empowered to conduct an investigation into the acts and practices of such county, municipality, college, or university with respect to ~~radar~~ speed detection devices. If, as a result of this investigation, the commissioner or ~~his~~ the commissioner's designee finds that there is probable cause to suspend or revoke the ~~radar~~ speed detection device permit of such county, municipality, college, or university, he or she shall issue an order to that effect.

(b) Upon the suspension or revocation of any speed detection device permit for the reasons set forth in this Code section, the commissioner of public safety shall notify the executive director of the Georgia Peace Officer Standards and Training Council of the action taken.

(c) Upon receipt from the executive director of the Georgia Peace Officer Standards and Training Council that an officer's certification to operate speed detection devices has been withdrawn or suspended pursuant to Code Section 35-8-12, the commissioner of public safety or the commissioner's designee shall suspend the speed detection device permit for the employing agency. The period of suspension or revocation shall be consistent with the action taken by the Georgia Peace Officer Standards and Training Council.

SECTION 12.

Said title is further amended by striking Code Section 40-14-12, relating to administrative hearing upon permit suspension or revocation, and inserting in lieu thereof a new Code Section 40-14-12 to read as follows:

“40-14-12.

Upon issuance by the commissioner of public safety of an order suspending or revoking the ~~radar~~ speed detection device permit of any county, municipality, college, or university, the county, municipality, college, or university affected shall be afforded a hearing, to be held ~~within ten days of~~ the effective date of the order. The hearing shall be held before the commissioner or deputy commissioner of public safety, and following the hearing the county, municipality, college, or university affected shall be served with a written decision announcing whether the permit shall remain revoked or whether it shall be reinstated."

SECTION 13.

Said title is further amended by striking Code Section 40-14-13, relating to appeal of permit suspension or revocation, and inserting in lieu thereof the following:

"40-14-13.

Any county, municipality, college, or university aggrieved by a decision of the commissioner or deputy commissioner of public safety suspending or revoking its ~~radar~~ speed detection device permit may appeal that decision within 30 days of its effective date to the Board of Public Safety, which shall schedule a hearing with respect thereto before the board. Following a hearing before the board, the county, municipality, college, or university affected shall be served with a written decision announcing whether the permit shall remain revoked or whether it shall be reinstated. An adverse decision of the board may be appealed by the county, municipality, college, or university to the superior court with appropriate jurisdiction, but the municipality, county, college, or university shall be denied the use of the ~~radar~~ speed detection device until after such appeal is decided by the court."

SECTION 14.

Said title is further amended by striking Code Section 40-14-14, relating to petition for reconsideration following permit suspension or revocation, and inserting in lieu thereof the following:

"40-14-14.

At the expiration of six months following the suspension or revocation of a ~~radar~~ speed detection device permit by the Board of Public Safety or, if no appeal was taken, by the commissioner or deputy commissioner of public safety, the governing authority of any such county or municipality or the president of any such college or university may, upon a change of circumstances being shown to the commissioner, petition the commissioner for a reconsideration of whether such county, municipality, college, or university should be permitted to use ~~radar~~ speed detection devices within their respective jurisdictions."

SECTION 15.

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

Representative Jamieson of the 22nd moved that the House adopt the report of the Committee of Conference on HB 1256.

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

Y Allen	Y Bordeaux	Y Canty	Y Davis, G	Y Felton
Y Anderson	Y Bostick	Y Carter	Davis, M	Y Floyd
Y Ashe	Y Breedlove	Y Chambless	Y Day	Y Godbee
Y Bailey	Y Brooks, D	Y Channell	Y DeLoach, B	Y Golden
Y Baker	Y Brooks, T	Childers	Y DeLoach, G	Y Goodwin
Y Bannister	Y Brown, J	Y Coker	Y Dix	Y Greene
Y Barfoot	Y Brush	Y Coleman, B	Y Dixon, H	Y Grindley
Y Bargerion	Y Buck	Y Coleman, T	Y Dixon, S	Y Hanner
Y Barnard	Y Buckner	Y Connell	Y Dobbs	Y Harbin
Y Barnes	Y Bunn	Y Crawford	Y Ehrhart	Y Harris
Y Bates	Y Burkhalter	Y Crews	Y Epps	Y Heard
Y Benefield	Y Byrd	Y Culbreth	Y Evans	Y Heckstall
Y Birdsong	Y Campbell	Y Cummings	Falls	Y Hegstrom

Y Hembree	Y Lee	Y Perry	Y Shipp	Y Teper
Y Henson	Y Lewis	Y Pinholster	Y Simpson	Y Thomas
Y Holland	Y Lifsey	Y Polak	Y Sinkfield	Y Tillman
Y Holmes	Y Lord	Y Ponder	Y Skipper	Y Titus
Y Howard	Y Lucas	Y Porter	Y Smith, C	Y Towery
Y Hudson	Y Maddox	Y Poston	Y Smith, C.W	Y Trense
Y Hugley	Y Mann	Y Powell	Y Smith, L	Y Turnquest
Y Irvin	Y Martin	Y Purcell, A	Y Smith, P	Y Twiggs
Y James	Y McBee	Y Purcell, B	Y Smith, T	Y Walker, L
Y Jamieson	Y McCall	Y Randall	Y Smith, V	Y Walker, R.L
Y Jenkins	Y McClinton	Y Randolph	Y Smith, W	Y Wall
Y Johnson, G	Y McKinney	Y Ray	Y Smyre	Y Watson
Y Johnson, J	Y Mills	Y Reaves	Y Snelling	Y Watts
Y Johnston	Y Mobley, B	Y Reichert	Y Snow	Y Westmoreland
Y Jones	Y Mobley, J	Y Roberts	Y Stallings	Y Whitaker
Y Joyce	Y Mosley	Y Rogers	Y Stancil, F	Y White
Y Kaye	Y Mueller	Y Royal	Y Stancil, S	Y Wiles
Y Kinnamon	Y O'Neal	Y Sanders	Y Stanley, L	Y Williams, B
Y Klein	Y Orrock	Y Sauder	Y Stanley, P	Y Williams, J
Y Ladd	Y Parham	Y Scoggins	Y Stephenson	Y Williams, R
Y Lakly	Y Parrish	Y Shanahan	Y Streat	Y Woods
Y Lane	Y Parsons	Y Shaw	Y Taylor	Y Yates
Y Lawrence	Y Pelote	Y Sherrill	Y Teague	Y Murphy, Spkr

On the motion, the ayes were 172, nays 0.

The motion prevailed.

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

Mr. Speaker:

The Senate adheres to its disagreement to the House substitute and has appointed a Committee of Conference to confer with a like committee on the part of the House on the following bill of the Senate:

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and others:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

The President has appointed as a Committee of Conference on the part of the Senate the following:

Senators Ray of the 19th, Hooks of the 14th and Ragan of the 11th.

The following Bill of the Senate was taken up for the purpose of considering the Senate's appointment of a Committee of Conference thereon:

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and others:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

Representative Ray of the 128th moved that the House adhere to its position in substituting SB 510 and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Ray of the 128th, Martin of the 47th and Epps of the 131st.

The following Bills of the Senate were taken up for the purpose of considering the reports of the Committees of Conference thereon:

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and others:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 510

The Committee of Conference on SB 510 recommends that both the Senate and the House of Representatives recede from their positions and that the House Committee substitute to SB 510 as amended by the House Ray amendment (AM 22 0384) be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ George Hooks
 Senator, 14th District

/s/ Walter S. Ray
 Senator, 19th District

/s/ Harold J. Ragan
 Senator, 11th District

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ Robert Ray
 Representative, 128th District

/s/ Jim Martin
 Representative, 47th District

/s/ Carl Von Epps
 Representative, 131st District

Representative Martin of the 47th moved that the House adopt the report of the Committee of Conference on SB 510.

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

Y Allen	Y Barnard	Y Brooks, D	Y Byrd	Y Coleman, B
Y Anderson	Y Barnes	Y Brooks, T	Y Campbell	Y Coleman, T
Y Ashe	Y Bates	Y Brown, J	Y Canty	Y Connell
Y Bailey	Y Benefield	Y Brush	Y Carter	Y Crawford
Y Baker	Y Birdsong	Buck	Y Chambless	Y Crews
Y Bannister	N Bordeaux	Y Buckner	Y Channell	Y Culbreth
Y Barfoot	Bostick	Y Bum	Y Childers	Y Cummings
Y Barger	Y Breedlove	Y Burkhalter	Y Coker	Y Davis, G

Y Davis, M	Y Holmes	Y McBee	Y Reichert	Y Stanley, P
Y Day	Y Howard	Y McCall	Y Roberts	Y Stephenson
Y DeLoach, B	Y Hudson	Y McClinton	Y Rogers	Y Streat
Y DeLoach, G	Y Hugley	McKinney	Y Royal	Y Taylor
Y Dix	Y Irvin	Y Mills	Y Sanders	Y Teague
Y Dixon, H	Y James	Y Mobley, B	Y Sauder	Y Teper
Y Dixon, S	Y Jamieson	Y Mobley, J	Y Scoggins	Y Thomas
Y Dobbs	Y Jenkins	Y Mosley	Y Shanahan	Y Tillman
Y Ehrhart	Y Johnson, G	Y Mueller	Y Shaw	Y Titus
Y Epps	Y Johnson, J	Y O'Neal	Y Sherrill	Y Towery
Y Evans	Y Johnston	Y Orrock	Y Shipp	Y Trense
Y Falls	Y Jones	Y Parham	Simpson	Y Turnquest
Y Felton	Y Joyce	Y Parrish	Y Sinkfield	Y Twiggs
Y Floyd	Y Kaye	Y Parsons	Y Skipper	Y Walker, L
Y Godbee	Y Kinnamon	Y Pelote	Y Smith, C	Y Walker, R.L
Y Golden	Y Klein	Y Perry	Y Smith, C.W	Y Wall
Y Goodwin	Y Ladd	Y Pinholster	Y Smith, L	Y Watson
Y Greene	Y Lakly	Y Polak	Y Smith, P	Y Watts
Y Grindley	Y Lane	Y Ponder	Y Smith, T	Y Westmoreland
Y Hanner	Y Lawrence	Y Porter	Y Smith, V	Y Whitaker
Y Harbin	Y Lee	Y Poston	Y Smith, W	Y White
Y Harris	Y Lewis	Y Powell	Y Smyre	Y Wiles
Y Heard	Y Lifsey	Y Purcell, A	Y Snelling	Y Williams, B
Y Heckstall	Y Lord	Y Purcell, B	Y Snow	Y Williams, J
Y Hegstrom	Y Lucas	Y Randall	Y Stallings	Y Williams, R
Y Hembree	Y Maddox	Y Randolph	Y Stancil, F	Y Woods
Y Henson	Y Mann	Y Ray	Y Stancil, S	Y Yates
Y Holland	Y Martin	Y Reaves	Y Stanley, L	Murphy, Spkr

On the motion, the ayes were 167, nays 1.

The motion prevailed.

SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON SB 606

The Committee of Conference on SB 606 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 606 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Mary Margaret Oliver
Senator, 42nd District

Steve Thompson
Senator, 33rd District

/s/ Jack Hill
Senator, 4th District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Benefield
Representative, 96th District

/s/ Bobby E. Parham
Representative, 122nd District

/s/ DuBose Porter
Representative, 143rd District

A BILL

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for zero assessment of a driver's operating record for violation of the child

safety restraint law; to change the provisions relating to maximum lawful speed limits; to change provisions relating to mandatory use of child passenger restraining systems; to eliminate certain exceptions to such mandatory use; to change penalties; to prohibit cancellation of insurance or increase in insurance rates for such violations; to change provisions relating to use of safety belts in passenger vehicles; to change provisions relating to penalties for violations and reporting of violations; to provide for probable cause for violations; to provide that violations of seat belt requirements shall not constitute probable cause for violations of any other Code sections; 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 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended by striking subparagraph (c)(1)(A) of Code Section 40-5-57, relating to suspension of driver's licenses and the point system of operating records, and inserting in its place a new subparagraph to read as follows:

"(c)(1)(A) Except as provided in subparagraph (C) of this paragraph, the points to be assessed for each offense shall be as provided in the following schedule:

Reckless driving.....	4 points
Unlawful passing of a school bus.....	6 points
Improper passing on a hill or a curve.....	4 points
Exceeding the speed limit by more than 14 miles per hour but less than 19 miles per hour.....	2 points
Exceeding the speed limit by 19 miles per hour or more but less than 24 miles per hour.....	3 points
Exceeding the speed limit by 24 miles per hour or more but less than 34 miles per hour.....	4 points
Exceeding the speed limit by 34 miles per hour or more.....	6 points
Disobedience of any traffic-control device or traffic officer.....	3 points
Too fast for conditions.....	0 points
Possessing an open container of an alcoholic beverage while driving.....	2 points
Failure to adequately secure a load, except fresh farm produce, resulting in loss of such load onto the roadway which results in an accident..	2 points
<u>Violation of child safety restraint requirements</u>	<u>0 points</u>
<u>All other moving traffic violations which are not speed limit violations.</u>	<u>3</u>

points"

SECTION 1.1.

Said title is further amended by striking subsection (b) of Code Section 40-6-181, relating to maximum lawful vehicle speed limits, and inserting in lieu thereof a new subsection (b) to read as follows:

"(b) No ~~Consistent with the provision of engineering and traffic investigations regarding maximum speed limits as provided in Code Section 40-6-182,~~ no person shall drive a vehicle at a speed in excess of the following maximum limits:

- (1) Thirty miles per hour in any urban or residential district;
- (1.1) Thirty-five miles per hour on an unpaved county road unless designated otherwise by appropriate signs;
- (2) ~~Sixty-five~~ Seventy miles per hour on a highway on the federal interstate system and on physically divided highways with full control of access which ~~is~~ are outside of an urbanized area of 50,000 population or more, provided that such speed limit is designated by appropriate signs; ~~and~~
- (3) Sixty-five miles per hour on a highway on the federal interstate system which is inside of an urbanized area of 50,000 population or more, provided that such speed limit is designated by appropriate signs;
- (4) Sixty-five miles per hour on those sections of physically divided highways without full access control on the state highway system, provided that such speed limit is designated by appropriate signs; and

(5) Fifty-five miles per hour in other locations.”

SECTION 2.

Said title is further amended by striking Code Section 40-8-76, relating to safety belts and child passenger restraining systems, and inserting in its place a new Code section to read as follows:

“40-8-76.

(a)(1) No new private passenger automobile manufactured after January 1, 1964, shall be sold to the general public in this state unless such automobile shall be equipped with two sets of safety belts for the front seat thereof. The safety belts may be installed by the manufacturer prior to delivery to the dealer, or they may be installed by the dealer.

~~(2) Any person violating paragraph (1) of this subsection shall be guilty of a misdemeanor.~~

(b)(1) On and after July 1, 1984, every driver who transports a child four years of age or younger in a passenger automobile, van, or pickup truck, other than ~~one operated for hire~~ a taxicab as defined by Code Section 40-9-101 or a public transit vehicle as defined by Code Section 16-5-20, which is registered in this state shall, while such motor vehicle is in motion and operated on a public road, street, or highway of this state, provide for the protection of such child in a child passenger restraining system approved by the United States Department of Transportation under Federal Motor Vehicle Safety Standard 213 in effect on January 1, 1983. A driver shall not be deemed to be complying with the provisions of this subsection unless the child passenger restraining system is installed and being used in accordance with the manufacturer's directions for such system. However, if the child is three or four years of age, a seat belt shall be sufficient to meet the requirements of this subsection. The provisions of this subsection shall not apply when immediate or emergency attention is required for the child's personal needs are being attended to.

~~(2)(A)~~ Upon a first conviction of an offense under this subsection, the defendant shall be punished by a fine of not more than \$25.00 \$50.00. Upon a second or subsequent conviction of an offense under this subsection, the defendant shall be punished by a fine of not more than \$100.00. No court shall impose any additional fees or surcharges to a fine for such a violation. The court imposing a fine for any violation of this Code section shall forward a record of the disposition of the cases annually to the Department of Public Safety for the sole purpose of data collection on a county by county basis.

~~(B) The provisions of this subsection shall not apply to the driver of a car pool carrying children four years of age or younger to a church or public or private school, unless said church or public or private school is licensed as a day-care center by the Georgia Department of Human Resources and unless such children are being transported to said church or public or private school in a van operated by the church or public or private school.~~

(c) It shall be the duty of the Governor's Office of Highway Safety to implement and coordinate a program to inform parents and other citizens of Georgia of the reasons for the enactment of subsection (b) of this Code section. Such program shall be carried out prior to January 1, ~~1989~~ 1997. The Governor's Office of Highway Safety shall solicit the cooperation and assistance of the Georgia State Patrol, the Georgia Sheriffs Association, the Georgia Association of Chiefs of Police, Incorporated, the Peace Officers' Association of Georgia, the Medical College of Georgia, the Georgia Hospital Association, the Georgia Association of Educators, the Georgia Parent-Teacher Association, and other appropriate organizations in educating the citizens of the state and in implementing, coordinating, and carrying out the program provided for herein.

(d) Violation of this Code section shall not constitute negligence per se nor contributory negligence per se. Violation of child safety restraint requirements shall not be the basis for cancellation of coverage or increase in insurance rates.”

SECTION 3.

Said title is further amended by striking Code Section 40-8-76.1, relating to use of safety belts in passenger vehicles, and inserting in lieu thereof the following:

"40-8-76.1.

(a) As used in this Code section, the term 'passenger vehicle' means every motor vehicle designed to carry ten passengers or less and used for the transportation of persons but shall not mean pickup trucks, motorcycles, motor driven cycles, or vehicles equipped for off-road use, provided that the term 'passenger vehicle' includes pickup trucks for any occupant who is under 18 years of age.

(b) Each occupant of the front seat of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208.

(c) The requirement of subsection (b) of this Code section shall not apply to:

(1) A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour;

(2) A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt;

(3) A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt;

(4) A driver operating a passenger vehicle in reverse;

(5) A passenger vehicle with a model year prior to 1965;

(6) A passenger vehicle which is not required to be equipped with seat safety belts under federal law;

(7) A passenger vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier;

(8) A passenger vehicle from which a person is delivering newspapers; or

(9) A passenger vehicle performing an emergency service.

(d) ~~The Failure~~ failure of an occupant of a passenger vehicle to wear a seat safety belt in any seat of a passenger vehicle which has a seat safety belt shall not be considered evidence of negligence, shall not be considered by the court on any question of liability of any person, corporation, or insurer, shall not be any basis for cancellation of coverage or increase in insurance rates, and shall not diminish any recovery for damages arising out of the ownership, maintenance, occupancy, or operation of a passenger vehicle.

(e)(1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, a person failing to comply with the requirements of subsection (b) of this Code section shall not be guilty of any criminal act and shall not be guilty of violating any ordinance and shall not be issued a citation for violation of any provision of this title or any ordinance enacted pursuant thereto. Such person shall be warned that the failure to use a seat safety belt is dangerous to the person's safety and such person shall be encouraged to comply with the provisions of this Code section. A violation of this Code section shall not be a moving traffic violation for purposes of Code Section 40-5-57.

(2) A person failing to comply with the requirements of subsection (b) of this Code section who is also charged with violating Code Section 40-6-181, Code Section 40-6-186, Code Section 40-6-271, Code Section 40-6-300, Code Section 40-6-301, Code Section 40-6-302, Code Section 40-6-304, or Code Section 40-6-305 shall be guilty of the offense of failure to wear a seat safety belt and, upon conviction thereof, may be fined not more than \$15.00. The court imposing such fine shall not forward a record of the disposition of the case of failure to wear a seat safety belt to the Department of Public Safety.

(3) Each minor over four years of age who is an occupant of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208. In any case where a minor passenger over four years of age fails to comply with the requirements of this paragraph, the driver of the passenger vehicle shall be guilty of the offense of failure to secure a safety belt on a minor and, upon conviction thereof, may be fined not more than \$25.00. The court imposing such a fine shall not forward a record of the court disposition of the case of failure to secure a safety belt on a minor to the Department of Public Safety.

(f) Probable cause for violation of this Code section shall be based solely upon a law enforcement officer's clear and unobstructed view of a person not restrained as required by this Code section. Noncompliance with the restraint requirements of this Code section shall not constitute probable cause for violation of any other Code section."

SECTION 4.

This Act shall become effective July 1, 1996, and shall apply with respect to offenses committed on or after that date. The provisions of this Act shall not apply to or affect offenses committed prior to that effective date.

SECTION 5.

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

Representative Walker of the 141st moved to waive Rule 146.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	N Johnson, G	Y Pinholster	Y Stallings
N Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bargeron	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	N Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnamon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
Y Birdsong	N Ehrhart	Y Ladd	Y Randall	N Teague
Y Bordeaux	Y Epps	N Lakly	Y Randolph	Y Teper
Bostick	N Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
N Brooks, T	Y Floyd	N Lewis	N Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
N Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	N McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	Y Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the motion, the ayes were 143, nays 21.

The motion prevailed.

Representative Walker of the 141st moved the previous question.

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

Y Allen	Y Barfoot	E Birdsong	N Brown, J	Y Byrd
Y Anderson	Y Bargeron	Y Bordeaux	N Brush	Y Campbell
Y Ashe	Y Barnard	Bostick	Y Buck	N Canty
Y Bailey	Y Barnes	Y Breedlove	Y Buckner	Y Carter
Y Baker	Y Bates	Y Brooks, D	N Bunn	Y Chambless
N Bannister	Y Benefield	N Brooks, T	Y Burkhalter	Y Channell

Childers	Y Harbin	N Lifsey	Y Randall	N Stancil, S
Y Coker	Y Harris	Y Lord	Y Randolph	Y Stanley, L
N Coleman, B	Y Heard	Y Lucas	Y Ray	N Stanley, P
Y Coleman, T	Y Heckstall	N Maddox	Y Reaves	Y Stephenson
Y Connell	Y Hegstrom	N Mann	N Reichert	N Streat
Y Crawford	Y Hembree	Y Martin	N Roberts	Y Taylor
Y Crews	Y Henson	Y McBee	N Rogers	N Teague
Y Culbreth	Y Holland	N McCall	Y Royal	Y Teper
Y Cummings	Y Holmes	Y McClinton	N Sanders	Y Thomas
Y Davis, G	Y Howard	McKinney	Y Sauder	Tillman
N Davis, M	Hudson	N Mills	Y Scoggins	Y Titus
Y Day	Y Hugley	Y Mobley, B	N Shanahan	Y Towery
DeLoach, B	Y Irvin	Y Mobley, J	Y Shaw	Y Trense
Y DeLoach, G	Y James	Y Mosley	Y Sherrill	N Turnquest
N Dix	Y Jamieson	N Mueller	Y Shipp	Y Twiggs
Dixon, H	Y Jenkins	Y O'Neal	Y Simpson	Y Walker, L
Y Dixon, S	N Johnson, G	Y Orrock	Y Sinkfield	Walker, R.L
Y Dobbs	N Johnson, J	Y Parham	Y Skipper	Y Wall
Y Ehrhart	N Johnston	Y Parrish	Y Smith, C	Y Watson
Y Epps	Y Jones	Y Parsons	N Smith, C.W	Y Watts
N Evans	N Joyce	Y Pelote	N Smith, L	N Westmoreland
N Falls	N Kaye	Y Perry	Y Smith, P	Y Whitaker
Y Felton	Y Kinnamon	N Pinholster	Y Smith, T	Y White
Y Floyd	Y Klein	Y Polak	N Smith, V	Y Wiles
Y Godbee	Y Ladd	Y Ponder	Y Smith, W	Y Williams, B
Y Golden	N Lakly	Y Porter	Y Smyre	Y Williams, J
N Goodwin	Y Lane	Y Poston	Y Snelling	Y Williams, R
Y Greene	Y Lawrence	Powell	N Snow	N Woods
Y Grindley	Y Lee	Y Purcell, A	Y Stallings	N Yates
Y Hanner	N Lewis	Y Purcell, B	Y Stancil, F	Murphy, Spkr

On the motion, the ayes were 125, nays 43.

The motion prevailed.

Representative Porter of the 143rd moved that the House adopt the report of the Committee of Conference on SB 606.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	N Cummings	Y Jamieson	N Pelote	Y Snelling
Y Bailey	Y Davis, G	N Jenkins	N Perry	N Snow
Y Baker	N Davis, M	N Johnson, G	Y Pinholster	N Stallings
N Bannister	Y Day	N Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	DeLoach, B	N Johnston	Y Ponder	Y Stancil, S
Y Bargerion	Y DeLoach, G	N Jones	Y Porter	Y Stanley, L
N Barnard	N Dix	N Joyce	Y Poston	Y Stanley, P
Y Barnes	Dixon, H	N Kaye	N Powell	N Stephenson
Y Bates	Y Dixon, S	N Kinnamon	N Purcell, A	N Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
E Birdsong	Y Ehrhart	Y Ladd	Y Randall	N Teague
Y Bordeaux	Y Epps	N Lakly	N Randolph	Y Teper
Bostick	N Evans	N Lane	Y Ray	Y Thomas
Y Breedlove	N Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	N Reichert	Y Titus
N Brooks, T	Y Floyd	N Lewis	N Roberts	Y Towery
N Brown, J	Y Godbee	N Lifsey	Y Rogers	Y Trense
N Brush	Y Golden	Y Lord	N Royal	N Turnquest
Buck	N Goodwin	Y Lucas	N Sanders	Twiggs
Y Buckner	Y Greene	N Maddox	Y Sauder	Y Walker, L
N Bunn	Y Grindley	N Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	N Shanahan	Y Wall
N Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
N Campbell	Y Harris	N McCall	Y Sherrill	Y Watts
N Canty	Y Heard	N McClinton	Y Shipp	N Westmoreland
Y Carter	Y Heckstall	McKinney	N Simpson	Y Whitaker
Y Chambless	Y Hegstrom	N Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	N Mobley, B	Y Skipper	Y Wiles
Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	N Mosley	N Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	N Smith, L	Y Williams, R
N Coleman, T	Y Howard	Y O'Neal	Y Smith, P	N Woods
Y Connell	Hudson	Y Orrock	N Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	N Smith, V	Murphy, Spkr

On the motion, the ayes were 111, nays 59.

The motion prevailed.

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Representative Coleman of the 142nd stated that he inadvertently voted "nay" on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Resolution of the House was read:

HR 1392. By Representative Murphy of the 18th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn sine die at 11:50 P.M. on Monday, March 18, 1996.

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

Y Allen	Y Crews	Y Irvin	Y Parrish	Y Smith, W
Y Anderson	Y Culbreth	Y James	Y Parsons	Y Smyre
Y Ashe	Y Cummings	Y Jamieson	Y Pelote	Y Snelling
Y Bailey	Y Davis, G	Y Jenkins	Y Perry	Y Snow
Y Baker	N Davis, M	Y Johnson, G	Y Pinholster	Y Stallings
N Bannister	Y Day	Y Johnson, J	Y Polak	Y Stancil, F
Y Barfoot	Y DeLoach, B	Y Johnston	Y Ponder	Y Stancil, S
Y Bargerone	Y DeLoach, G	Y Jones	Y Porter	Y Stanley, L
Y Barnard	Y Dix	Y Joyce	Y Poston	Y Stanley, P
Y Barnes	Y Dixon, H	Y Kaye	Y Powell	Y Stephenson
Y Bates	Y Dixon, S	Y Kinnammon	Y Purcell, A	Y Streat
Y Benefield	Y Dobbs	Y Klein	Y Purcell, B	Y Taylor
E Birdsong	Y Ehrhart	Y Ladd	Y Randall	Y Teague
Y Bordeaux	Y Epps	Y Lakly	Y Randolph	Y Teper
Y Bostick	Y Evans	Y Lane	Y Ray	Y Thomas
Y Breedlove	Y Falls	Y Lawrence	Y Reaves	Y Tillman
Y Brooks, D	Y Felton	Y Lee	Y Reichert	Y Titus
Y Brooks, T	Y Floyd	Y Lewis	Y Roberts	Y Towery
Y Brown, J	Y Godbee	Y Lifsey	Y Rogers	Y Trense
Y Brush	Y Golden	Y Lord	Y Royal	Y Turnquest
Y Buck	Y Goodwin	Y Lucas	N Sanders	Y Twiggs
Y Buckner	Y Greene	Y Maddox	Y Sauder	Y Walker, L
Y Bunn	Y Grindley	Y Mann	Y Scoggins	Y Walker, R.L
Y Burkhalter	Y Hanner	Y Martin	Y Shanahan	Y Wall
Y Byrd	Y Harbin	Y McBee	Y Shaw	Y Watson
Y Campbell	Y Harris	Y McCall	Y Sherrill	Y Watts
Y Canty	Y Heard	Y McClinton	Y Shipp	Y Westmoreland
Y Carter	Y Heckstall	Y McKinney	Y Simpson	Y Whitaker
Y Chambliss	Y Hegstrom	Y Mills	Y Sinkfield	Y White
Y Channell	Y Hembree	Y Mobley, B	Y Skipper	Y Wiles
Y Childers	Y Henson	Y Mobley, J	Y Smith, C	Y Williams, B
Y Coker	Y Holland	Y Mosley	Y Smith, C.W	Y Williams, J
Y Coleman, B	Y Holmes	Y Mueller	Y Smith, L	Y Williams, R
Y Coleman, T	Y Howard	Y O'Neal	Y Smith, P	Y Woods
Y Connell	Y Hudson	Y Orrock	Y Smith, T	N Yates
Y Crawford	Y Hugley	Y Parham	Y Smith, V	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 164, nays 4.

The Resolution was adopted.

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 1392. By Representative Murphy of the 18th:

A resolution relative to adjournment sine die.

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

HB 1378. By Representatives Burkhalter of the 41st and Campbell of the 42nd:

A bill to amend an Act increasing the homestead exemption from Fulton County ad valorem taxes for county purposes for certain persons who are disabled or 65 years of age or over, so as to change a definition.

HB 1764. By Representatives Connell of the 115th and Williams of the 114th:

An Act to amend an Act providing a homestead exemption from all ad valorem taxes for educational purposes for certain residents of that school district who have annual incomes not exceeding \$10,000 or who are 65 years of age or over, so as to increase the annual income ceiling to \$25,000.

HB 1885. By Representative Poston of the 3rd:

A bill to amend an Act placing the judge of the probate court and the clerk of the Superior Court of Catoosa County on an annual salary in lieu of fees, so as to increase the clerical help allowance of the judge of the probate court and the clerk of the superior court.

HB 1894. By Representatives Stanley of the 50th, Stanley of the 49th, Martin of the 47th and others:

A bill to amend an Act creating the City of Atlanta and Fulton County Recreation Authority, so as to change the provisions relating to revenue bonds.

HB 1895. By Representatives Stallings of the 100th and Simpson of the 101st:

A bill to amend an Act providing a new charter for the City of Villa Rica, so as to change the corporate limits of the City of Villa Rica.

HB 1896. By Representatives Walker of the 87th and Stancil of the 91st:

A bill to amend an Act incorporating the City of Social Circle, so as to change the maximum penalties in the recorder's court.

HB 1897. By Representative Birdsong of the 123rd:

A bill to create the Twiggs County Recreation Authority.

HB 1900. By Representative Smith of the 169th:

A bill to amend an Act establishing the State Court of Pierce County, so as to provide for the compensation of the judge and solicitor.

- HB 1901. By Representative Birdsong of the 123rd:
A bill to amend an Act creating a new board of commissioners of Jones County, so as to change the provisions relating to the annual publication of the name, department, and salary of each county employee.
- HB 1903. By Representatives Poston of the 3rd and Snow of the 2nd:
A bill to amend an Act implementing the constitutional amendment creating the Catoosa County Development Authority, so as to change the number of voting members required to take action by the authority.
- HB 1904. By Representative Floyd of the 138th:
A bill to amend an Act providing for a new charter for the City of Hawkinsville, so as to provide for authority to lease or otherwise dispose of municipally owned property generally; to provide for authority to lease the Hawkinsville Harness Horse Training Facility.
- HB 1905. By Representatives Smith of the 169th and Mosley of the 171st:
A bill to provide a new charter for the City of Offerman.

The Senate has agreed to the House amendments to the following bills of the Senate:

- SB 19. By Senators Newbill of the 56th, Clay of the 37th, Gochenour of the 27th and others:
A bill to amend Article 19 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to textbooks, so as to provide for disclosure of the making and accepting of contributions and expenditures with respect to textbooks; to provide for definitions; to provide for the filing and contents of disclosure reports; to provide for fees; to provide for powers, duties, and authority of the State Ethics Commission.
- SB 499. By Senator Madden of the 47th:
A bill to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to provide for procedures regarding appointment of members of a board to assume the duties of the county election superintendent in certain circumstances; to provide for notice to state party executive committees regarding the need to appoint members; to provide time periods for making such appointments; to provide for appointment by the chief judge of the superior court in certain circumstances.
- SB 560. By Senators Starr of the 44th, Perdue of the 18th and Henson of the 55th:
A bill to amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to the crime of driving under the influence of alcohol or drugs, so as to provide for the applicability of said statute to driving under the influence of any glue, aerosol, or other toxic vapor; to provide for related matters; to provide for an effective date and applicability.
- SB 785. By Senators Starr of the 44th, Glanton of the 34th and Thomas of the 10th:
A bill to amend an Act entitled "An Act to reincorporate the City of Forest Park" in the County of Clayton, as amended, so as to change the corporate limits.

The Senate has agreed to the House amendment to the following resolution of the Senate:

SR 535. By Senators Walker of the 22nd, Henson of the 55th, Madden of the 47th and others:

A resolution creating the Select Oversight Committee on Medicaid.

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

SR 101. By Senator James of the 35th:

A resolution creating the Joint Study Commission on Economic Development and Revitalization in South Fulton County.

SR 540. By Senators Johnson of the 1st, Gillis of the 20th, Johnson of the 2nd and others:

A resolution creating the Joint Coastal Zone Management Study Committee.

SR 578. By Senator Cagle of the 49th:

A resolution to create the Gainesville-Hall County Task Force on Governmental Unification.

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

SB 7. By Senator Guhl of the 45th:

A bill to amend Code Section 15-1-4 of the Official Code of Georgia Annotated, relating to extent of contempt power and when jury trial required, so as to provide that when a person who is gainfully employed violates an order of the court granting temporary or permanent alimony or child support and the judge finds the person in contempt of court, the sentencing judge may sentence the respondent to a term of confinement in a diversion center and participation in a diversion program operated by the Department of Corrections, a sheriff, or a county.

SB 11. By Senators Newbill of the 56th, Clay of the 37th, McGuire of the 30th and Tanksley of the 32nd:

A bill to amend Code Section 20-2-281 of the Official Code of Georgia Annotated, relating to assessments of educational programs, so as to provide for the availability of curriculum-based assessment results to students and their parents.

SB 53. By Senator Boshears of the 6th:

A bill to amend Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions applicable to penal institutions, so as to establish a program of registration for persons who have committed certain crimes against minors or who have committed sexually violent offenses; to define certain terms; to provide for a court determination of a sexually violent predator.

SB 157. By Senators Clay of the 37th, Burton of the 5th and Boshears of the 6th:

A bill to amend Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to family violence, so as to provide that judges may order any person who has committed family violence to participate in a domestic violence intervention program; to provide for the contents and cost of such programs; to provide for monitoring of such offenders by the court.

SB 159. By Senators Clay of the 37th, Burton of the 5th and Boshears of the 6th:

A bill to amend Article 1 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions applicable to public health and morals and various offenses against public health and morals, so as to change the definition of the offense of contributing to the delinquency, unruliness, or deprivation of a minor.

SB 227. By Senators Oliver of the 42nd, Taylor of the 12th, Brown of the 26th and others:

A bill to amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, the "Child Support Recovery Act," so as to limit the issuance or renewal of licenses and other authorizations to engage in professions, businesses, or occupations to persons who are not in compliance with orders for child support; to provide for definitions; to provide for lists of persons who are not in compliance, for the issuance of such lists to certain licensing boards.

SB 280. By Senators Thompson of the 33rd, Cheeks of the 23rd, Perdue of the 18th, Dean of the 31st and others:

A bill to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to provide for staggered motor vehicle registration over a 12 month period; to provide for four-month registration by local Act; to change certain licensing and registration deadlines; to amend Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor vehicles and mobile homes, so as to change the method of evaluation of motor vehicles for ad valorem purposes.

SB 395. By Senators Isakson of the 21st, Tanksley of the 32nd, Clay of the 37th and others:

A bill to amend Code Section 30-5-4 of the Official Code of Georgia Annotated, relating to reporting the need for protective services for disabled adults, so as to change which persons must make certain reports; to provide for reporting the need for protective services for elderly adults.

SB 446. By Senator Boshears of the 6th:

A bill to amend Code Section 49-4-15 of the Official Code of Georgia Annotated, relating to fraud in obtaining and wrongful receipt of public assistance and benefits, so as to change provisions relating to definitions of criminal offenses and penalties; to specifically provide that it shall be a criminal offense for any person to accept assistance and benefits with the knowledge that he or she is not eligible for such assistance or benefits.

- SB 494. By Senators Oliver of the 42nd, Farrow of the 54th and Starr of the 44th:
A bill to amend Article 4 of Chapter 7 of Title 17 of the Official Code of Georgia Annotated, relating to accusations, so as to provide that certain violations of Code Section 16-13-30 may be tried upon accusations in certain circumstances; to provide for related matters; to provide an effective date; to provide for applicability.
- SB 498. By Senators Henson of the 55th and Marable of the 52nd:
A bill to amend Part 1 of Article 16 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to registration and use of trademarks and service marks, so as to prohibit the creation and use of forged or counterfeit trademarks and service marks and the manufacture, possession, sale, offering for sale, transportation, or use of certain goods or property containing or relating to forged or counterfeit trademarks and service marks.
- SB 516. By Senators Griffin of the 25th, Stokes of the 43rd, Newbill of the 56th and Langford of the 29th:
A bill to amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, so as to provide that the members of the board of education of any local system which has a budget deficit and submits a corrective action plan to the Department of Education shall, during the period of such deficit, review and acknowledge a report of all monthly expenditures submitted by the system's chief financial officer.
- SB 542. By Senator Madden of the 47th:
A bill to amend Code Section 43-10A-7 of the Official Code of Georgia Annotated, relating to licensing requirements and exceptions applicable to professional counselors, social workers, and marriage and family therapists, so as to provide an exception with respect to persons engaged in the practice of a specialty as an employee of the Department of Labor.
- SB 544. By Senator Langford of the 29th:
A bill to amend Article 1 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances in criminal cases, so as to change provisions relating to deposit of driver's licenses in lieu of bail in traffic and motor vehicle cases; to provide for driver's license display in lieu of bail instead of driver's license deposit; to provide for recordation of license number by the apprehending officer; to provide for suspension of license upon failure to appear.
- SB 575. By Senators Clay of the 37th, Thompson of the 33rd and Lamutt of the 21st:
A bill to amend Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and agencies permitted access to records of child abuse, sexual abuse, or sexual harassment of children, so as to provide for access to such records by certain child advocacy centers.
- SB 592. By Senators Perdue of the 18th, Thomas of the 10th, Johnson of the 1st and others:
A bill to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to provide that health benefit policies provide for the direct access of patients to services of an obstetrician or a gynecologist; to provide for disclosures; to provide for legislative intent and findings; to provide for a definition.

- SB 596. By Senators Taylor of the 12th, Hooks of the 14th and Harbison of the 15th:
A bill to amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to provide for a comprehensive change in the guardianship of beneficiaries of the United States Department of Veterans Affairs; to provide for definitions; to provide for the appointment of guardians; to provide for procedures relating to guardianship.
- SB 607. By Senators Marable of the 52nd, Pollard of the 24th and Thomas of the 10th:
A bill to amend Article 2 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to criminal obstruction of public administration, so as to change provisions relating to criminal interference with emergency medical technicians; to provide for applicability of such provisions to other emergency medical personnel; to define terms; to define criminal offenses and prescribe penalties.
- SB 610. By Senators Stokes of the 43rd, Scott of the 36th and Thompson of the 33rd:
A bill to amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to criminal assault and battery, so as to define the offense of family violence battery; to prescribe the punishment for first and subsequent convictions of such offense; to provide for an effective date and applicability.
- SB 670. By Senators Starr of the 44th and Glanton of the 34th:
A bill to amend Article 4 of Chapter 13 of Title 9 of the Official Code of Georgia Annotated, relating to the satisfaction or discharge of judgment and execution, so as to provide that executions shall be canceled within a certain time.
- SB 672. By Senators Johnson of the 2nd, Johnson of the 1st, Hill of the 4th and others:
A bill to amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to University System of Georgia, so as to create the Advisory Board to the Center for Trade and Technology Transfer at the School of Business of Savannah State College; to provide for the membership thereof and the terms and qualifications of members.
- SB 750. By Senator Oliver of the 42nd:
A bill to amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to numbers of judges of superior courts, so as to provide for a tenth judge of the superior courts of the Stone Mountain Judicial Circuit of Georgia; to provide for the appointment of the first such additional judge by the Governor; to provide for the election of successors to the judge initially appointed.
- SB 751. By Senators Dean of the 31st, Ray of the 19th, Marable of the 52nd and Gochenour of the 27th:
A bill to amend Article 6 of Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to agreements for probation services, so as to require that approval to privatize probation services by the governing authority of a county, a municipality, or a consolidated government be by resolution with a copy of the final contract attached as an exhibit thereto.

The Senate has agreed to the House amendment to the Senate substitute to the following bills of the House:

HB 1243. ~~By Representatives~~ By Representatives Snow of the 2nd, Murphy of the 18th, Streat of the 167th and others:

A bill to amend Part 1 of Article 5 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to commercial driveway access to the state highway system, so as to establish a maximum amount of money which may be charged by the Department of Transportation as a condition of obtaining a commercial driveway permit under certain circumstances.

HB 1785. By Representatives Baker of the 70th, Orrick of the 56th and Bordeaux of the 151st:

A bill to amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," so as to add a provision dealing with the appropriation of funds for any fiscal year beginning July 1, 1996; to state legislative intent with respect to program weights; to provide for a change in the program weights allotted to state authorized instructional programs.

HB 1788. By Representatives Hanner of the 159th and Baker of the 70th:

A bill to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Water Quality Control Act," so as to provide the Board of Natural Resources with authority to promulgate regulations governing the discharge of pollutants into waters of the state.

The Senate has agreed to the House amendment to the Senate amendment to the following bills of the House:

HB 1155. By Representatives Kinnamon of the 4th, Childers of the 13th, Perry of the 11th and others:

A bill to amend Chapter 12 of Title 43 of the Official Code of Georgia Annotated, relating to peddling, business operation, or professional practice by disabled veterans and blind persons, and Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupational taxes, so as to provide for an exemption from occupation taxes and regulatory fees of local governments for certain disabled veterans and blind persons.

HB 1370. By Representatives Sinkfield of the 57th, McBee of the 88th, McClinton of the 68th and Taylor of the 134th:

A bill to amend Code Section 49-4A-8 of the Official Code of Georgia Annotated, relating to commitment of unruly or delinquent children, so as to provide authorization to the Department of Children and Youth Services in institutions under its control and supervision; to require youth to participate in certain moral, academic, vocational, physical, and correctional training and activities.

HB 1399. By Representatives Mobley of the 86th and Buck of the 135th:

A bill to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption for the sale of certain donated tangible personal property by a bona fide charitable tax-exempt organization under the Internal Revenue Code.

- HB 1403. By Representatives Buck of the 135th, Jamieson of the 22nd, Skipper of the 137th and Culbreth of the 132nd:

A bill to amend Code Section 48-13-51 of the Official Code of Georgia Annotated, relating to county and municipal levies on the furnishing for value to the public of any rooms, lodgings, or accommodations, so as to change certain provisions regarding the levy and collection of such tax.

- HB 1467. By Representative Barnes of the 33rd:

A bill to amend Code Section 15-1-9.1 of the Official Code of Georgia Annotated, relating to requesting of judicial assistance from other courts, so as to provide for the compensation, expenses, and mileage allowance for part-time state court judges providing assistance in superior courts.

- HB 1683. By Representatives Mueller of the 152nd and Bordeaux of the 151st:

A bill to amend Code Section 48-5-295 of the Official Code of Georgia Annotated, relating to the terms of office of members of county boards of tax assessors and the filling of vacancies on such boards, so as to change the terms of office of members of county boards of tax assessors.

The Senate recesses from its amendments to the following bills of the House:

- HB 1630. By Representatives Parsons of the 40th, Scoggins of the 24th and Coker of the 31st:

A bill to amend Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, known as the "Georgia Computer Systems Protection Act," so as to provide that it shall be unlawful for any person or organization knowingly to transmit certain misleading data through a computer or telephone network for the purpose of setting up, maintaining, operating, or exchanging data with an electronic mailbox, home page, or any other electronic information storage bank.

- HB 1736. By Representatives Birdsong of the 123rd, Smith of the 175th, Barger of the 120th and Parham of the 122nd:

A bill to amend Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to the requirement that the Department of Public Safety keep records of applications for licenses and information on drivers' licenses and the furnishing of such information, so as to authorize the Department of Public Safety to provide access to and disseminate information from its records to the military branches of the United States Department of Defense.

- HB 1754. By Representative Murphy of the 18th:

A bill to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to quality basic education, so as to change provisions relating to regional education service agencies.

The Senate recesses from its substitute to the following bill of the House:

- HB 1902. By Representative Greene of the 158th:

A bill to create the Board of Commissioners of Stewart County.

The Senate recedes from its amendment to the House substitute to the following bill of the Senate:

SB 674. By Senators Abernathy of the 38th, Clay of the 37th, Edge of the 28th and others:

A bill to amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, so as to restrict the location of commercial establishments where nudity is exhibited; to define a certain term.

The Senate has agreed to the House amendment to the Senate amendment #1 to the following bill of the House:

HB 1479. By Representative Randall of the 127th:

A bill to amend Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances, so as to change the provisions relating to surrender of principal by surety and forfeiture of bond; to provide conditions under which a surety shall be released of liability on a bond.

The Senate has adopted the report of the Committee of Conference on the following bills of the Senate and House:

SB 351. By Senators Ray of the 19th and Gillis of the 20th:

A bill to amend Code Section 43-45-8 of the Official Code of Georgia Annotated, relating to general powers and duties of the State Structural Pest Control Commission, so as to provide for appropriate examinations for applicants.

SB 510. By Senators Ragan of the 11th, Hooks of the 14th, Burton of the 5th and Ray of the 19th:

A bill to amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, so as to establish the Technology Related Assistance Trust Fund for Individuals with Disabilities and the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission; to provide for the membership of the Technology Related Assistance Trust Fund for Individuals with Disabilities Commission and its powers, duties, and compensation.

SB 606. By Senators Oliver of the 42nd, Dean of the 31st and Henson of the 55th:

A bill to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for assessment of a driver's operating record for violation of the child safety restraint law; to change provisions relating to mandatory use of child passenger restraining systems.

SB 678. By Senators Perdue of the 18th, Marable of the 52nd, Madden of the 47th and others:

A bill to amend an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to the carrying and possession of firearms, so as to change the provision relating to carrying a concealed weapon; to prohibit the concealed carrying of a pistol, revolver, or concealable firearm under certain conditions.

SB 749. By Senator Edge of the 28th:

A bill to amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, known as the "Development Authorities Law," so as to change the definition of the term "project" with respect to sewage disposal facilities and solid waste disposal facilities; to provide for the management of projects by persons, firms, or private corporations as an alternative to leasing or selling such projects.

HB 338. By Representative Barnes of the 33rd:

A bill to amend Part 1 of Article 2 of Chapter 10 of Title 24 of the Official Code of Georgia Annotated, relating to subpoenas and notices to produce in general, so as to change the provisions relating to witness fees and mileage.

HB 339. By Representative Barnes of the 33rd:

A bill to amend Code Section 19-7-44 of the Official Code of Georgia Annotated, relating to parties to actions for determination of paternity and guardians ad litem, so as to delete certain provisions relating to the child being made a party to a paternity action and the appointment of a guardian or guardian ad litem.

HB 1218. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to the superior courts, so as to provide for an exception to the pay schedule for a person appointed as secretary to a superior court judge if such secretary has previously been employed as a secretary to a judge in this state.

HB 1222. By Representative Simpson of the 101st:

A bill to amend Code Section 3-12-2 of the Official Code of Georgia Annotated, relating to the establishment of residential community development districts; so as to change certain provisions relative to the method of establishment of such districts.

HB 1256. By Representatives Jamieson of the 22nd and Stephenson of the 25th:

A bill to amend Code Section 40-14-5 of the Official Code of Georgia Annotated, relating to testing of radar devices, so as to require certain officers using such devices to notify persons of their right to view and inspect the radar reading.

HB 1265. By Representatives Murphy of the 18th, Coleman of the 142nd, Walker of the 141st and others:

A bill to make and provide appropriations for the State Fiscal Year beginning July 1, 1996, and ending June 30, 1997.

HB 1404. By Representative Harbin of the 113th:

A bill to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to correct certain typographical and codification errors; to change certain provisions relating to limitations on amounts of risks retainable by farmers' mutual insurance companies; to change certain provisions relating to residency requirements for license applicants.

- HB 1420. By Representatives Grindley of the 35th, Sauder of the 29th and Coleman of the 142nd:

A bill to amend Chapter 10 of Title 31 of the Official Code of Georgia Annotated, relating to vital records, so as to provide that when a death certificate is recorded, the accompanying birth certificate shall be stamped deceased.

- HB 1555. By Representatives Chambless of the 163rd, Randall of the 127th and Crawford of the 129th:

A bill to amend Code Section 16-13-30 of the Official Code of Georgia Annotated, relating to purchase, possession, manufacture, distribution, or sale of controlled substances or marijuana and penalties therefor, so as to change penalties for manufacture, delivery, distribution, dispensing, administering, selling, or possessing with intent to distribute certain controlled substances.

The Senate has adopted the report of the Committee of Conference #2 on the following bill of the House:

- HB 1647. By Representative Watson of the 139th:

A bill to amend Code Section 10-1-15 of the Official Code of Georgia Annotated, relating to criminal and civil penalties under "The Retail Installment and Home Solicitation Sales Act," so as to provide that a seller or holder shall not be liable under said Act if the seller or holder can show by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide clerical or typographical error.

The Senate has adopted the report of the Committee of Conference on the following resolutions of the House:

- HR 884. By Representative Davis of the 60th:

A resolution compensating Ms. Margaret C. Ritchie.

- HR 876. By Representative Jenkins of the 110th:

A resolution compensating Ms. Sylvia A. Cone.

The Speaker announced the House adjourned sine die.

Pursuant to HR 1392, adopted by the House and Senate, the Speaker announced the House adjourned sine die.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF GEORGIA

AT

THE SPECIAL SESSION

Commenced at Atlanta, Monday, August 14, 1995
and adjourned Tuesday, September 12, 1995

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Representative Hall, Atlanta, Georgia

MONDAY, AUGUST 14, 1995

Pursuant to the call of his Excellency, Governor Zell Miller, the House met in special session at 10:00 o'clock, A.M., this day and was called to order by the Honorable Thomas B. Murphy, Speaker of the House of Representatives.

The following proclamations were read:

BY THE GOVERNOR OF THE STATE OF GEORGIA

A PROCLAMATION

**CONVENING THE GENERAL ASSEMBLY OF GEORGIA
IN SPECIAL SESSION**

WHEREAS: The Governor is empowered by Article V. Section II, Paragraph VII of the Constitution of Georgia to convene a special session of the General Assembly, stating and thereby limiting its purposes; and

WHEREAS: The Supreme Court of the United States has issued a ruling in Miller v. Johnson that invalidates Georgia's congressional reapportionment plan and calls into question the constitutionality of the Georgia House of Representatives and Senate reapportionment plans; and

WHEREAS: The General Assembly has a duty to enact constitutional plans pursuant to the opinions of the United States District Court and the United States Supreme Court and consistent with any directions from the Courts; and

WHEREAS: The Governor has determined that certain purposes warrant the convocation of such a special session; now

THEREFORE: By virtue of the power and authority conferred upon me by the Constitution of Georgia, I, Zell Miller, Governor of the State of Georgia, do hereby convene the General Assembly of this State in Special Session at ten o'clock (10:00) a.m. on Monday, August 14, 1995, for the purposes and only those purposes specified as follows:

1. For enacting, revising, repealing or amending general law for:

(a) the division of the State into appropriate districts from which members of the House of Representatives to the United States Congress shall be elected; and

(b) the division of the State into appropriate districts from which members of the Georgia House of Representatives shall be elected; and

(c) the division of the State into appropriate districts from which members of the Georgia State Senate shall be elected.

JOURNAL OF THE HOUSE,

2. For enacting, revising, repealing or amending local laws which the General Assembly deems necessary to avoid unreasonable hardship or to avoid undue impairment of public functions if consideration and enactment thereof are postponed.

Given under my hand and the Great Seal of the State of Georgia, at the City of Atlanta, on this 7th day of July 1995.

/s/ Zell Miller
GOVERNOR

(SEAL)

ATTEST

/s/ Steve W. Wrigley
EXECUTIVE SECRETARY

BY THE GOVERNOR OF THE STATE OF GEORGIA

A PROCLAMATION

CONVENING THE GENERAL ASSEMBLY OF GEORGIA
IN SPECIAL SESSION

WHEREAS: Pursuant to my proclamation dated July 7, 1995, the General Assembly of the State of Georgia has been convoked and called to convene in extraordinary session on August 14, 1995, for the purpose of considering the enactment of legislation to accomplish two specified objectives; and

WHEREAS: I have determined and concluded that one additional objective is of extraordinary importance and should be considered by the General Assembly during said called session and prior to the convening of the General Assembly in regular session in 1996; now

THEREFORE: By virtue of the power and authority vested upon me by the Constitution of Georgia, I, Zell Miller, Governor of the State of Georgia, do hereby amend my proclamation of July 7, 1995, calling the General Assembly into extraordinary session by adding at the end of the fifth paragraph thereof the following:

“3. For enacting, revising, repealing or amending general law for the purpose of changing the effective date of the implied consent warnings to be given to a driver as provided by Act No. 480 (1995) to apply only to those offenses which occurred on or after the date Act No. 480 was signed into law.”,

so that when so amended, the fifth paragraph of said proclamation shall read as follows:

“THEREFORE: By virtue of the power and authority conferred upon me by the Constitution of Georgia, I, Zell Miller, Governor of the State of Georgia, do hereby convene the General Assembly of this State in Special Session at ten o'clock (10:00) a.m. on Monday, August 14, 1995, for the purposes and only those purposes specified as follows:

1. For enacting, revising, repealing or amending general law for:
 - (a) the division of the State into appropriate districts from which members of the House of Representatives to the United States Congress shall be elected; and
 - (b) the division of the State into appropriate districts from which members of the Georgia House of Representatives shall be elected; and

(c) the division of the State into appropriate districts from which members of the Georgia State Senate shall be elected.

2. For enacting, revising, repealing or amending local laws which the General Assembly deems necessary to avoid unreasonable hardship or to avoid undue impairment of public functions if consideration and enactment thereof are postponed.

3. For enacting, revising, repealing or amending general law for the purpose of changing the effective date of the implied consent warnings to be given to a driver as provided by Act No. 480 (1995) to apply only to those offenses which occurred on or after the date Act No. 480 was signed into law.”

Given under my hand and the Great Seal of the State of Georgia, at the City of Atlanta, on this 8th day of August 1995.

/s/ Zell Miller
GOVERNOR

(SEAL)

ATTEST

/s/ Steve W Wrigley
EXECUTIVE SECRETARY

The roll was called and the following Representatives answered to their names:

Ashe	Culbreth	Jenkins	Pelote	Snelling
Bannister	Cummings	Johnson, G	Perry	Stallings
Barfoot	Davis, G	Johnson, J	Pinholster	Stancil, F
Barnard	Davis, M	Johnston	Polak	Stancil, S
Barnes	Day	Jones	Porter	Stanley, L
Bates	DeLoach, B	Joyce	Poston	Stanley, P
Benefield	DeLoach, G	Kaye	Powell	Stephenson
Birdsong	Dix	Kinnamon	Purcell, A	Streat
Bordeaux	Dixon, H	Klein	Purcell, B	Taylor
Bostick	Dixon, S	Ladd	Randolph	Teague
Breedlove	Dobbs	Lakly	Ray	Teper
Brooks, D	Ehrhart	Lane	Reichert	Thomas
Brooks, T	Epps	Lawrence	Roberts	Tillman
Brown, G	Felton	Lee	Rogers	Titus
Brown, J	Floyd	Lewis	Royal	Towery
Brush	Godbee	Lifsey	Sanders	Trense
Buck	Goodwin	Lord	Sauder	Twiggs
Buckner	Greene	Maddox	Scoggins	Walker, L
Bunn	Grindley	Mann	Shanahan	Walker, R.L
Burkhalter	Hanner	Martin	Shaw	Wall
Byrd	Harbin	McBee	Sherrill	Watson
Campbell	Harris	McCall	Shipp	Watts
Canty	Hart	McKinney	Simpson	Westmoreland
Carter	Hegstrom	Mills	Sinkfield	Whitaker
Chambless	Hembree	Mobley, B	Skipper	White
Channell	Henson	Mobley, J	Smith, C	Wiles
Childers	Holland	Mosley	Smith, C.W	Williams, B
Coker	Holmes	Mueller	Smith, L	Williams, J
Coleman, B	Howard	O'Neal	Smith, P	Williams, R
Coleman, T	Hudson	Orrock	Smith, T	Woods
Connell	Hugley	Parham	Smith, V	Yates
Crawford	Irvin	Parrish	Smith, W	Murphy, Spkr
Crews	Jamieson	Parsons	Smyre	

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

Representatives Turnquest of the 73rd, Heckstall of the 55th, Lucas of the 124th, Baker of the 70th, Bailey of the 93rd, James of the 140th, Evans of the 28th, Randall of the 127th, Heard of the 89th, Falls of the 125th and Snow of the 2nd.

They wish to be recorded as present.

Prayer was offered by the Reverend Roland P. Brown, Pastor, First Baptist Church of Tallapoosa, Tallapoosa, Georgia.

The members pledged allegiance to the flag.

Representative Byrd of the 120th, Vice-Chairman of the Committee on Journals, 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.

The following communications were received:

State of Georgia
Office of the Governor
Atlanta 30334-0900

April 21, 1995

Honorable Thomas B. Murphy
Speaker of the House
of Representatives
State Capitol
Atlanta, Georgia 30334

Dear Mr. Speaker:

I have vetoed House Bills 38, 222, 253, 262, 326, 365, 441 and 516 which were passed by the General Assembly of Georgia at the 1995 Regular Session.

Article III, Section V, Paragraph XIII of the Constitution requires that I transmit such bills to you, together with a list of reasons for such vetoes. The bills and corresponding reasons for their veto are attached.

With kindest regards, I remain

Sincerely,
/s/ Zell Miller

ZM/vsc

Attachments

cc: Honorable Pierre Howard, Lieutenant Governor
Honorable Robbie Rivers, Clerk, House of Representatives
Honorable Frank Eldridge, Secretary of the Senate
Honorable Sewell R. Brumby, Legislative Counsel
Honorable Michael J. Bowers, Attorney General
Honorable Max Cleland, Secretary of State

VETO NUMBER ONE

House Bill 441 prohibits refund claims of ad valorem property taxes where claimant fails to equalize the claimant's property value with like property within the jurisdiction, assess the claimant's property uniformly with like property within the jurisdiction, or properly ascertain the taxability or value of claimant's property.

After passage, the author of the bill discovered a defect in the bill and requested its veto. Therefore, at the request of the author, I hereby veto House Bill 441 on technical grounds.

VETO NUMBER TWO

House Bill 38, the "Property Tax Credit Act of 1995" provides an income tax credit for a portion of property taxes paid. In the event the tax credit claimed exceeds the amount of the income tax payment due from the taxpayer, the excess would be refunded to the taxpayer. The effective date of this act is January 1, 1996.

The Office of Attorney General Michael Bowers has advised me that House Bill 38 is an unconstitutional violation of the gratuities clause of the Georgia Constitution. Article III, Section VI, Paragraph VI of the 1983 Georgia Constitution provides "The General Assembly shall not have the power to grant any donation or gratuity." According to Mr. Bowers' office "the refundable credit resulting from an income tax liability less than a property tax credit as provided in Code Section 48-7-29 cannot be justified under any of (the) exceptions to the gratuities prohibition. Therefore, I believe H.B. 38 is unconstitutional."

The Attorney General's office also addressed the issue of severability of illegal provisions of bills, concluding: "Though difficult to predict, courts generally try to sever unconstitutional provisions from legislation. I doubt that a court would do so in regard to H.B. 38."

For these reasons, I hereby veto House Bill 38.

VETO NUMBER THREE

House Bill 516 authorizes ticket brokering in Georgia. This bill makes it unlawful for any person other than a ticket broker to resell in excess of their face value admission tickets to athletic contests, concerts, theater performances or other entertainments, amusements, or exhibitions.

Current state law prohibits ticket scalping by everyone. House Bill 516 legalizes ticket scalping and creates an unfair monopoly for ticket brokers. This bill fails to protect consumers and is unfair to performers and athletes.

The attempts to regulate ticket brokers contained in House Bill 516 contain potential problems, including:

A low bond amount of \$50,000. Should a ticket broker fail or abscond, this amount is likely to pay out only pennies on the dollar to ticket purchasers;

There is no requirement that a ticket broker make refunds if an event is cancelled;

There is no penalty for a ticket broker who fails to deliver a paid-for ticket unless the ticket broker has guaranteed in writing the delivery of the ticket. But there is no requirement that ticket delivery be guaranteed in writing.

For the protection of consumers and performers and athletes, I hereby veto House Bill 516.

VETO SIX

House Bill 222 provides that after a juvenile court judge has found a youth delinquent or unruly, and if the youth is in a detention center, the court may include in its order directives relating to the youth's health, safety, hygiene and rehabilitation.

Under current law, DCYS as legal custodian of committed children, has authority to determine appropriate services. Provision of custodial services is an executive branch responsibility and authority. House Bill 222 would violate the separation of powers clause of the Georgia Constitution by giving this authority to the judicial branch.

Further, House Bill 222 potentially creates entitlement to services the Department of Children and Youth may or may not have the funds to provide.

For these reasons, I hereby veto House Bill 222.

VETO EIGHT

House Bill 326 changes eligibility for membership in the Peace Officers' Annuity and Benefit Fund.

State Auditor Claude L. Vickers has advised me that this is a retirement bill as defined in O.C.G.A. Sec. 47-20-32. Consequently, according to Mr. Vickers, "the state auditor's certification provided for in O.C.G.A. Sec. 47-20-32 is required to be attached to the bill before it may be introduced into the General Assembly. Consideration of this bill without certification from the state auditor violated Georgia law.

Had the state auditor been requested to certify whether this bill was a fiscal or nonfiscal retirement bill, the conclusion would most likely have been that this was a fiscal retirement bill as defined in O.C.G.A. Sec. 47-20-30. Accordingly, O.C.G.A. Sec. 47-20-34 provides that such a fiscal retirement bill may not be passed in the first year of the biennial session."

For the reasons outlined by Mr. Vickers, I hereby veto House Bill 326.

VETO NINE

House Bill 365 requires the Department of Education to pay the cost of advanced placement tests taken by eligible private high school students and eligible home study program students.

This bill sets a precedent for using limited public resources to help defray the costs of families that elect to send their children to private secondary schools.

The Fiscal Year 1996 costs for House Bill 365 are projected to be at least \$377,000. This cost was not included in House Bill 202, the Fiscal Year 1996 budget act.

For these reasons, I hereby veto House Bill 365.

VETO NUMBER 10

House Bill 262 expands the eligibility of an existing pilot family support program to include individuals who are developmentally delayed but not mentally retarded.

Expanding the eligibility criteria for family support services and requiring that this program be made available throughout the state could result in a tremendous financial impact upon the state. Estimates are that if only 1% of those eligible participate in this program, the cost would be at least \$7,000,000.

Legislation with huge financial costs should be addressed in the appropriations act. Bills which are contingent upon funds being appropriated in the future delay but do not disguise the ultimate impact upon the state's limited resources.

For these reasons, I hereby veto House Bill 262.

VETO NUMBER 11

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House Bill 253 removes the 75 percent limit on the amount of boarding financial assistance the Department of Human Resources provides to families adopting certain hard-to-place children.

The cost of increasing the boarding rate would be approximately \$3,447,384.

As I have said in a previous veto message, legislation with huge financial costs should be addressed in the appropriations act. Bills which are contingent upon funds being appropriated in the future delay but do not disguise the ultimate impact upon the state's limited resources.

For these reasons, I hereby veto House Bill 253.

State of Georgia
Office of the Governor
Atlanta 30334-0900

April 21, 1995

Honorable Pierre Howard
Lieutenant Governor
State Capitol
Atlanta, Georgia 30334

Dear Lieutenant Governor Howard:

I have vetoed Senate Bills 34, 49, 133, 148, 206 and 250 which were passed by the General Assembly of Georgia at the 1995 Regular Session.

Article III, Section V, Paragraph XIII of the Constitution requires that I transmit such bills to you, together with a list of reasons for such vetoes. The bills and corresponding reasons for their veto are attached.

With kindest regards, I remain

Sincerely,
/s/ Zell Miller

ZM/vsc

Attachments

cc: Honorable Thomas B. Murphy, Speaker of the House of Representatives
Honorable Robbie Rivers, Clerk, House of Representatives
Honorable Frank Eldridge, Secretary of the Senate
Honorable Sewell R. Brumby, Legislative Counsel
Honorable Michael J. Bowers, Attorney General
Honorable Max Cleland, Secretary of State

VETO FOUR

Senate Bill 34 provides any driver's license issued for a driver under age 21 will remain valid until that person's 21st birthday.

The Department of Public Safety plans to begin stamping renewal license with "under 21 until (the 21st birthday)" as part of the new Digital Image License Issuance program. Consequently, the expense of reprogramming computers to accommodate SB 34 is unnecessary.

For this reason, I hereby veto Senate Bill 34.

VETO FIVE

Senate Bill 133 codifies permitted and prohibited political activity and codifies grievance procedures for state employees.

This bill opens the door for state employees to unduly influence subordinate employees and potentially misuse staff and resources.

State Personnel Board Rules and Regulations currently require, and provide strict standards for, each department and agency to establish grievance procedures. The new procedure proposed in SB 133 will take considerable staff time away from service delivery and client centered activities and will result in an adversarial climate in the work unit. Departmental costs to implement SB 133 could reach \$1,000,000.

For these reasons, I hereby veto Senate Bill 133.

VETO SEVEN

Senate Bill 250 provides persons at least 15 years old who are taking in-car training from a licensed instructor are exempt from the requirement for a drivers license. To allow a minor to operate a motor vehicle without requiring a test of traffic rules, even under the supervision of an instructor, is dangerous.

Accordingly, I hereby veto Senate Bill 250.

VETO NUMBER 12

Senate Bill 206 was originally drafted to authorize the commissioner of the Department of Public Safety to promulgate rules and regulations as necessary to fulfill the duties of the commissioner. The original version was intended to give the commissioner the same authority as other agency heads.

The bill was amended to provide for the creation of an auxiliary service within the State Patrol, composed of former state troopers who voluntarily left in good standing through retirement or resignation. This special service would serve on a part-time basis when needed, be paid hourly, receive equipment, and have the same authority and powers as current full-time state troopers. The members of this service would also be required to receive training.

Estimating the cost of this bill is speculative, dependant upon the number of members who would serve and the hours they would work. However, cost estimates are over \$500,000. No need for such service at such large expense has been demonstrated.

For this reason, I hereby veto Senate Bill 206.

VETO 13

Senate Bill 49 designates the English language as the official language of the State of Georgia. The bill specifies the official language shall be used in public records, and for official Acts.

Under a joint resolution passed by the Georgia General Assembly in 1986, English is already designated as the official language of the State of Georgia, recognizing the "continuing, unifying role that the English language plays in the stability and cohesion of the lives of the people of this state and nation."

Senate Bill 49 is plainly an effort to accomplish the identical goal made law by the 1986 General Assembly. Unfortunately, an amendment to SB 49 added a provision detrimental to the current designation of English as the official language of Georgia.

Senate Bill 49 provides "a person who uses or speaks a language other than the official language shall have the right to file a civil action for damages and equitable relief, including injunction, for violation of this subsection."

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I believe this wording is an open invitation for litigation and creates a new right which could well result in a flurry of expensive lawsuits.

For these reasons, I hereby veto Senate Bill 49.

VETO 14

Senate Bill 148 changes the deadlines for registration in certain special primaries and elections.

An amendment to the original bill moves the qualifying dates for independent and political body candidates to begin on the fourth Monday in April. This would be the same time as political party candidate qualifying. Presently, the independent and political body candidates qualify beginning on the fourth Monday in June.

The qualifying dates have been a subject of past litigation which was settled by changing the law to allow later qualifying for independent and political body candidates. The amendment creates a strong possibility of generating equal protection lawsuits.

For this reason, I hereby veto Senate Bill 148.

House of Representatives
Atlanta

July 12, 1995

Honorable Carl Von Epps
Representative, District 131
P. O. Box 1368
LaGrange, Georgia 30241-1368

Dear Carl:

I am this date appointing you to the House Legislative and Congressional Reapportionment Committee and removing you from the House Transportation Committee.

Sincerely,
/s/ Thomas B. Murphy
Speaker

TBM:ku

- c: Honorable Tommy Smith, Chairman, Reapportionment Comm.
- Honorable Jimmy Benefield, Chairman, Transportation Comm.
- Mr. Paul Lynch, Legislative Fiscal Officer
- Mr. Robert E. Rivers, Jr., Clerk of the House
- Mr. Frank Eldridge, Secretary of the Senate
- Mr. Sewell Brumby, Legislative Counsel
- House Information Office
- House Research Office
- Ms. Ann Wiley, Speaker's Office

House of Representatives
Atlanta

July 12, 1995

Honorable David Lucas
 Representative, District 124
 2594 Saratoga Drive
 Macon, Georgia 31211-2327

Dear David:

I am this date appointing you to the House Legislative and Congressional Reapportionment Committee and removing you from the House Insurance Committee.

Sincerely,
 /s/ Thomas B. Murphy
 Speaker

TBM:ku

c: Honorable Tommy Smith, Chairman, Reapportionment Comm.
 Honorable Sonny Watson, Chairman, Insurance Comm.
 Mr. Paul Lynch, Legislative Fiscal Officer
 Mr. Robert E. Rivers, Jr., Clerk of the House
 Mr. Frank Eldridge, Secretary of the Senate
 Mr. Sewell Brumby, Legislative Counsel
 House Information Office
 House Research Office
 Ms. Ann Wiley, Speaker's Office

The following Resolution of the House was read and adopted:

HR 1EX. By Representative Walker of the 141st and others

A RESOLUTION

To notify the Senate that the House of Representatives has convened; and for other purposes.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House is hereby instructed to notify the Senate that the House of Representatives has convened in special session pursuant to the call of His Excellency, Governor Zell Miller, and is now ready for the transaction of business.

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

HB 1EX. By Representative Teper of the 61st:

A bill to amend Code Section 21-2-4 of the Official Code of Georgia Annotated, relating to the composition of congressional districts of Georgia, so as to change the description of such districts.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 2EX. By Representative Smith of the 175th:

A bill to provide for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Camden County.

Referred to the Committee on State Planning & Community Affairs Local.

HB 3EX. By Representative Greene of the 158th:

A bill to amend an Act creating a new charter for the City of Lumpkin, so as to deannex and remove certain territory from the corporate limits of the City of Lumpkin.

Referred to the Committee on State Planning & Community Affairs Local.

HB 4EX. By Representative Smith of the 175th:

A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Camden County.

Referred to the Committee on State Planning & Community Affairs Local.

HB 5EX. By Representatives Lawrence of the 64th, Irvin of the 45th, Ehrhart of the 36th, Ladd of the 59th and Bannister of the 77th:

A bill to amend Code Section 21-2-4 of the Official Code of Georgia Annotated, relating to the composition of congressional districts of Georgia, so as to change the description of such districts.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 6EX. By Representatives Royal of the 164th and Greene of the 158th:

A bill to amend an Act providing for the election of the members of the Board of Education of Mitchell County, so as to revise the method of filling vacancies.

Referred to the Committee on State Planning & Community Affairs Local.

HB 7EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 9EX. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend an Act creating the Board of Commissioners of Carroll County, so as to provide for a county manager.

Referred to the Committee on State Planning & Community Affairs Local.

HB 10EX. By Representatives Baker of the 70th, Chambless of the 163rd, Bordeaux of the 151st and Orrock of the 56th:

A bill to amend Code Section 40-5-67.1 of the Official Code of Georgia Annotated, relating to administration of chemical tests to determine if a person is driving under the influence of alcohol or drugs, so as to provide for the applicability of certain provisions governing the content of notice required to be given by an officer to a person and admissibility of certain evidence to cases wherein the offense was committed on or after April 21, 1995.

Referred to the Committee on Judiciary.

HR 2EX. By Representatives Walker of the 141st and Murphy of the 18th:

A resolution amending the Rules of the House of Representatives.

Referred to the Committee on Rules.

HR 3EX. By Representatives Irvin of the 45th, Evans of the 28th, Mueller of the 152nd, Brooks of the 54th, Stancil of the 16th and others:

A resolution amending the Rules of the House of Representatives.

Referred to the Committee on Rules.

HR 4EX. By Representatives Sauder of the 29th and Johnston of the 81st:

A resolution urging judicial restraint in the process of redrawing Georgia's congressional districts.

Referred to the Committee on Judiciary.

HR 5EX. By Representatives Ladd of the 59th, Lewis of the 14th, Ashe of the 46th and Walker of the 141st:

A resolution amending the Rules of the House of Representatives.

Referred to the Committee on Rules.

Representative Sauder of the 29th arose to a point of personal privilege and addressed the House.

Representative Walker of the 141st arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st arose to a point of personal privilege and addressed the House.

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolutions of the Senate:

SR 2EX. By Senators Ray of the 19th, Perdue of the 18th and Scott of the 36th:

A resolution to notify the House of Representatives that the Senate has convened.

SR 3EX. By Senators Ray of the 19th, Perdue of the 18th and Scott of the 36th:

A resolution to notify the Governor that the General Assembly has convened.

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The President has appointed as a Committee of Notification on the part of the Senate the following: Senators Taylor of the 12th, Perdue of the 18th, Ray of the 19th, Edge of the 28th, Brown of the 26th, Middleton of the 50th, Dean of the 31st, Boshears of the 6th and Johnson of the 2nd.

The following Resolution of the Senate was read and adopted:

SR 3EX. By Senators Ray of the 19th, Perdue of the 18th and Scott of the 36th:

A resolution to notify the Governor that the General Assembly has convened.

The Speaker appointed as a Committee of Notification on the part of the House the following members:

Representatives Mosley of the 171st, Epps of the 131st, Smith of the 109th, Teper of the 61st, McClinton of the 68th, McBee of the 88th and Stallings of the 100th.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Tuesday, August 15, 1995**www.libtool.com.cn

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:

Ashe	Cummings	Jamieson	Perry	Snelling
Bailey	Davis, G	Johnson, G	Pinholster	Stallings
Bannister	Day	Johnson, J	Polak	Stancil, F
Barfoot	DeLoach, B	Johnston	Porter	Stancil, S
Barnard	DeLoach, G	Joyce	Poston	Stephenson
Barnes	Dix	Kinnamon	Powell	Streat
Bates	Dixon, H	Klein	Purcell, A	Taylor
Benefield	Dobbs	Ladd	Purcell, B	Teague
Birdsong	Ehrhart	Lakly	Randall	Teper
Bordeaux	Epps	Lane	Randolph	Thomas
Bostick	Falls	Lawrence	Ray	Tillman
Breedlove	Felton	Lee	Reichert	Titus
Brooks, T	Floyd	Lewis	Roberts	Towery
Brown, G	Godbee	Lifsey	Rogers	Trense
Brown, J	Golden	Lord	Royal	Twiggs
Brush	Greene	Maddox	Sanders	Walker, L
Buck	Grindley	Mann	Sauder	Walker, R.L
Buckner	Harbin	Martin	Shanahan	Wall
Bunn	Harris	McBee	Shaw	Watson
Byrd	Hart	McCall	Sherrill	Watts
Campbell	Heard	McClinton	Shipp	Westmoreland
Canty	Heckstall	Mills	Simpson	Whitaker
Carter	Hegstrom	Mobley, B	Skipper	White
Channell	Hembree	Mobley, J	Smith, C	Wiles
Childers	Holland	Mosley	Smith, C.W	Williams, B
Coker	Holmes	Mueller	Smith, L	Williams, J
Coleman, B	Howard	O'Neal	Smith, P	Williams, R
Connell	Hudson	Parham	Smith, V	Woods
Crawford	Hugley	Parrish	Smith, W	Yates
Crews	Irvin	Parsons	Smyre	Murphy, Spkr
Culbreth	James	Pelote		

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

Representatives Baker of the 70th, Kaye of the 37th, Davis of the 60th, Turnquest of the 73rd, Stanley of the 50th, Evans of the 28th, Brooks of the 103rd, Stanley of the 49th, Scoggins of the 24th, Jones of the 71st, McKinney of the 51st, Dixon of the 150th, Henson of the 65th, Chambless of the 163rd, Goodwin of the 79th, Sinkfield of the 57th, Orrock of the 56th, Hanner of the 159th and Jenkins of the 110th.

They wish to be recorded as present.

Prayer was offered by the Reverend Dr. Joseph Lowery, President, SCLC, Atlanta, Georgia.

The members pledged allegiance to the flag.

Representative Byrd of the 170th, Vice-Chairman of the Committee on Journals, 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.

By unanimous consent, the following Bills and Resolution of the House were introduced, read the first time and referred to the committees:

HB 11EX. By Representative Smith of the 109th:

A bill to provide a new charter for the City of Jackson.

Referred to the Committee on State Planning & Community Affairs Local.

HB 12EX. By Representative Floyd of the 138th:

A bill to amend an Act entitled "An Act to provide for the number of members of the County Board of Education of Pulaski County," so as to increase the amount of the per diem allowed for members of the board of education from \$20.00 to \$100.00.

Referred to the Committee on State Planning & Community Affairs Local.

HB 13EX. By Representatives Polak of the 67th, Ladd of the 59th, Sherrill of the 62nd, O'Neal of the 75th, Lawrence of the 64th and others:

A bill to provide a homestead exemption for certain residents of DeKalb County from ad valorem taxes for county purposes in an amount as determined from the proceeds generated from the collection of certain local sales and use taxes.

Referred to the Committee on State Planning & Community Affairs Local.

HB 14EX. By Representative Simpson of the 101st:

A bill to amend an Act relating to the board of education and school superintendent of the Carroll County School District, so as to provide for board of education districts.

Referred to the Committee on State Planning & Community Affairs Local.

HR 6EX. By Representative Joyce of the 1st:

A resolution urging the United States Congress to amend the federal Voting Rights Act of 1965 to repeal the preclearance requirement of 42 U.S.C. 1973c.

Referred to the Committee on Rules.

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

HB 1EX
 HB 2EX
 HB 3EX
 HB 4EX
 HB 5EX

HB 6EX
 HB 7EX
 HB 8EX
 HB 9EX
 HB 10EX

HR 2EX
HR 3EX

HR 4EX
HR 5EX

Representative Mann of the 5th arose to a point of personal privilege and addressed the House.

Representative Chambless of the 163rd District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

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

HB 10EX Do Pass

Respectfully submitted,
/s/ Chambless of the 163rd
Chairman

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Wednesday, August 16, 1995**www.libtool.com.cn

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:

Ashe	Crawford	Jamieson	Parham	Smith, W
Baker	Crews	Jenkins	Parrish	Snelling
Bannister	Culhreth	Johnson, G	Parsons	Snow
Barfoot	Cummings	Johnson, J	Pelote	Stallings
Bargeron	Davis, G	Johnston	Perry	Stancil, F
Barnard	Davis, M	Kaye	Pinholster	Stancil, S
Barnes	Day	Kinnamon	Polak	Stephenson
Bates	DeLoach, B	Klein	Porter	Streat
Birdsong	Dix	Ladd	Powell	Taylor
Bordeaux	Dixon, H	Lakly	Purcell, A	Teper
Bostick	Ehrhart	Lane	Purcell, B	Tillman
Brooks, D	Epps	Lawrence	Randolph	Titus
Brown, J	Feiton	Lee	Ray	Towery
Brush	Floyd	Lewis	Reichert	Trense
Buck	Godbee	Lifsey	Roberts	Twiggs
Buckner	Golden	Lord	Royal	Walker, L
Bunn	Goodwin	Lucas	Sanders	Walker, R.L
Burkhalter	Greene	Maddox	Sauder	Wall
Byrd	Grindley	Mann	Scoggins	Watson
Campbell	Harhin	Martin	Shaw	Watts
Canty	Harris	McBee	Sherrill	Westmoreland
Carter	Heckstall	McCall	Shipp	Whitaker
Chamhless	Hegstrom	McClinton	Simpson	Wiles
Channell	Hembree	Mills	Skipper	Williams, B
Childers	Henson	Mohley, J	Smith, C.W	Williams, J
Coker	Holland	Mosley	Smith, L	Williams, R
Coleman, B	Hudson	Mueller	Smith, P	Woods
Coleman, T	Irvin	O'Neal	Smith, T	Yates
Connell	James	Orrock	Smith, V	Murphy, Spkr
Cox				

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

Representatives Poston of the 3rd, Bailey of the 93rd, Thomas of the 148th, Stanley of the 49th, Hanner of the 159th, Hugley of the 133rd, Roberts of the 162nd, Dixon of the 150th, Evans of the 28th, Turnquest of the 73rd, Mobley of the 69th, Rogers of the 20th, Brooks of the 54th, Sinkfield of the 57th, Jones of the 71st, Randall of the 127th, Stanley of the 50th, Smyre of the 136th, Holmes of the 53rd, Benefield of the 96th and Heard of the 89th.

They wish to be recorded as present.

Representative Smith of the 175th was excused due to a death in the family.

Prayer was offered by Dr. Johnny Hunt, Pastor, First Baptist Church, Woodstock, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bills of the House were introduced, read the first time and referred to the committees:

HB 15EX. By Representative Parham of the 122nd:

A bill to amend an Act providing for homestead exemptions from Baldwin County ad valorem taxes for county purposes and from Baldwin County school district ad valorem taxes for educational purposes in the amount of \$10,000.00 of the assessed value of certain homesteads which are leased to certain residents of that county after a phase in period, so as to change the date of the election.

Referred to the Committee on State Planning & Community Affairs Local.

HB 16EX. By Representatives Porter of the 143rd and Coleman of the 142nd:

A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Laurens County.

Referred to the Committee on State Planning & Community Affairs Local.

HB 17EX. By Representatives Porter of the 143rd and Coleman of the 142nd:

A bill to amend an Act providing for the Magistrate Court of Laurens County, so as to change the provisions relating to the election of the chief magistrate.

Referred to the Committee on State Planning & Community Affairs Local.

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

HB 11EX
HB 12EX
HB 13EX

HB 14EX
HR 6EX

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

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HB	2EX	Do Pass	HB	6EX	Do Pass
HB	3EX	Do Pass	HB	9EX	Do Pass
HB	4EX	Do Pass			

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HB 2EX. By Representative Smith of the 175th:

A bill to provide for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Camden County.

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

On the passage of the Bill, the ayes were 93, nays 4.

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

HB 3EX. By Representative Greene of the 158th:

A bill to amend an Act creating a new charter for the City of Lumpkin, so as to deannex and remove certain territory from the corporate limits of the City of Lumpkin.

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

On the passage of the Bill, the ayes were 93, nays 4.

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

HB 4EX. By Representative Smith of the 175th:

A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Camden County.

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

On the passage of the Bill, the ayes were 93, nays 4.

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

HB 6EX. By Representatives Royal of the 164th and Greene of the 158th:

A bill to amend an Act providing for the election of the members of the Board of Education of Mitchell County, so as to revise the method of filling vacancies.

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

On the passage of the Bill, the ayes were 93, nays 4.

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

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

Mr. Speaker:

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

SB 1EX. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Pierce County so as to correct the date for the first election to be held under this Act.

SB 2EX. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Pierce County so as to correct the date for the first election to be held under this Act.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the committees:

SB 1EX. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Pierce County so as to correct the date for the first election to be held under this Act.

Referred to the Committee on State Planning & Community Affairs Local.

SB 2EX. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Pierce County so as to correct the date for the first election to be held under this Act.

Referred to the Committee on State Planning & Community Affairs Local.

Representative Irvin of the 45th arose to a point of personal privilege and addressed the House.

Representative Walker of the 141st arose to a point of personal privilege and addressed the House.

Representative Towery of the 30th arose to a point of personal privilege and addressed the House.

Representative Mobley of the 69th arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st arose to a point of personal privilege and addressed the House.

The following Resolution of the House was read and referred to the Committee on Motor Vehicles:

HR 7EX. By Representative Greene of the 158th:

A resolution urging the adoption of safe driving programs for the young people of Georgia.

The following Resolutions of the House were read and adopted:

HR 8EX. By Representative Mann of the 5th:

A resolution commending Irene Shubladge.

HR 9EX. By Representative Byrd of the 170th:

A resolution commending the 1995 Appling Major Girls All Stars Softball Team.

HR 10EX. By Representatives Barnard of the 154th and Purcell of the 147th:

A resolution commending Mrs. Frances Meeks.

HR 11EX. By Representative Byrd of the 170th:

A resolution commending the Jeff Davis All-Stars Baseball Team.

Under the general order of business, the following Bill of the House was taken up for consideration and read the third time:

HB 10EX. By Representatives Baker of the 70th, Chambless of the 163rd, Bordeaux of the 151st and Orrock of the 56th:

A bill to amend Code Section 40-5-67.1 of the Official Code of Georgia Annotated, relating to administration of chemical tests to determine if a person is driving under the influence of alcohol or drugs, so as to provide for the applicability of certain provisions governing the content of notice required to be given by an officer to a person and admissibility of certain evidence to cases wherein the offense was committed on or after April 21, 1995.

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 Ashe	Y Bordeaux	Burkhalter	Y Connell	Y Dix
Y Bailey	Y Bostick	Y Byrd	Y Cox	Y Dixon, H
Y Baker	Breedlove	Y Campbell	Y Crawford	Y Dixon, S
Y Bannister	Y Brooks, D	Y Canty	Y Crews	Y Dobbs
Y Barfoot	Y Brooks, T	Y Carter	Y Culbreth	Y Ehrhart
Y Bargeron	Brown, G	Y Chambless	Y Cummings	Y Epps
Y Barnard	Y Brown, J	Y Channell	Y Davis, G	Y Evans
Y Barnes	Y Brush	Y Childers	Y Davis, M	Y Falls
Y Bates	Y Buck	Y Coker	Y Day	Y Felton
Y Benefield	Y Buckner	Y Coleman, B	Y DeLoach, B	Y Floyd
Y Birdsong	Y Bunn	Y Coleman, T	Y DeLoach, G	Y Godbee

Y Golden	Y Jones	Y Mueller	Y Scoggins	Y Taylor
Y Goodwin	Y Joyce	Y O'Neal	Y Shanahan	Y Teague
Y Greene	Y Kaye	Orrock	Y Shaw	Y Teper
Y Grindley	Y Kinnamon	Y Parham	Y Sherrill	Y Thomas
Y Hanner	Y Klein	Y Parrish	Y Shipp	Y Tillman
Y Harbin	Y Ladd	Y Parsons	Y Simpson	Y Titus
Y Harris	Y Lakly	Y Pelote	Y Sinkfield	Y Towery
Y Hart	Y Lane	Y Perry	Y Skipper	Y Trense
Y Heard	Y Lawrence	Y Pinholster	Smith, C	Turnquest
Y Heckstall	Y Lee	Y Polak	Y Smith, C.W	Y Twiggs
Y Hegstrom	Y Lewis	Y Porter	Y Smith, L	Y Walker, L
Y Hembree	Y Lifsey	Y Poston	Y Smith, P	Y Walker, R.L
Y Henson	Y Lord	Y Powell	Y Smith, T	Y Wall
Y Holland	Y Lucas	Y Purcell, A	Y Smith, V	Y Watson
Y Holmes	Y Maddox	Y Purcell, B	Y Smith, W	Y Watts
Y Howard	Y Mann	Y Randall	Y Smyre	Y Westmoreland
Y Hudson	Y Martin	Y Randolph	Y Snelling	Y Whitaker
Y Hugley	Y McBee	Y Ray	Y Snow	Y White
Y Irvin	Y McCall	E Reaves	Y Stallings	Y Wiles
Y James	Y McClinton	Y Reichert	Y Stancil, F	Y Williams, B
Y Jamieson	Y McKinney	Y Roberts	Y Stancil, S	Y Williams, J
Y Jenkins	Y Mills	Y Rogers	Y Stanley, L	Y Williams, R
Y Johnson, G	Y Mobley, B	Y Royal	Y Stanley, P	Y Woods
Y Johnson, J	Y Mobley, J	Y Sanders	Y Stephenson	Y Yates
Y Johnston	Y Mosley	Y Sauder	Y Streat	Murphy, Spkr

On the passage of the Bill, the ayes were 171, nays 0.

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

By unanimous consent, HB 10EX was ordered immediately transmitted to the Senate.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Thursday, August 17, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Ms. Chris Surrency, Sunset Boulevard Church of God, Odum, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

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

HB 15EX	SB 1EX
HB 16EX	SB 2EX
HB 17EX	

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 12EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HB 9EX. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend an Act creating the Board of Commissioners of Carroll County, so as to provide for a county manager.

The following substitute, offered by Representatives Simpson of the 101st and Stallings of the 100th was read and adopted:

A BILL

To amend an Act consolidating the laws pertaining to the governing authority of Carroll County, approved February 28, 1989 (Ga. L. 1989, p. 3546), as amended, so as to create the position of county manager and provide for selection, removal, compensation, and powers thereof; to establish the office of a part-time commission chairperson and a board of commissioners for Carroll County and prescribe their qualifications, terms of office, compensation, manner of election, powers, duties, and responsibilities; to provide for oaths and bonds, meetings, and vacancies; to provide for the internal organization and function of officials, employees, and departments subordinate to the county manager, chairperson, and board of commissioners; to provide for a comptroller and clerk; to provide for the management of financial affairs and the keeping and auditing of fiscal records of said county; to provide a system of budgets and allotments for the expenditure of county funds; to provide for a vice chairperson of the commission; to provide for minutes and records; to limit certain powers; to provide for severability; to provide for a referendum and effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act consolidating the laws pertaining to the governing authority of Carroll County, approved February 28, 1989 (Ga. L. 1989, p. 3546), as amended, is amended by striking Sections 1 through 17 thereof and inserting in their place the following:

“SECTION 1.

Governing authority.

(a) There is hereby created the Board of Commissioners of Carroll County, to be elected and organized as hereinafter provided. There is hereby created the office of chairperson of the Board of Commissioners of Carroll County, and said chairperson shall be a member of the commission and elected as hereinafter provided.

(b) The Board of Commissioners of Carroll County, hereinafter referred to as the ‘commission,’ and the chairperson of the Board of Commissioners of Carroll County, hereinafter referred to as the ‘chairperson’ shall constitute the governing authority of Carroll County, and the respective powers and duties of the commission and the chairperson shall be as provided in this Act.

SECTION 2.

The commission.

(a) The commission shall consist of seven members. There shall be six district commissioners and one at-large commissioner (the chairperson).

(b) For the purpose of electing the six district commissioners, Carroll County shall be divided into six election districts as provided in Section 18 of this Act.

(c) Each district commissioner shall be a citizen of this state, at least 25 years of age, and shall have been a resident of the respective election district for at least one year immediately prior to taking office. Each district commissioner shall be elected by a majority of the electors voting within the respective election district. The chairperson shall be elected by a majority of the electors voting from the county at large. Any commissioners who cease to be residents of their respective commissioner districts, or resident of the county in the case of the chairperson, during their terms of office shall thereby vacate their seats on the commission. All members of the commission shall be nominated and elected pursuant to the provisions of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

SECTION 3.

Election of commission.

(a) The commissioners serving as such from Districts 2, 4, and 6 on January 1, 1996, and any person selected to fill a vacancy in any such office, shall continue to serve out their terms of office which expire December 31, 1998, and upon the election and qualification of their respective successors. The chairperson and the commissioners serving as such from Districts 1, 3, and 5 on January 1, 1996, and any person selected to fill a vacancy in any such office, shall continue to serve out their terms of office which expire December 31, 1996, and upon the election and qualification of their respective successors.

(b) Successors to the chairperson and other members of the commission whose terms of office expire as provided in subsection (a) of this section and all future successors to the chairperson and other members of the commission whose terms of office are to expire shall be elected at the November state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following such election, and shall serve for terms of office of four years each and until their respective successors are elected and qualified.

SECTION 4.

Chairperson.

The chairperson of the commission shall be a citizen of this state, at least 30 years of age, and shall have been a resident of Carroll County for at least one year immediately prior to taking office. The chairperson shall be elected by a majority of the electors voting from the county at large and shall serve for a four-year term. The chairperson shall be nominated and elected pursuant to Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

SECTION 5.

Vacancies.

(a) Vacancies on the commission and in the office of chairperson occurring by reason of death, resignation, removal from the county or from the district from which elected or for any other reason shall be filled as provided in this section.

(b) In the event a vacancy occurs on the commission or in the office of chairperson when at least 180 days remain in the unexpired term of office, the election superintendent of Carroll County, within 15 days after the vacancy occurs, shall issue the call for a special election to fill such vacancy for the remainder of the unexpired term. Such special election shall be held on the earliest day permissible therefor under Code Section 21-2-540 of the O.C.G.A. and shall be held and conducted in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended. If the vacancy is in the office of chairperson, the members of the commission shall select one of their members to exercise the powers and duties of the chairperson for the period beginning on the date the vacancy occurs and ending when the successor chairperson takes office for the remainder of the unexpired term following the special election provided for herein.

(c) In the event a vacancy occurs in the office of chairperson when less than 180 days remain in the unexpired term of office, the members of the commission shall select one of their members to exercise the powers and duties of the chairperson for the remainder of the unexpired term.

(d) In the event a vacancy occurs on the commission when less than 180 days remain in the unexpired term of office, the remaining members of the commission shall appoint a qualified person to fill such vacancy for the remainder of the unexpired term. Any person appointed by the commission to fill a vacancy as provided herein shall possess the residency requirements and other qualifications required for the office.

SECTION 6.

County manager: Appointment; qualifications; powers and duties; removal.

(a) The chairperson shall recommend a candidate for the position of county manager, subject to confirmation by a majority vote of the district commissioners. This position shall be an appointed position and shall not be governed by the Carroll County Civil Service System.

(b) The appointment of the county manager shall be based solely upon the person's executive and administrative qualifications, with special reference to the person's actual experience in, and knowledge of, accepted practices with respect to the duties of the office as hereinafter set forth. The county manager shall be paid an annual salary to be fixed by the board of commissioners. Except as provided herein, no member of the board shall be appointed county manager or acting county manager during the term of office for which such member was elected or for a period of one year thereafter. In the event of the death, removal, dismissal, or termination of the county manager and pending the selection of a replacement for said county manager, the chairperson of the board of commissioners may, if approved in accordance with subsection (e) of this section, assume the powers and carry out the duties of the county manager.

(c) The county manager shall have the following powers and duties:

(1) The county manager shall be a nonvoting participant in all board meetings;

(2) Except as to those powers specifically reserved and granted to the chairperson and the board of commissioners by this Act, the county manager shall have the exclusive power to supervise, direct, and control the day-to-day activities and business operations of the county government. The county manager shall have the exclusive power to supervise, direct, and control the administration of the county government. The county manager shall carry out, execute, and enforce the ordinances, policies, rules, and regulations of the commission when such ordinances, policies, rules, and regulations become effective. Members of the commission shall deal solely through the county manager in all matters concerning the operation, supervision, and administration of the various departments, offices, and agencies of the county government. No member of the commission shall directly or indirectly order, instruct, or otherwise attempt to control the actions of county personnel subject to the administrative and supervisory control of the county manager;

(3) The county manager shall have the power to propose changes in, consolidation of, or creation or abolishment of any departments, agencies, or offices over which the chairperson exercises supervision and control;

(4) Subject to budgetary limitations and Carroll County Civil Service System regulations, the county manager shall have exclusive authority to appoint, remove, and fix the compensation of all employees and nonelected officials of the county not otherwise set or established by state or local law. Any supplements provided to elected officials shall be approved by the board of commissioners. The appointment, removal, and compensation of persons filling offices and positions created by state statutes, when not otherwise prescribed by such statutes, shall be made and fixed by the county manager within budgetary limitations;

(5) Within 120 days after the close of each fiscal year, the county manager and comptroller shall prepare and submit to the commission a complete annual report on the financial affairs and activities of the county for the immediately preceding fiscal year. The annual report shall show all income from all sources, including state, county, and federal funds, and all expenditures. The county manager shall cause a summary of said annual report to be published in the official organ of Carroll County. Said publishing summary shall state that a copy of the full report is available from the office of the county manager. The county manager and comptroller shall also send copies of

the full report to each branch of the county library. The county manager and comptroller shall also make financial reports during the year as may be required by the commission;

(6) ~~The county manager may~~ recommend, at any time, to the commission for its formal consideration such measures or proposals as are deemed necessary or desirable to improve the administration of the affairs of the county;

(7) The county manager, in conjunction with the Office of Planning and Development, shall seek to promote a coordinated plan for future growth and development of the county; and

(8) The county manager, in conjunction with the county comptroller, shall submit to the board of commissioners not later than the regular May meeting of each year, a revenue estimate for the following year, a proposed capital budget, and a proposed operating budget governing the expenditure of all funds expected to be available to the county. No expenditure of county funds shall be made except in accordance with the county budget or amendments thereto adopted by the commission.

(d) The county manager may be removed by the affirmative vote of a super-majority of the board of commissioners (i.e., five members or more of the board of commissioners). In the absence of allegations or proof of criminal activity or wrongdoing by the county manager, dismissal shall become effective 30 days after the vote to dismiss. Upon the request of the county manager, the board of commissioners shall set forth, in writing, their reasons for the dismissal. The county manager, may, within ten days, reply in writing to the board's written statement listing the reasons for said manager's removal and also request a hearing before the board either in executive session or open meeting. After such hearing, if one is requested, and after full consideration, the board of commissioners may terminate such manager's duties, but shall, in the absence of proof of criminal activity or wrongdoing, cause to be paid to such person, forthwith, any unpaid balance of contracted salary, but not to exceed six calendar months of said manager's salary following the date the vote to dismiss was taken.

(e) The board of commissioners may designate a qualified individual to act as temporary county manager in the extended absence (more than 30 days) of the county manager or if the county manager is removed as referenced herein.

SECTION 7.

Oath and bond.

Before entering upon the discharge of their duties, the chairperson and members of the commission shall subscribe to an oath before the judge of the Probate Court of Carroll County for the true and faithful performance of their duties and that they are not the holders of any public funds unaccounted for. In addition the chairperson, the county manager, and the county comptroller shall further give a satisfactory surety bond, as determined by the judge of the Probate Court of Carroll County, and payable to the judge of the Probate Court of Carroll County and filed in the office of the judge of the Probate Court of Carroll County, in the sum of \$50,000.00, conditioned upon the faithful performance of the duties of the office. Each member of the commission shall give like bond in the sum of \$10,000.00. The costs of said bonds shall be paid from county funds.

SECTION 8.

Compensation.

(a) The chairperson shall receive an annual salary payable in equal monthly installments from funds of Carroll County. This annual salary shall be \$18,000.00. The annual salary provided for in the previous sentence shall also be increased by a longevity increase of 5 percent for each four-year term of office completed by the chairperson, such longevity increase to be figured and granted at the end of each four-year term if the chairperson is reelected to a new term.

(b) Each member of the commission other than the chairperson shall receive an annual salary of \$4,800.00, payable in equal monthly installments from funds of Carroll County.

(c) In addition to said salaries, the district commissioners shall receive an expense allowance of \$1,200.00 per year from county funds.

SECTION 9.

Powers and duties of the commission.

(a) The commission shall have the power and authority to fix and establish, by appropriate ~~resolution or ordinance~~ entered on its minutes, policies, rules, and regulations governing all matters reserved to its jurisdiction by this Act. The commission shall exercise only those powers which are necessarily and properly incident to this function as a policy-making or rule-making body or which are necessary to compel enforcement of its adopted resolutions or ordinances, and any power or combination of powers vested in the commission by this Act shall be subject to the limitations provided in Section 17 of this Act. The following powers are hereby vested in the commission:

- (1) To levy taxes;
- (2) To make appropriations;
- (3) To fix the rates of all other charges;
- (4) To authorize the incurring of indebtedness;
- (5) To authorize work to be done where the cost is to be assessed against benefited property and to fix the basis for such assessment;
- (6) To establish, alter, or abolish public roads, private ways, bridges, and ferries, according to law;
- (7) To establish, abolish, or change election precincts and militia districts according to law;
- (8) To allow the insolvent lists for the county;
- (9) To authorize the acceptance for the county of the provisions of any optional statute where the statute permits its acceptance by the governing authority of a county;
- (10) To regulate land use by implementing the Carroll County Future Land Use Plan and by the adoption of other planning and zoning ordinances which relate reasonably to the public health, safety, morality, and general welfare of the county and its citizens;
- (11) To create and change the boundaries of special taxing districts authorized by law;
- (12) To fix the bonds of county officers where they are not fixed by statute;
- (13) To enact any ordinances or other legislation the county may be given authority to enact;
- (14) To determine the priority of capital improvements;
- (15) To call elections for the voting of bonds;
- (16) To exercise, together with the chairperson of the board of commissioners, all powers now or hereafter vested in county governing authorities by the Constitution and general laws of this state;
- (17) Except as regulated by state and federal law, the commission shall have the power to regulate all businesses within the unincorporated areas of Carroll County, Georgia, and to fix, levy, and assess license fees, charges, or taxes on all persons, firms, and corporations engaging in or offering to engage in any trade, business, calling, avocation, or profession in the area of Carroll County, outside the incorporated limits of municipalities situated therein;
- (18) To adopt rules regulating the operation of the commission;
- (19) To adopt a civil service system covering county employees and employees of elected county officers pursuant to Article IX, Section I, Paragraph IV of the 1983 Constitution of the State of Georgia;
- (20) To take any action permitted by Article IX, Section II, Paragraph III of the 1983 Constitution of the State of Georgia;
- (21) To make contributions for purely charitable public purposes;
- (22) To authorize all contracts, except for contracts of employment, involving the expenditure of county funds in excess of \$12,500.00;
- (23) To undertake and carry out community redevelopment programs pursuant to Article IX, Section II, Paragraph VII of the 1983 Constitution of the State of Georgia; and
- (24) To make appointments from recommendations of the chairperson to independent boards, agencies, and bodies.

(b) In addition to the powers enumerated in subsection (a) of this section, the commission may adopt all such ordinances or regulations as it may deem advisable, not in conflict with the general laws of this state and of the United States, for the governing and policing ~~of the county for the~~ purpose of protecting and preserving the health, safety, welfare, and morals of the citizens of the county and for the implementation and enforcement of the powers and duties of the commission, including, but not limited to, the classes of subjects and areas of regulation enumerated below:

(1) To control and regulate the operation of and running of bicycles, automobiles, motorcycles, motor scooters, buses, taxicabs, trucks, wagons, and any and all kinds of vehicles operated in, upon, over, and across the roads, streets, lanes, alleys, sidewalks, parks, plazas, squares, and public places in said county and outside the corporate limits of municipalities situated therein, whether such vehicles are propelled by hand, foot, animal, steam, electric, gasoline, or other motive power; to prescribe and fix speed limits and speed zones for all of the enumerated vehicles; to erect stop and warning signs and signals at dangerous intersections or places and at schools or other public places; to prescribe and establish lanes and directional signs, signals, and markings to control the direction or flow of traffic for all such vehicles, including limitation of travel to one direction and including markings, signals, and devices to control and regulate the manner of turning at intersections; to regulate and control, as well as to prohibit entirely, the parking, stopping, and standing of all such vehicles on or adjacent to such streets and public places; to impound such vehicles involved in violations of traffic ordinances or regulations; to restrict and limit the size and weight of all such vehicles operated on such streets, roads, bridges, and public places; to regulate and establish routes to be followed by trucks and other heavy or slow-moving vehicles; to regulate and control, by permits or otherwise, and to prohibit entirely, the times, routes, and manner of conduct of parades, motorcades, and other assemblages of all such vehicles, and public address systems or other noise-making devices on such streets and public places; to regulate and control the manner of operation of all such vehicles along, over, and across all such streets and ways so as to prohibit and prevent the careless and reckless operation of same in such manner as would be hazardous to persons or property; to regulate and control in any and all of the foregoing respects all travel by pedestrians and equestrians along, over, and across such streets, ways, and public places; and to do any and all things to provide for the safety of persons and property using such roads, streets, lanes, alleys, sidewalks, parks, plazas, squares, and public places and of persons and property situated adjacent thereto; and any and all things necessary or incident to accomplishment of any of the foregoing powers, including the authority to require registration of the enumerated vehicles and of their owners and to prescribe standards of mechanical safety for such vehicles and qualifications of operators thereof. To carry out all or any of the foregoing powers, the commission is hereby authorized to adopt as county ordinances all or such portions of Chapter 6 of Title 40 of the O.C.G.A., known as 'The Uniform Rules of the Road,' as to the commission may seem appropriate and the State Court of Carroll County may punish for violations thereof by fines or imprisonment or both not to exceed the limits set forth in Title 40 of the O.C.G.A., or in subsection (c) of this section, or in the ordinance adopting same; and the commission may adopt other additional ordinances and regulations, not in conflict with Title 40 of the O.C.G.A., and prescribe punishment for violation of same not to exceed the limits set forth in subsection (c) of this section;

(2) To adopt rules and regulations for the promotion of health and quarantine in the unincorporated area of said county, as are authorized by law or not inconsistent with general law or regulations of the State Department of Human Resources or the Carroll County Board of Health, and to prescribe penalties and punishment for violations thereof. It is not the purpose or intent of this paragraph to interfere with or restrict the operation of the Carroll County Board of Health within the unincorporated area of Carroll County, but to provide for the implementation of same through the ordinances of the commission, and to promote more adequate health and quarantine provisions in said county, and to that end the commission is authorized to adopt all or

any portion of the regulations of said Carroll County Board of Health, as the same may be amended from time to time, and to prescribe additional regulations not inconsistent therewith, and to prescribe penalties and punishment for violation of any such ordinances and regulations, which penalties and punishments may be enforced and imposed by the Magistrate or State Court of Carroll County or other court having jurisdiction over violations of county ordinances. Said health and quarantine powers shall extend to and embrace the health and quarantine of animals as well as persons;

(3) To prevent dogs, horses, mules, cattle, hogs, sheep, goats, chickens, and all other animals, or any one or more kinds of such animals, from running at large in the unincorporated area of said county; to prevent the keeping of any animal or animals or to regulate the manner and numbers in which they may be kept; to take up and impound any of such animals and to punish all owners or other persons keeping animals for failure or refusal to obey any such ordinance and to fix penalties and charges to be paid for release of such impounded animals; to provide for the sale or disposition of unclaimed animals impounded; to levy and collect a tax upon dogs kept in said county and to provide for registration of dogs; and to do any and all things necessary to carry out the purposes of this paragraph for the public interest;

(4) To prescribe penalties and punishment for the violation of zoning ordinances, building codes (including electrical, plumbing, heating, and air conditioning regulations), and all other lawful ordinances adopted by the commission pursuant to this or any other law in force in said county;

(5) To provide ordinances for the preservation and protection of county property and equipment and the administration and use of county facilities, such as parks, playgrounds, and swimming pools, by the public, and to prescribe penalties and punishment for violations thereof;

(6) To prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting, and to prescribe penalties and punishment for violation thereof;

(7) To prohibit or regulate and control the erection and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights of way of streets and roads within the unincorporated area of said county, and to prescribe penalties and punishment for violation of such ordinances; and

(8) To adopt ordinances and regulations for the prevention of idleness, loitering, vagrancy, disorderly conduct, public drunkenness, and disturbing the peace in the unincorporated area of said county and to prohibit the playing of lotteries therein, and to prohibit or regulate such other conduct and activities within said area of Carroll County which, while not constituting an offense against the general laws of this state, is deemed by the commission to be detrimental and offensive to the peace, good order, and dignity of Carroll County and to the welfare and morals of the citizens thereof.

(c) The commission is hereby authorized to adopt ordinances prescribing penalties and punishment for violation of any and all ordinances adopted by the commission to carry out any of the provisions of this section or other provisions of this Act or of any other law, and to prescribe maximum penalties and punishment for violation of same, except that the same shall in no event exceed a fine of \$1,000.00 or imprisonment in the county jail for 60 days or both such fine and imprisonment.

SECTION 10.

County comptroller; audits.

(a) There is hereby created the position of county comptroller to be filled and organized as hereinafter provided.

(b) The comptroller shall be selected and hired by the county manager, subject to confirmation by a majority vote of the board of commissioners. Within budgetary limitations, compensation shall be set by the county manager. Said position shall be an appointed position and shall not be governed by the Carroll County Civil Service System. The comptroller shall report to and be under the direct supervision of the county manager.

(c) The comptroller shall serve as the budget officer for the county and shall be responsible for the day-to-day operations of the financial affairs of the county. The comptroller may audit the books and the accounts of the custodian of any county funds annually or at any time, as deemed necessary, and may enlist the services of a certified public accountant of this state to assist with said audit who shall be paid from county funds. The annual audit required by paragraph (5) of subsection (c) of Section 6 shall be filed in the office of the comptroller and shall at all times be subject to inspection by any citizen or taxpayer of said county.

SECTION 11.

Vice chairperson.

(a) At the first regular meeting in January of each year, the commission shall elect from its membership a vice chairperson. The member serving as vice chairperson shall retain all rights, powers, and duties as a member of the commission.

(b) The vice chairperson shall preside at meetings of the commission, in the absence of the chairperson of the board of commissioners.

SECTION 12.

Meetings.

The commission shall hold regular evening meetings on the second and fourth Tuesday of each month at the county seat in Meeting Room 'A' of the county courthouse annex, unless changed by a majority vote of the commission, which meetings shall be open to the public, and may hold such additional meetings as shall be necessary when called by the chairperson, or any four members of the commission, but all members shall be notified in advance of any such additional meeting as required by law. No official action shall be taken by the commission except in a meeting which is held in compliance with Chapter 14 of Title 50 of the O.C.G.A., relating to open meetings. Any five members of the commission shall constitute a quorum, except that a lesser number shall be sufficient to recess or adjourn any meeting; but no official actions shall be taken except upon the affirmative vote of at least four members of the commission.

SECTION 13.

Powers and duties of the chairperson.

The chairperson of the board of commissioners shall have the following powers and duties:

(1) The chairperson of the board of commissioners may, at such officer's discretion, preside at any regular or specially called meeting of the commission and may vote on all matters before the commission for a vote. The chairperson may convene special meetings of the commission when deemed necessary, but all members shall be notified in advance of any such special meeting as required by law;

(2) Subject to confirmation by the commission, the chairperson shall appoint the county attorney. Within budgetary limitations, the chairperson shall fix the compensation of the county attorney. The county attorney shall thereafter serve at the pleasure of the chairperson and may also be discharged by the affirmative vote of at least six members of the commission;

(3) The chairperson may compel the attendance of members and the county manager at meetings of the commission by subpoena, when deemed necessary, subject to the policy of the commission as established by its rules;

(4) The chairperson shall have power to investigate the affairs, records, and expenditures of the various authorities, boards, councils, commissions, committees, and similar bodies or agencies, whether created by ordinance of the commission or by Acts of the General Assembly, relating to the affairs of the county and to report thereon to the commission;

(5) The chairperson shall represent the county in intergovernmental matters and shall seek to promote and improve the government of the county and encourage the growth of the county and promote and develop the prosperity and well-being of the citizens of the county; and

(6) The chairperson shall issue calls for agenda items and shall prepare and publish a listing of those items and the same shall serve as the agenda for the commission unless superseded by the commission.

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SECTION 14.

Budgeting; control of expenditures.

(a) The county will comply with Chapter 81 of Title 36 of the O.C.G.A., relating to local government budgets and audits, as well as the following provisions of this section.

(b) The county manager shall submit to the board not later than the first regular May meeting of each year a revenue estimate for the following year and a proposed budget governing the expenditures of all funds expected to be available to the county for the following calendar year and shall include proposed expenditures for capital outlay and public works projects. The county manager shall submit to the commission at the time the proposed budget is submitted a report containing information relating to the financial affairs of the county which is relevant to establishing the annual budget.

(c) At the time the proposed budget is submitted to the commission, the county manager shall cause to be published in the official organ of Carroll County a copy of the proposed budget along with the public notices required by subsection (e) of Code Section 36-81-5 of the O.C.G.A. It shall be the duty of the commission to hold a meeting at the time and place specified in the notice for the purpose of conducting such public hearing. The commission shall review the proposed budget at such public hearing and may adopt the same as submitted by the county manager or make such amendments thereto as the commission may deem necessary to maintain the county in sound financial condition. The commission may continue the hearing on the proposed budget from time to time, but the time of and the place where the hearing is continued shall be publicly announced at the previous hearing. The commission shall adopt the proposed budget as submitted or as amended by the commission as the budget for the county for the following calendar year by not later than June 30.

(d) The final budget adopted by the commission shall constitute the commission's appropriations of all funds for the calendar year covered by the budget. The budget may be amended during the calendar year which it covers upon the commission taking formal action for such purpose at a regular meeting of the commission. Prior to taking such action, the commission shall cause to be published in the official organ of Carroll County a notice setting forth the proposed changes in the budget and a summary of the reasons therefor. Said notice shall also state the time and place of the regular meeting of the commission at which action to amend the budget is to be taken. Said notice shall be published at least ten days prior to the date of the meeting. No increase in appropriations shall be made without provision also being made to finance such increase.

(e) A copy of the final budget adopted by the commission and any amendment to or revision of the budget shall be transmitted by the county manager to the grand jury of the Superior Court of Carroll County then in session.

(f) No expenditure of county funds shall be made except in accordance with the county budget, or amendments thereto, adopted by the commission. The county manager shall enforce compliance with this requirement by all departments, offices, or agencies of the county government, including elected county officers.

SECTION 15.

Clerk.

Subject to confirmation by the commission, the chairperson is authorized to appoint a clerk of Carroll County. Any citizen of said county, other than a commissioner, shall be eligible to hold said office of clerk of said commission and shall receive a salary for his or her services to be fixed by the commission. Said clerk, before entering upon his or her duties, shall give bond, with some responsible surety company authorized to do business in Georgia, as his or her surety, in the sum of \$10,000.00 to be approved by the commission, the premium on said bond to be paid by the county, payable to the judge of the probate court of said county and his or her successors in office and conditioned upon the faithful performance of his or her duties as such clerk. Said bond shall be filed with the judge of the probate court of said county and recorded on his or her minutes

and may be sued on in like manner as the bond of the commissioners. He or she shall keep minutes of all meetings of said commission, an inventory of all properties, and such books and records as may be required of him or her by the commission and do such other acts and things as may be required of him or her by law or by the commission.

SECTION 16.

Records; minutes.

The clerk of the commission shall keep a proper and accurate book of minutes wherein shall appear all the acts, orders, and proceedings of the commission, in chronological order. The minute books of the commission shall be open to public inspection at all times during the regular office hours, and certified copies of any entries therein shall be furnished by said clerk to any person requesting same upon payment of a reasonable fee, to be paid into the county treasury as other funds, to be assessed by the commission in an amount sufficient to defray the cost of preparing same.

SECTION 17.

Limitations on powers.

No power or combination of powers vested in the commission by the provisions of this Act may be exercised in any manner to amend, change, supersede, or repeal, directly or indirectly, any powers vested in the chairperson and county manager by this Act."

SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Carroll County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Carroll County for approval or rejection. The election superintendent shall conduct that election at the time of the residential preference primary in 1996 and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Carroll County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act be approved which provides for a county manager for Carroll County and a part-time chairperson of the Board of Commissioners
() NO of Carroll County?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect immediately. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date.

The expense of such election shall be borne by Carroll County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except for Section 1 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. Section 1 of this Act shall become effective as provided in Section 2 of this Act.

SECTION 4.

In the event any provision of this Act is held unconstitutional or cannot be implemented under the federal Voting Rights Act of 1965, as amended, the remaining provisions of this Act shall remain valid and of full force and effect.

SECTION 5.

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, was agreed to, by substitute.

On the passage of the Bill, by substitute, the ayes were 92, nays 11.

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

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HB 12EX. By Representative Floyd of the 138th:

A bill to amend an Act entitled "An Act to provide for the number of members of the County Board of Education of Pulaski County," so as to increase the amount of the per diem allowed for members of the board of education from \$20.00 to \$100.00.

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

On the passage of the Bill, the ayes were 92, nays 11.

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

Representative Stancil of the 16th arose to a point of personal privilege and addressed the House.

The following Resolutions of the House were read and adopted:

HR 12EX. By Representative Taylor of the 134th:

A resolution commending the Columbus Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

HR 13EX. By Representatives Stancil of the 16th, Snow of the 2nd, Lewis of the 14th, Pinholster of the 15th, Harris of the 17th and others:

A resolution commending Frances Elrod.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Friday, August 18, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by the Reverend Dewey Fleming, Pastor, Dalton Evangelical Methodist Church, Dalton, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs 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	16EX	Do Pass
SB	1EX	Do Pass
SB	2EX	Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HB 16EX. ~~By Representatives Porter of the 143rd and Coleman of the 142nd:~~

A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Laurens County.

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

On the passage of the Bill, the ayes were 93, nays 6.

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

SB 1EX. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Pierce County so as to correct the date for the first election to be held under this Act.

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

On the passage of the Bill, the ayes were 93, nays 6.

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

SB 2EX. By Senator Boshears of the 6th:

A bill to amend an Act providing for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Pierce County so as to correct the date for the first election to be held under this Act.

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

On the passage of the Bill, the ayes were 93, nays 6.

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

Representative Woods of the 32nd arose to a point of personal privilege and addressed the House.

Representative Teper of the 61st arose to a point of personal privilege and addressed the House.

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

Mr. Speaker:

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

SB 4EX. By Senators Farrow of the 54th and Black of the 53rd:

A bill to amend an Act providing for the Magistrate Court of Whitfield County, as amended, so as to clarify that the election of the chief magistrate and the full-time magistrates of said county shall be by nonpartisan election.

- SB 5EX. By Senators Farrow of the 54th and Black of the 53rd:
A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Whitfield County; to provide for the requirements and procedures of the nonpartisan nomination and election; to provide for other matters relative to the foregoing; to provide for the authority for this Act.
- SB 6EX. By Senator Day of the 48th:
A bill to provide a homestead exemption from Forsyth County ad valorem taxes for county purposes in the amount of \$10,000.00 of the assessed value of the homestead for certain residents of that county who have annual incomes not exceeding \$10,000.00 and who are 65 years of age or over; to provide for a three-year phase-in period for such exemption.
- HB 2EX. By Representative Smith of the 175th:
A bill to provide for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Camden County.
- HB 4EX. By Representative Smith of the 175th:
A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Camden County.
- HB 6EX. By Representatives Royal of the 164th and Greene of the 158th:
A bill to amend an Act providing for the election of the members of the Board of Education of Mitchell County, so as to revise the method of filling vacancies.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the committees:

- SB 4EX. By Senators Farrow of the 54th and Black of the 53rd:
A bill to amend an Act providing for the Magistrate Court of Whitfield County, as amended, so as to clarify that the election of the chief magistrate and the full-time magistrates of said county shall be by nonpartisan election.
Referred to the Committee on State Planning & Community Affairs Local.
- SB 5EX. By Senators Farrow of the 54th and Black of the 53rd:
A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Whitfield County; to provide for the requirements and procedures of the nonpartisan nomination and election; to provide for other matters relative to the foregoing; to provide for the authority for this Act.
Referred to the Committee on State Planning & Community Affairs Local.
- SB 6EX. By Senator Day of the 48th:
A bill to provide a homestead exemption from Forsyth County ad valorem taxes for county purposes in the amount of \$10,000.00 of the assessed value of the homestead for certain residents of that county who have annual incomes not exceeding \$10,000.00 and who are 65 years of age or over; to provide for a three-year phase-in period for such exemption.
Referred to the Committee on State Planning & Community Affairs Local.

The following Resolution of the House was read:

HR 14EX. By Representative Murphy of the 18th
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A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at 5:00 P.M. on Friday, August 18, 1995, and reconvene on Monday, August 21, 1995.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on August 21 may be as ordered by the Senate; and the hour for convening the House on August 21, may be as ordered by the House.

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

Y Ashe	Y Crews	Y Hugley	Y Parham	Y Smith, W
Y Bailey	Y Culbreth	Irvin	Y Parrish	Smyre
Y Baker	Y Cummings	Y James	Y Parsons	Y Snelling
Y Bannister	Davis, G	Y Jamieson	Y Pelote	Y Snow
Y Barfoot	Y Davis, M	Y Jenkins	Perry	Y Stallings
Y Bargeron	Y Day	Y Johnson, G	Y Pinholster	Y Stancil, F
Y Barnard	Y DeLoach, B	Y Johnson, J	Y Polak	Y Stancil, S
Y Barnes	Y DeLoach, G	Y Johnston	Y Porter	Y Stanley, L
Y Bates	Y Dix	Jones	Y Poston	Y Stanley, P
Y Benefield	Dixon, H	Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	Y Kaye	Y Purcell, A	Y Streat
Y Bordeaux	Y Dobbs	Y Kinnamon	Y Purcell, B	Y Taylor
Y Bostick	Y Ehrhart	Y Klein	Y Randall	Y Teague
Y Breedlove	Epps	Y Ladd	Y Randolph	Y Teper
Y Brooks, D	Y Evans	Y Lakly	Ray	Thomas
Y Brooks, T	Y Falls	Y Lane	E Reaves	Y Tillman
Y Brown, G	Y Felton	Y Lawrence	Y Reichert	Y Titus
Y Brown, J	Floyd	Y Lee	Y Roberts	Y Towery
Y Brush	Godbee	Y Lewis	Y Rogers	Y Trense
Y Buck	Golden	Y Lifsey	Y Royal	Y Turnquest
Y Buckner	Y Goodwin	Y Lord	Y Sanders	Y Twiggs
Y Bunn	Y Greene	Y Lucas	Y Sauder	Y Walker, L
Y Burkhalter	Y Grindley	Y Maddox	Y Scoggins	Y Walker, R.L
Y Byrd	Y Hanner	Y Mann	Y Shanahan	Wall
Y Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
Y Canty	Harris	Y McBee	Y Sherrill	Y Watts
Y Carter	Y Hart	Y McCall	Y Shipp	Y Westmoreland
Y Chambless	Y Heard	Y McClinton	Y Simpson	Y Whitaker
Y Channell	Y Heckstall	McKinney	Y Sinkfield	White
Y Childers	Y Hegstrom	Y Mills	Y Skipper	Y Wiles
Y Coker	Y Hembree	Y Mobley, B	E Smith, C	Williams, B
Y Coleman, B	Y Henson	Y Mobley, J	Y Smith, C.W	Y Williams, J
Y Coleman, T	Y Holland	Y Mosley	Smith, L	Y Williams, R
Y Connell	Holmes	Mueller	Y Smith, P	Y Woods
Y Cox	Y Howard	Y O'Neal	Y Smith, T	Y Yates
Y Crawford	Y Hudson	Y Orrock	Y Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 147, nays 0.

The Resolution was adopted.

Due to a mechanical malfunction, the vote of Representative Ray of the 128th was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

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

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the House: www.libtool.com.cn

HB 10EX. By Representatives Baker of the 70th, Chambless of the 163rd, Bordeaux of the 151st and Orrock of the 56th:

A bill to amend Code Section 40-5-67.1 of the Official Code of Georgia Annotated, relating to administration of chemical tests to determine if a person is driving under the influence of alcohol or drugs, so as to provide for the applicability of certain provisions governing the content of notice required to be given by an officer to a person and admissibility of certain evidence to cases wherein the offense was committed on or after April 21, 1995.

The following Resolution of the House was read and adopted:

HR 15EX. By Representative Pelote of the 149th:

A resolution commending Sadie Mae Milton Howard.

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 14EX. By Representative Murphy of the 18th:

A resolution relative to adjournment.

Pursuant to HR 14EX, adopted by the House and Senate, the House adjourned until 10:00 o'clock, A.M., Monday, August 21, 1995.

Representative Hall, Atlanta, Georgia**Monday, August 21, 1995**www.libtool.com.cn

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:

Ashe	Cox	Howard	Parham	Smith, V
Bailey	Crawford	Hudson	Parrish	Smith, W
Baker	Crews	Hugley	Parsons	Smyre
Bannister	Culbreth	James	Pelote	Snelling
Barfoot	Cummings	Jamieson	Perry	Stallings
Barnard	Davis, G	Johnson, G	Pinholster	Stancil, S
Barnes	Day	Johnson, J	Polak	Streat
Bates	DeLoach, B	Johnston	Porter	Teper
Benefield	DeLoach, G	Kaye	Powell	Thomas
Birdsong	Dix	Kinnamon	Purcell, A	Tillman
Bordeaux	Dixon, H	Klein	Purcell, B	Titus
Bostick	Dixon, S	Ladd	Randolph	Trense
Breedlove	Dobbs	Lakly	Ray	Turnquest
Brooks, D	Ehrhart	Lane	Reaves	Twiggs
Brooks, T	Epps	Lawrence	Reichert	Walker, L
Brown, G	Felton	Lee	Roberts	Walker, R.L
Brown, J	Floyd	Lifsey	Royal	Wall
Brush	Godbee	Lord	Sanders	Watson
Buckner	Golden	Lucas	Sauder	Watts
Bunn	Greene	Maddox	Scoggins	Westmoreland
Campbell	Grindley	Mann	Shaw	Whitaker
Canty	Hanner	Martin	Sherrill	White
Carter	Harbin	McCall	Simpson	Wiles
Chambless	Harris	McKinney	Sinkfield	Williams, B
Channell	Hart	Mills	Skipper	Williams, J
Childers	Heard	Mobley, J	Smith, C.W	Williams, R
Coker	Hegstrom	Mosley	Smith, L	Woods
Coleman, B	Henson	O'Neal	Smith, P	Yates
Connell	Holmes	Orrock	Smith, T	Murphy, Spkr

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

Representatives Mobley of the 69th, Heckstall of the 55th, Mueller of the 152nd, Coleman of the 142nd, Irvin of the 45th, Goodwin of the 79th, Poston of the 3rd, Burkhalter of the 41st, Lewis of the 14th, Teague of the 58th, Shipp of the 38th, Rogers of the 20th, Shanahan of the 10th, Towery of the 30th, Stancil of the 91st, Randall of the 127th, Evans of the 28th, Falls of the 125th, Jenkins of the 110th, Hembree of the 98th, McClinton of the 68th, Taylor of the 134th, McBee of the 88th, Stanley of the 49th, Stanley of the 50th, Jones of the 71st, Davis of the 60th, Snow of the 2nd, Holland of the 157th and Byrd of the 170th.

They wish to be recorded as present.

Prayer was offered by Dr. Roosevelt Morris, Pastor, Stewart Chapel AAEC, Macon, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bills of the House were introduced, read the first time and referred to the committees:

HB 18EX. By Representatives Hembree of the 98th and Snelling of the 99th:

A bill to amend an Act known as the "Douglasville-Douglas County Water and Sewer Authority Act," so as to provide that the mayor of the Town of Lithia Springs or such mayor's designee shall be an ex officio member of the authority board of directors; to amend an Act authorizing the creation and funding of an enhanced emergency telephone number 911 system special district within the corporate boundaries of Douglas County.

Referred to the Committee on State Planning & Community Affairs Local.

HB 19EX. By Representatives Hembree of the 98th and Snelling of the 99th:

A bill to amend an Act known as the "Douglas County Community Improvement Districts Act," so as to change certain definitions; to authorize the creation of community improvement districts within the City of Lithia Springs; to change provisions relating to governing boards; and for other purposes.

Referred to the Committee on State Planning & Community Affairs Local.

HB 20EX. By Representative Crawford of the 129th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Upson County, so as to change the date of the election at which the nonpartisan nomination and election begin.

Referred to the Committee on State Planning & Community Affairs Local.

HB 21EX. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend an Act providing a new charter for the City of Whitesburg, so as to change the provisions relating to quorum and voting.

Referred to the Committee on State Planning & Community Affairs Local.

HB 22EX. By Representative Porter of the 143rd:

A bill to amend an Act providing for the Magistrate Court of Laurens County, so as to change the provisions relating to the election of the chief magistrate; to provide for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Laurens County.

Referred to the Committee on State Planning & Community Affairs Local.

HB 23EX. By Representatives Lawrence of the 64th, Irvin of the 45th, Ehrhart of the 36th, Pinholster of the 15th, Mueller of the 152nd and others:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts.

Referred to the Committee on Legislative & Congressional Reapportionment.

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

SB 4EX
SB 5EX
SB 6EX

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 11EX Do Pass, as Amended
HB 13EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

By unanimous consent, the following Bill of the House was taken up for consideration and read the third time:

HB 11EX. By Representative Smith of the 109th:

A bill to provide a new charter for the City of Jackson.

The following amendment was read and adopted:

The Committee on State Planning and Community Affairs moves to amend HB 11EX by striking lines 19 through 21 of page 28 and inserting in their place the following:

“Election by majority vote.

In order for a candidate to be elected to the office of mayor, that candidate must receive a majority of the votes cast for such office in the entire city. In order for a candidate to be elected to the office of councilmember from a council district, that candidate must receive a majority of the votes cast for such office in that district only and not at large.”

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

On the passage of the Bill, as amended, the ayes were 93, nays 7.

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

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

Mr. Speaker:

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

SB 3EX. By Senators Ray of the 19th, Perdue of the 18th, Blich of the 7th and others:

A bill to amend Code Section 28-2-2 of the O.C.G.A., relating to apportionment and qualifications for the Senate, so as to provide for the description of senatorial districts; to provide for the election of members of the Senate; to provide for the continuation of present senatorial districts until a certain time; to provide for applicability to certain primary and general elections; to define certain terms.

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

SB 3EX. By Senators Ray of the 19th, Perdue of the 18th, Blich of the 7th and others:

A bill to amend Code Section 28-2-2 of the O.C.G.A., relating to apportionment and qualifications for the Senate, so as to provide for the description of senatorial districts; to provide for the election of members of the Senate; to provide for the continuation of present senatorial districts until a certain time; to provide for applicability to certain primary and general elections; to define certain terms.

Referred to the Committee on Legislative & Congressional Reapportionment.

The following Resolution of the House was read and adopted:

HR 16EX. By Representative Mann of the 5th:

A resolution recognizing and commending Mike Patrick.

Representative Woods of the 32nd arose to a point of personal privilege and addressed the House.

Representative Irvin of the 45th arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st arose to a point of personal privilege and addressed the House.

Representative Walker of the 141st arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st moved that the House adjourn sine die.

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

Y Ashe	Y Crews	N Hugley	N Parham	Y Smith, W
N Bailey	N Culbreth	Y Irvin	N Parrish	N Smyre
N Baker	N Cummings	N James	N Parsons	Y Snelling
Y Bannister	N Davis, G	N Jamieson	Y Pelote	Snow
N Barfoot	Davis, M	N Jenkins	Perry	N Stallings
N Bargeron	N Day	Y Johnson, G	Pinholster	N Stancil, F
Y Barnard	Y DeLoach, B	Y Johnson, J	Poiak	Y Stancil, S
N Barnes	N DeLoach, G	Y Johnston	N Porter	Stanley, L
N Bates	Dix	Jones	N Poston	N Stanley, P
N Benefield	N Dixon, H	Joyce	N Powell	Stephenson
N Birdsong	N Dixon, S	Y Kaye	N Purcell, A	N Streat
N Bordeaux	N Dobbs	N Kinnamon	N Purcell, B	N Taylor
N Bostick	Y Ehrhart	Y Klein	N Randall	Y Teague
N Breedlove	Y Epps	Y Ladd	N Randolph	N Teper
Y Brooks, D	Y Evans	Y Lakly	N Ray	N Thomas
N Brooks, T	Falls	N Lane	N Reaves	Y Tillman
Y Brown, G	Y Felton	Y Lawrence	N Reichert	Y Titus
Y Brown, J	N Floyd	N Lee	Y Roberts	Y Towery
Brush	N Godbee	N Lewis	N Rogers	Y Trense
Buck	N Golden	Y Lifsey	N Royal	Turnquest
N Buckner	Y Goodwin	N Lord	Y Sanders	N Twiggs
Y Bunn	N Greene	N Lucas	Y Sauder	N Walker, L
Burkhalter	Y Grindley	Y Maddox	N Scoggins	Y Walker, R.L
Byrd	N Hanner	Y Mann	N Shanahan	N Wall
Y Campbell	Y Harbin	N Martin	N Shaw	N Watson
Y Canty	Y Harris	McBee	N Sherrill	N Watts
N Carter	Hart	N McCall	Y Shipp	Y Westmoreland
N Chambless	N Heard	N McClinton	N Simpson	N Whitaker
N Channell	N Heckstall	Y McKinney	N Sinkfield	White
N Childers	N Hegstrom	Y Mills	N Skipper	Y Wiles
N Coker	Y Hembree	Mobley, B	N Smith, C	Y Williams, B
Y Coleman, B	N Henson	N Mobley, J	Y Smith, C.W	Y Williams, J
Coleman, T	N Holland	N Mosley	N Smith, L	Williams, R
N Connell	Holmes	Y Mueller	N Smith, P	Y Woods
N Cox	Y Howard	N O'Neal	N Smith, T	Y Yates
Y Crawford	N Hudson	N Orrock	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 59, nays 97.

The motion was lost.

Representative Coleman of the 142nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Davis of the 60th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Smith of the 169th District, Chairman of the Committee on Legislative & Congressional Reapportionment, submitted the following report:

Mr. Speaker:

Your Committee on Legislative & Congressional Reapportionment has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 7EX Do Pass, by Substitute
 HB 8EX Do Pass, by Substitute

Respectfully submitted,
/s/ Smith of the 169th
Chairman

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Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia

Tuesday, August 22, 1995

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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:

Ashe	Crews	Jamieson	Pelote	Snow
Bailey	Culbreth	Jenkins	Perry	Stallings
Bannister	Cummings	Johnson, G	Pinholster	Stancil, F
Barfoot	Davis, M	Johnson, J	Polak	Stancil, S
Bargeron	Day	Johnston	Porter	Stanley, L
Barnard	DeLoach, B	Jones	Poston	Stanley, P
Barnes	DeLoach, G	Kaye	Powell	Stephenson
Bates	Dix	Kinnamon	Purcell, A	Streat
Benefield	Dixon, H	Klein	Purcell, B	Taylor
Birdsong	Dobbs	Ladd	Randall	Teague
Bostick	Ehrhart	Lakly	Randolph	Teper
Breedlove	Epps	Lane	Reaves	Thomas
Brooks, D	Evans	Lawrence	Reichert	Tillman
Brooks, T	Falls	Lee	Roberts	Titus
Brown, G	Floyd	Lewis	Rogers	Towery
Brown, J	Godbee	Lifsey	Royal	Trense
Buck	Golden	Lord	Sanders	Turnquest
Bunn	Goodwin	Maddox	Sauder	Twiggs
Burkhalter	Greene	Mann	Shanahan	Walker, L
Byrd	Grindley	Martin	Shaw	Walker, R.L
Campbell	Harbin	McBee	Sherrill	Wall
Canty	Harris	McCall	Shipp	Watson
Carter	Hart	McClinton	Skipper	Watts
Chambless	Heard	McKinney	Smith, C	Westmoreland
Channell	Heckstall	Mills	Smith, C.W	Whitaker
Childers	Hembree	Mobley, B	Smith, L	White
Coker	Holland	Mobley, J	Smith, P	Wiles
Coleman, B	Holmes	Mosley	Smith, T	Williams, B
Coleman, T	Howard	O'Neal	Smith, V	Williams, R
Connell	Hudson	Parham	Smith, W	Woods
Cox	Hugley	Parrish	Smyre	Murphy, Spkr
Crawford	James	Parsons	Snelling	

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

Representatives Mueller of the 152nd, Yates of the 106th, Dixon of the 150th, Hanner of the 159th, Ray of the 128th, Henson of the 65th, Williams of the 83rd, Hegstrom of the 66th, Bordeaux of the 151st, Orrock of the 56th, Lucas of the 124th, Felton of the 43rd, Davis of the 48th, Baker of the 70th and Scoggins of the 24th.

They wish to be recorded as present.

Prayer was offered by Dr. Robert L. "Jackey" Beavers, Glory Harvester Church, Cartersville, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

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

HB 24EX. By Representatives Watts of the 26th and Murphy of the 18th:

A bill to amend an Act creating a Board of Commissioners of Paulding County, so as to change the provisions relating to the appointment and removal of certain county officials and employees.

Referred to the Committee on State Planning & Community Affairs Local.

HB 25EX. By Representatives Shipp of the 38th, Coker of the 31st, Klein of the 39th, Sauder of the 29th, Towery of the 30th and others:

A bill to amend an Act reincorporating and providing a new charter for the City of Acworth, so as to change the corporate limits of the city.

Referred to the Committee on State Planning & Community Affairs Local.

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

HB 18EX
HB 19EX
HB 20EX
HB 21EX

HB 22EX
HB 23EX
SB 3EX

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation 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 4EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

By unanimous consent, the following Bill of the Senate was taken up for consideration and read the third time:

SB 4EX. By Senators Farrow of the 54th and Black of the 53rd:

A bill to amend an Act providing for the Magistrate Court of Whitfield County, as amended, so as to clarify that the election of the chief magistrate and the full-time magistrates of said county shall be by nonpartisan election.

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

On the passage of the Bill, the ayes were 92, nays 6.

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

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

Mr. Speaker:

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

HB 9EX. By Representatives Simpson of the 101st and Stallings of the 100th:

A bill to amend an Act creating the Board of Commissioners of Carroll County, so as to provide for a county manager.

HB 16EX. By Representatives Porter of the 143rd and Coleman of the 142nd:

A bill to provide for the nonpartisan nomination and election of the judge of the Probate Court of Laurens County.

Representative Walker of the 141st moved that debate on HB 7EX be limited to ten minutes with the exception of the presenter and the Committee Chairman which will be limited to twenty minutes.

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

N Ashe	Y Byrd	Y Dixon, S	N Holmes	Y Lord
Y Bailey	N Campbell	Y Dobbs	N Howard	Lucas
Baker	N Canty	N Ehrhart	Y Hudson	N Maddox
N Bannister	Y Carter	N Epps	N Hugley	N Mann
Y Barfoot	Y Chambless	N Evans	N Irvin	Y Martin
Y Bargeron	Y Channell	N Falls	N James	Y McBee
N Barnard	Y Childers	N Felton	Y Jamieson	Y McCall
Y Barnes	N Coker	Y Floyd	Y Jenkins	N McClinton
Bates	Coleman, B	Y Godbee	N Johnson, G	N McKinney
Y Benefield	Y Coleman, T	Y Golden	N Johnson, J	N Mills
Y Birdsong	Y Connell	N Goodwin	N Johnston	N Mobley, B
Bordeaux	Y Cox	Y Greene	N Jones	Mobley, J
Y Bostick	N Crawford	N Grindley	E Joyce	Y Mosley
Y Breedlove	N Crews	Y Hanner	N Kaye	N Mueller
N Brooks, D	Y Culbreth	N Harbin	Y Kinnamon	Y O'Neal
Brooks, T	Y Cummings	N Harris	N Klein	Orrock
N Brown, G	Davis, G	N Hart	N Ladd	Y Parham
N Brown, J	N Davis, M	N Heard	N Lakly	Y Parrish
N Brush	N Day	Heckstall	Y Lane	N Parsons
Y Buck	N DeLoach, B	Y Hegstrom	N Lawrence	Y Pelote
N Buckner	N DeLoach, G	N Hembree	Y Lee	Y Perry
N Bunn	N Dix	Henson	N Lewis	N Pinholster
N Burkhalter	Dixon, H	Y Holland	N Lifsey	Y Polak

Y Porter	N Sanders	Y Smith, P	Streat	Y Wall
Y Poston	N Saudar	Y Smith, T	N Taylor	Y Watson
Y Powell	Y Scoggins	N Smith, V	N Teague	Y Watts
Y Purcell, A	Y Shanahan	N Smith, W	Y Teper	N Westmoreland
Y Purcell, B	Y Shaw	Smyra	Y Thomas	N Whitaker
N Randall	Y Sherrill	N Snalling	N Tillman	N White
Y Randolph	N Shipp	Y Snow	N Titus	N Wiles
Y Ray	Y Simpson	Y Stallings	N Towery	N Williams, B
Y Reaves	Y Sinkfield	Y Stancil, F	N Trense	N Williams, J
Y Reichert	Y Skipper	N Stancil, S	Turnquest	N Williams, R
N Roberts	Y Smith, C	Stanley, L	Y Twiggs	N Woods
Rogers	N Smith, C.W	N Stanley, P	Y Walker, L	N Yates
Y Royal	Y Smith, L	Y Stephanson	N Walker, R.L	Murphy, Spkr

On the motion, the ayes were 77, nays 84.

The motion was lost.

The Speaker announced the House in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The ~~Speaker~~ ~~Pro Tem~~ called the House to order.

The following Resolutions of the House were read and adopted:

- HR 17EX. By Representative Smith of the 175th:
A resolution commending Willis Brown, Jr.
- HR 18EX. By Representatives Bailey of the 93rd, Lee of the 94th and Benefield of the 96th:
A resolution congratulating the Riverdale Presbyterian Church.
- HR 19EX. By Representatives Bailey of the 93rd, Lee of the 94th and Benefield of the 96th:
A resolution expressing regret at the passing of Mr. E. L. "Ted" Wright.
- HR 20EX. By Representative Byrd of the 170th:
A resolution commending Nino Saloukvadze and Tamaz Imnaishvili, members of the Republic of Georgia Olympic team.
- HR 21EX. By Representative Coleman of the 80th:
A resolution commending Jason H. Beach.
- HR 22EX. By Representative Purcell of the 147th:
A resolution commending Mr. Henry Joseph Wilkins.
- HR 23EX. By Representative Purcell of the 147th:
A resolution commending Ms. Geneva Daughtry.

The Speaker assumed the Chair.

Under the general order of business, the following Bill of the House was taken up for consideration and read the third time:

- HB 7EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:
A bill to amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts.

The following Committee substitute was read:

A BILL

To amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for

the description of representative districts; to provide for the election of members of the House of Representatives; to provide for the continuation of present representative districts until a certain time; to provide for applicability to certain primary and general elections; to ~~define certain terms;~~ 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.

Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, is amended by striking the description of the 180 representative districts immediately following the second sentence of subsection (a) thereof and inserting in its place the description of the 180 representative districts attached to this Act and made a part hereof and further identified as: "Operator: state Client: house Plan: hb7excs."

SECTION 2.

Said Code section is further amended by striking subsection (c) thereof and inserting in its place the following:

"(c) The first members of the House of Representatives elected pursuant to this Code section shall be those who are elected to take office on the convening date of the regular session of the General Assembly in ~~1993~~ 1997. Until that time the membership of the House of Representatives elected under prior law shall continue to serve and shall represent the districts from which elected; and until that time the composition of the districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective, however, for the primary and general elections of ~~1992~~ 1996 for the purpose of electing members of the House of Representatives in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under this Code section."

SECTION 3.

Said Code section is further amended by striking subsection (d) thereof and inserting in its place the following:

"(d) For purposes of this Code section:

- (1) The terms 'Tract,' 'Block,' and ~~'VTD'~~ 'Block Group' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia; and
- (2) ~~The term 'Precinct' is synonymous with the term 'voting precinct' and means a geographical area designated by Article 7 of Chapter 2 of Title 21, within which all electors vote at one polling place;~~
- (3) ~~Except as otherwise provided in the descriptions of representative districts No. 113 and 114, description of any representative district, whenever the description of any representative district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 1990 for the State of Georgia; and~~
- (4) ~~Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any representative district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control."~~

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.

District No. 1

DADE
WALKER

Tract: 0201.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block: 702A, 702B, 702C, 703, 707, 708, 709, 710, 718

Tract: 0202.

Tract: 0203.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503A, 503B, 504, 505, 506, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544

Block Group: 7

Block Group: 8

Block Group: 9

Tract: 0204.98

Tract: 0205.

Block: 101, 102B, 103, 104, 105, 106, 107, 108, 109, 110, 203, 204, 219, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 533, 534, 599, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615

Tract: 0208.

Block: 316, 317, 318, 319, 320, 321, 322, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 399A, 399B, 399C

District No. 2

CATOOSA

Tract: 0307.

Block: 101A, 101B, 101C, 101D, 101E, 102, 157, 158, 159A, 159B, 160, 161A, 161B, 161C, 161D, 162, 163, 164, 165, 166

Block Group: 2

Block: 313, 314, 315, 316, 317, 318, 319, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412

Block Group: 5

Block: 607A, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 701A, 701B, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 718

WALKER

Tract: 0201.

Block: 701, 702D, 704, 705, 706, 711A, 711B, 712, 713, 714, 715, 716A, 716B, 717A, 717B, 719, 720, 721, 722A, 722B, 722C, 723

Tract: 0203.

Block: 507, 508, 509, 510, 511

Block Group: 6

Tract: 0205.

Block: 102A, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,

Block: 132, 133, 134, 135, 136, 137, 138, 139, 199, 199, 199, 201, 202, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 220, 221, 222, 223, 224,

225A, 225B, 225C, 226, 227A, 227B, 228, 229, 230, 231, 232, 233, 234, 235,
236, 237, 238, 239, 240, 241, 242, 243, 244, 245

Block Group: 3

Block Group: 4.com.cn

Block: 524, 525, 526, 527, 528, 529, 530, 531, 532, 535, 536, 537, 538, 539, 540, 541,
542, 601, 602, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628,
629, 630, 631, 632

Tract: 0206.01

Tract: 0206.02

Tract: 0207.

Tract: 0208.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115A,
115B, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129,
130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145,
146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161,
162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177,
178, 179, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194,
195, 196, 197, 199

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315,
323A, 323B, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336,
337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352,
353, 354, 355, 356, 357, 358, 389, 390, 391, 392, 393, 394, 399D

Block Group: 4

Tract: 0209.01

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 215, 216, 217, 219, 225, 226, 227, 228, 229,
230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516,
517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532,
533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 549, 550,
556, 557

Block Group: 6

Tract: 0209.02

District No. 3

CATOOSA

Tract: 0301.98

Tract: 0302.

Tract: 0303.

Tract: 0304.

Tract: 0305.

Tract: 0306.

Tract: 0307.

Block: 103, 104, 107, 301A, 301B, 302A, 302B, 303, 304, 305A, 305B, 306A, 306B,
306C, 307, 308, 309, 310A, 310B, 310C, 311, 312, 401, 402, 601, 602, 603A,
603B, 604, 605, 606, 607B, 717A, 717B, 717C, 719A, 719B

Tract: 0308.98

District No. 4

WHITFIELD

Tract: 0001.

Tract: 0002.

Tract: 0003.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334

Block Group: 4

Block Group: 5

Tract: 0004.

Tract: 0005.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 113A, 113B, 114, 115, 120, 121, 138E, 139, 140A, 140B, 141A, 141B, 141C, 142, 143, 144, 145A, 145B, 146A, 146B, 199B, 201A, 201B, 211, 212, 213, 234, 235, 254, 301, 302, 311B, 313, 314, 315B, 337, 338, 339, 356, 357, 358, 359, 360, 361, 362

Tract: 0006.98

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401A, 401B, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412A, 412B, 413, 414, 415, 416, 417, 418, 419, 420, 421

Tract: 0007.

Block: 101A, 101B, 102, 103, 104, 105, 106, 107, 108, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 299, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 348, 349, 350, 351

Tract: 0010.

Tract: 0011.

Block: 101, 102, 201, 202, 203

Block Group: 3

Block Group: 4

Tract: 0013.

Block: 101A, 101B, 101C, 102, 103A, 103B, 104A, 104B, 105A, 105B, 105C, 105D, 105E, 106A, 106B, 106C, 106D, 107A, 107B, 107C, 107D, 108, 109, 110, 111, 112, 113, 114A, 114B, 114C, 118A, 118B

Block Group: 3

Tract: 0016.97

Tract: 0016.98

District No. 5

WHITFIELD

Tract: 0003.

Block: 315, 335, 336

Tract: 0005.

Block: 111A, 111B, 111C, 112A, 112B, 116, 117, 118, 119, 122, 123, 124, 125, 126, 127, 128A, 128B, 128C, 128D, 128E, 128F, 128G, 128H, 129, 130, 131, 132, 133, 134A, 134B, 135, 136A, 136B, 137A, 137B, 138A, 138B, 138C, 138D, 147, 148, 149A, 149B, 150A, 150B, 150C, 151, 152A, 152B, 153, 199A, 202A, 202B, 203A, 203B, 203C, 204A, 204B, 204C, 204D, 205, 206, 207, 208, 209, 210, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 257, 258, 259, 260, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 312, 315A, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326,

Block: 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Tract: 0006.98

Block: 422A, 422B, 422C, 422D, 423A, 423B

Tract: 0007.

Block: ~~109, 110, 111, 112~~, 113, 114, 230, 231, 232, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 321, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347

Block Group: 4

Tract: 0008.

Tract: 0009.

Tract: 0011.

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 199, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227

Tract: 0012.

Tract: 0013.

Block: 115A, 115B, 115C, 115D, 115E, 115F, 116, 117, 119A, 119B, 119C, 120A, 120B, 120C, 120D, 121, 122A, 122B, 122C, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132

Block Group: 2

Tract: 0014.

Tract: 0015.

District No. 6

FANNIN

Tract: 9501.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 196, 197, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220B, 221, 222, 223, 224, 225, 226, 227, 229B, 230B, 231, 232B, 234B, 235B, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 263B, 299

Tract: 9502.

Tract: 9503.98

Tract: 9504.

Block: 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117D, 118, 119, 120, 121, 122, 123, 142, 145B, 145C, 146B, 147, 148, 149, 150, 151, 152, 153, 154B, 155, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241B, 242B, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264B, 265, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 433B, 434B, 435, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 450, 451

MURRAY

District No. 7

FANNIN

Tract: 9501.

Block: 101, 102, 103, 104, 128, 129, 130, 131, 132, 133, 134,

Block: 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 220A, 228A, 228B, 229A, 230A, 232A, 233, 234A, 235A, 250, 251, 252, 253, 254, 255, 256, 257A, 257B, 258A, 258B, 259, 260A, 260B, 261, 262A, 262B, 263A, 264, 265, 266, 267A, 267B, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 299

Tract: 9504.

Block: 105, 117A, 117B, 117C, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141A, 141B, 143, 144, 145A, 146A, 154A, 156, 157, 158, 159, 160, 161, 162, 163, 164A, 164B, 165A, 165B, 166, 167A, 167B, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 199, 241A, 242A, 264A, 266, 267, 268

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417A, 417B, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429A, 429B, 430A, 430B, 431, 432, 433A, 434A, 436, 448, 449, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 499

Tract: 9505.

Tract: 9506.98

GILMER

LUMPKIN

District No. 8

RABUN

TOWNS

UNION

WHITE

Tract: 9501.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 158, 167, 168, 169, 176, 177, 178, 191, 199A, 211A, 211B, 211C, 211D, 212, 213, 214, 215, 216, 217A, 217B, 218, 219, 220A, 220B, 221A, 221B, 222A, 222B, 223, 224, 225A, 225B, 225C, 225D, 225E, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245A, 245B, 245C, 245D, 246, 247, 248, 249A, 249B, 250, 251, 252, 265, 274, 275

Tract: 9502.

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 250, 251, 254, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 327, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 399A, 399B, 399C, 399D, 399E, 428D, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 499

District No. 9

HABERSHAM

WHITE

Tract: 9501.

Block: 101, 157, 159, 160, 161, 162, 163, 164, 165, 166, 170, 171, 172, 173, 174, 175, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 199B, 199C, 199D, 199E, 199F, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 266, 267, 268, 269, 270, 271, 272, 273, 299, 299, 299

Tract: 9502.

Block Group: 1

Block: 247, 248, 249, 252, 253, 255, 325, 326, 328, 329, 349, 350, 351, 352, 353, 354, 355, 356, 357, 401, 402, 403, 404, 405A, 405B, 406A, 406B, 406C, 407, 408A, 408B, 409A, 409B, 410A, 410B, 411, 412, 413, 414, 415, 416, 417A, 417B, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428A, 428B, 428C, 429A, 429B, 430, 436, 485, 486

Block Group: 5

Tract: 9503.

District No. 10

GORDON

District No. 11

CHATTOOGA

FLOYD

Tract: 0002.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 149, 150, 151, 152, 153A, 153B, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 199E, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 299A, 299B, 299C, 299D, 299E, 299F

Block Group: 3

Block Group: 4

Tract: 0003.

Block: 101, 102, 103, 104, 106, 108, 109, 113, 114, 115, 116, 117C, 117D, 128A, 128B, 129, 132, 133B, 134, 135, 199B

Block Group: 3

Tract: 0013.

Block: 215C, 238, 242

Tract: 0014.

Block: 102B, 107, 108, 113, 117, 125, 126, 127, 128, 129, 130, 131, 199D, 199E, 199G

Block Group: 2

Block: 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345A, 345B, 346, 347A, 347B, 348, 349, 350, 351, 352, 353, 354, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K

Block Group: 4

Block Group: 5

Tract: 0020.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125,

Block: 126A, 126B, 126C, 126D, 126E, 126F, 127, 128, 137, 157, 199A, 199B, 199C, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 241, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 273, 274, 292, 293, 294, 295, 296, 297, 299B, 299C

Tract: 0021.98

WALKER

Tract: 0208.

Block: 180

Tract: 0209.01

Block: 208, 209, 210, 211, 212, 213, 214, 218, 220, 221, 222, 223, 224

Block Group: 3

Block: 547, 548, 551, 552, 553, 554, 555, 558, 559, 560, 561, 562

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District No. 12

FLOYD

Tract: 0002.

Block: 132, 134, 135, 147B, 147D

Tract: 0003.

Block: 105A, 105B, 107, 110A, 110B, 110C, 110D, 110E, 111A, 111B, 111C, 111D, 112A, 112B, 112C, 112D, 117A, 117B, 117E, 118A, 118B, 119A, 119B, 119C, 120A, 120B, 121A, 121B, 121C, 121D, 121E, 121F, 121G, 121H, 121J, 121K, 121L, 121M, 121N, 121P, 122A, 122B, 122C, 122D, 123A, 123B, 123C, 123D, 124A, 124B, 124C, 124D, 124E, 125A, 125B, 125C, 125D, 125E, 125F, 126A, 126B, 126C, 127A, 127B, 130A, 130B, 131, 133A, 136, 137, 138, 199A

Tract: 0004.

Tract: 0005.

Tract: 0006.

Block: 143, 144, 145, 147, 152, 153, 154, 157A, 201A, 202, 203A, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252A, 253A

Block Group: 3

Block Group: 4

Tract: 0008.

Block: 103, 104, 105, 106, 107, 108, 109, 110A, 110B, 111A, 111B, 111C, 112A, 112B, 112C, 112D, 113, 114, 115, 116, 117, 118A, 118B, 119, 120A, 120B, 120C, 120D, 120E, 120F, 120G, 120H, 120J, 130, 132, 134, 135, 136, 138A, 139A, 139B, 142, 143, 144, 146, 147, 148, 149, 150, 152, 155A, 155B, 201, 202, 203, 204, 205, 207, 208, 209, 210, 211A, 211B, 211E, 212, 213, 215, 218A, 218B, 220, 223A, 223B, 224, 225, 229A, 230, 231, 299

Tract: 0009.

Block: 101A, 101B, 101C, 101D, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 116A, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148A, 149A, 151A, 151B, 151C, 152, 153, 154, 155A, 155B, 156, 210A

Tract: 0010.

Tract: 0011.

Tract: 0012.

Tract: 0013.

Block Group: 1

Block: 201A, 201B, 201C, 202A, 202B, 202C, 203, 204, 205, 206, 207, 208A, 208B, 208C, 208D, 209A, 209B, 209C, 209D, 210A, 210B, 210C, 211, 212, 213, 214, 215A, 215B, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 239, 240, 241, 243

Tract: 0014.

Block: 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 101J, 101K, 102A, 103, 104, 105, 106, 109A, 109B, 109C, 109D, 109E, 109F, 109G, 110A, 110B, 111A, 111B, 111C, 111D, 111E, 112A, 112B, 112C, 114, 115, 116, 118, 119, 120A, 120B, 120C, 121, 122, 123, 124, 199A, 199B, 199C, 199F, 199H, 301, 302, 303, 304

Tract: 0015.

Block: 101A, 101B, 101C, 101D, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149A, 150A, 151, 152, 153, 154, 155, 156, 157, 158, 159,

160, 161, 162, 163, 164, 165A, 165B, 166A, 166B, 199A, 199B, 199C, 199D,
199E, 199F, 199G

Tract: 0016.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206A, 206B, 206C, 207, 208, 210, 211A, 211B, 212,
214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229,
230A, 230B, 230C, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242,
243, 244, 245, 247, 248, 249, 250

Block Group: 3

Tract: 0017.

Block: 104A, 105A, 105B, 105C, 105D, 105E, 105F, 105H, 108A, 108B, 108C, 108D,
108E, 109A, 109B, 109C, 109D, 109E, 109F, 110, 115, 116A, 116B, 117A,
117B, 117C, 118, 120A, 120B, 120D, 120E, 120F, 121A, 121B, 122A, 122B,
125

Tract: 0018.

Block: 101A, 101B, 102A, 102B, 103A, 103B, 104C, 105B, 109B, 111B, 112, 114,
115A, 122A, 122B, 123A, 123B, 123C, 125B, 153, 154A, 154B, 154C, 201C,
202B, 202C, 210, 240

Tract: 0019.

Block: 101A, 101B, 101C, 102A, 102B, 102C, 114A, 115A, 115B, 116C, 117, 118,
119

District No. 13

BARTOW

Tract: 9601.

Block: 115, 116, 117, 118, 119, 120, 121, 122, 123, 191, 192, 193, 194, 195, 196, 197,
203, 204, 205, 206, 207, 221, 222, 224, 225, 226, 242, 243, 244, 245, 246, 247,
248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 299A

Tract: 9602.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516,
517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532,
533, 534, 535, 536, 537, 538, 539, 540, 541, 543, 544, 545, 546, 547, 548, 549,
550, 551, 552, 553, 554, 599, 599

Tract: 9603.98

Block Group: 3

Tract: 9604.

Block: 208, 234A, 234B, 301, 302, 303, 304, 305, 306, 307, 308

FLOYD

Tract: 0001.98

Tract: 0002.

Block: 147A, 147C, 148, 172, 199A, 199B, 199C, 199D, 199F, 299G

Tract: 0006.

Block: 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 101J, 101K, 101L, 102,
103A, 103B, 103C, 104A, 104B, 104C, 105A, 105B, 106A, 106B, 107, 108,
109A, 109B, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122,
123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133A, 133B, 134A, 134B,
135A, 135B, 135C, 135D, 136, 137, 138A, 138B, 138C, 138D, 138E, 139, 140,
141, 142, 146, 148A, 148B, 148C, 149A, 149B, 150, 151, 155A, 155B, 156A,
156B, 156C, 157B, 158, 199A, 199B, 199C, 199D, 199E, 201B, 203B, 252B,
253B, 254

Tract: 0007.

Tract: 0008.

Block: 101A, 101B, 102, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 133, 137, 138B, 140, 141, 145, 151, 206, 211C, 211D, 214, 216, 217, 219, 221, 222, 226, 227, 228, 229B, 232, 233

Tract: 0009. libtool.com.cn

Block: 101E, 102, 115, 116B, 116C, 148B, 149B, 150, 157, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210B

Tract: 0015.

Block: 101E, 102, 149B, 149C, 150B, 199H

Tract: 0016.

Block: 209, 213

Tract: 0017.

Block: 101, 102, 103, 104B, 105G, 106, 107, 111, 112, 113, 114, 119, 120C, 123, 124, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 299, 299

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0018.

Block: 104A, 104B, 105A, 106, 107, 108, 109A, 110, 111A, 113, 115B, 116, 117, 118, 119, 120, 121, 122C, 123D, 124A, 124B, 125A, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 155, 156, 157, 201A, 201B, 202A, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229A, 229B, 229C, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256

Tract: 0019.

Block: 102D, 102E, 102F, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114B, 116A, 116B, 120A, 120B, 121, 122, 124, 126, 127, 129, 130, 131, 132, 133, 134, 138, 139, 199A, 199B, 199C

Tract: 0020.

Block: 109, 110, 111, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154A, 154B, 155, 156A, 156B, 156C, 156D, 156E, 156F, 156G, 156H, 158, 159, 160A, 160B, 160C, 160D, 160E, 161A, 161B, 162, 163A, 163B, 163C, 164A, 164B, 164C, 165, 166, 167A, 167B, 168, 169A, 169B, 170, 171, 172, 173, 174, 175, 176A, 176B, 177, 178A, 178B, 179A, 179B, 180A, 180B, 181A, 181B, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199D, 199E, 199F, 199G, 199H, 237, 238, 239, 240, 242, 243, 244, 245A, 245B, 246, 247,

Block: 248A, 248B, 248C, 248D, 249A, 249B, 250, 270, 271, 272, 275, 276, 277, 278, 279, 280, 281, 282A, 282B, 283, 284, 285, 286, 287, 288, 289, 290, 291, 299A

Block Group: 3

Tract: 0021.97

District No. 14

BARTOW

Tract: 9601.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 201, 202, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,

223, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 299B

Block Group: 3

Tract: 9603.98 www.911tool.com.cn

Block: 215, 216, 217, 218, 219, 220, 223, 224, 225, 285, 286, 287, 288, 289, 290

Tract: 9604.

Block Group: 1

Block: 201, 202, 203A, 203B, 203C, 203D, 204, 205A, 205B, 205C, 206A, 206B, 206C, 207, 209, 210, 211, 212A, 212B, 213A, 213B, 213C, 213D, 214A, 214B, 214C, 215, 216, 217A, 217B, 217C, 218A, 218B, 219, 220, 221, 222, 223A, 223B, 224A, 224B, 225A, 225B, 226, 227, 228, 229, 230, 231, 232A, 232B, 233, 235A, 235B, 235C, 236A, 236B, 236C, 236D, 237, 238, 239A, 239B, 239C, 240, 241A, 241B, 241C, 242A, 242B, 242C, 243A, 243B, 243C, 244A, 244B, 244C, 245A, 245B, 245C, 246A, 246B, 247A, 247B, 247C, 248A, 248B, 249, 250A, 250B, 251A, 251B, 252A, 252B, 253A, 253B, 253C, 254A, 254B, 255A, 255B, 256A, 256B, 257A, 257B, 257C, 258A, 258B, 259, 260, 261A, 261B, 262, 263, 299

Tract: 9605.

Block Group: 1

Block Group: 2

Block: 301, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317A, 317B, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417A, 417B, 418A, 418B, 419, 420A, 420B, 421A, 421B, 421C, 422, 423

Tract: 9606.

Tract: 9607.

Tract: 9608.

Tract: 9609.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211A, 211B, 211C, 212, 213, 214A, 214B, 215A, 215B, 215C, 215D, 215E, 215F, 215G, 215H, 216, 217, 218, 219, 220, 221A, 221B, 221C, 221D, 222, 223, 224, 225, 226A, 226B, 227A, 227B, 228, 229, 230, 231, 232, 299A, 299B, 299D, 299E, 299F, 301A, 301B, 301C, 302, 303, 304A, 304B, 305A, 305B, 306A, 306B, 306C, 307A, 307B, 308A, 308B, 308C, 308D, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336A, 336B, 337, 338, 339, 340, 341, 342, 349, 350, 399A, 399B, 399C, 399D, 399E

Tract: 9610.

Block: 199C

District No. 15

CHEROKEE

Tract: 0901.

Block Group: 1

Block Group: 2

Block: 301, 302A, 302B, 303, 304, 305, 306, 307A, 307B, 308A, 308B, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325B, 326A, 326B, 327A, 327B, 328, 329, 330, 331, 332A, 332B, 333, 334A, 334B, 335, 336, 337, 338, 339, 340, 341, 342, 343A, 343B, 344A, 344B, 345A, 345B, 346, 347A, 347B, 347C, 348, 349, 350, 351, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441A, 441B, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470A, 470B, 470C, 471, 472, 473, 474, 475, 476, 477, 480, 481, 482, 483, 499

Tract: 0902.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216,
 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232,
 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246A, 246B,
 247A, 247B, 248, 249, 250, 251, 252, 253, 254, 255, 299

Block Group: 3

Tract: 0905.

Tract: 0908.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 299

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 517, 518, 519, 601, 602, 603, 604, 610, 611, 701

PICKENS

District No. 16

CHEROKEE

Tract: 0901.

Block: 352, 353, 478, 479

Tract: 0903.

Block: 101A, 101B, 101C, 101D, 101E, 102, 103, 104, 105, 106, 107A, 112A, 115,
 116, 117, 118, 119, 120A, 120B, 120C, 121, 122, 123, 124, 125, 126, 127, 128,
 129, 130, 137, 138, 139, 140, 141, 199A, 199B, 201, 202, 203, 204, 205, 206,
 207, 208, 209, 210, 211, 212, 213, 214, 299A, 299B

Tract: 0904.

Tract: 0906.

Tract: 0907.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 501B, 502A, 502B, 502C, 503A, 503B, 503C, 503D, 504A, 504B, 504C,
 505, 506, 507, 508, 509, 510, 599A, 599B

Block Group: 6

Tract: 0908.

Block: 208, 209, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 605, 606,
 607, 608, 609, 702, 703, 704, 705

Tract: 0909.01

Tract: 0909.02

Tract: 0910.01

Block: 199

District No. 17

CHEROKEE

Tract: 0902.

Block: 256, 257, 258, 259, 260, 261, 262, 263, 264

Tract: 0903.

Block: 107B, 108, 109, 110, 111, 112B, 113, 114, 131, 132, 133, 134, 135, 136, 199C,
 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230,
 231, 232, 233, 234, 235, 236, 237, 238, 299C, 299D, 299E, 299F, 299G

Tract: 0907.

Block: 511

Tract: 0908.

Block: 799

Tract: 0909.03

Tract: 0910.01

Block: 101A, 101B, 101C, 102A, 102B, 103, 104A, 104B, 104C, 104D, 105, 106A, 106B, 106C, 107A, 107B, 108, 109A, 109B, 110A, 110B, 110C, 111A, 111B, 112, 113, 114, 199

Block Group: 2.com.cn

Block Group: 3

Tract: 0910.02

Tract: 0910.03

Tract: 0911.01

Tract: 0911.03

Tract: 0911.98

Tract: 0912.98

District No. 18

HARALSON

PAULDING

Tract: 1201.

Block: 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 128, 129, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184A, 184B, 185, 186, 187A, 187B, 188A, 188B, 189, 190A, 190B, 191A, 191B, 192, 193, 194, 195, 196, 197, 199, 199, 199, 206, 207, 208, 209, 210, 211A, 211B, 212A, 212B, 213A, 213B, 214A, 214B, 215A, 215B, 216A, 216B, 216C, 217A, 217B, 218, 219, 220, 221, 222, 223A, 223B, 224A, 224B, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 286, 287, 288A, 288B, 289A, 289B, 290A, 290B, 291A, 291B, 292, 293A, 293B, 293C, 294, 295, 296, 297, 299F, 299G, 299H, 299J, 299K, 299L

Tract: 1203.

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311B, 313, 315B, 316B, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329C, 330C, 330D, 331, 340D, 364, 365, 373, 374, 375, 399, 399, 399, 399, 399, 399, 399, 399

Tract: 1204.

Block: 101A, 101B, 102A, 102B, 102C, 103A, 103B, 104, 105, 106, 107, 108, 109, 110A, 110B, 111A, 111B, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224,

Block: 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 256, 257, 258, 259, 260, 299A, 299B, 299C, 305, 306, 307, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 366, 367, 368, 369, 370, 371, 372, 373, 374, 399B, 399D, 399E, 399F, 399G, 399H, 399J

Tract: 1206.98

Block: 325, 326, 327, 328, 339, 340, 344, 345, 346, 347, 348, 349, 350, 351, 399H, 423

POLK

Tract: 9902.

Block: 135, 136, 137, 138, 139

Tract: 9903.

Block Group: 1

Block: 201, 202, 203, 204, 206, 212, 213, 214, 215, 216, 217, 220, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356,

357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372,
373, 374, 375, 376, 377, 378, 379, 399A, 399B, 399C, 399D, 399E

Tract: 9904.

Block: 147, 148, 149, 150, 151, 414, 415, 416, 418, 419, 420, 421, 422, 423, 424, 425,
426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441,
442, 443, 444, 445, 446, 447, 448, 449, 450, 499, 499, 499, 499, 499, 499, 502,
503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518,
519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534,
535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550,
551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566,
567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 599A, 599B, 599C, 599D,
599E, 599F

Tract: 9905.

Block: 520, 521, 523, 524, 525, 623, 624, 625, 638, 640, 642, 643, 644, 645, 646, 647,
648

Tract: 9906.

Block: 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457,
458, 459, 460, 461, 462, 499D, 499E, 499F, 499G

Tract: 9907.

Block: 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 599K

District No. 19

DAWSON

HALL

Tract: 0002.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148,
149, 150, 151, 152, 153

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0003.

Tract: 0004.

Block: 201A, 201B, 201C, 202A, 202B, 202C, 202D, 203, 204, 205, 206, 207, 208A,
208B, 208C, 209, 210, 211A, 211B, 212A, 212B, 299A, 299B, 299C, 299D,
299J, 299K

Block Group: 3

Tract: 0005.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210A, 210B, 211, 212, 213, 214,
215A, 215B, 216, 217, 299B, 299C, 299D

Block Group: 3

Tract: 0010.

Block: 402, 403, 404, 405A, 405B, 405C, 410A, 410B, 410C, 410D, 411A, 411B,
411C, 411D, 411E, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423,
424, 425, 426, 427, 428, 429, 430, 499A, 499B, 499C

District No. 20

HALL

Tract: 0001.98

Block Group: 1

Block Group: 2

Block Group: 3
 Block: 414, 415, 416, 417, 418, 419, 420, 421, 433, 435, 436, 437, 438, 439, 440, 477, 478, 499A

Tract: 0002.
 Block: 199, 199

Tract: 0004.
 Block Group: 1
 Block: 213, 214, 215, 216, 217, 218, 219A, 219B, 220A, 220B, 220C, 220D, 220E, 221, 222A, 222B, 223, 224, 225A, 225B, 226, 227A, 227B, 227C, 228, 229, 230, 231, 232, 233, 299E, 299F, 299G, 299H, 299L

Tract: 0005.
 Block: 299A
 Block Group: 4
 Block Group: 5

Tract: 0006.
 Tract: 0007.
 Block: 206, 207, 208, 209, 210, 211, 212A, 212B, 212C, 213, 214, 215, 219, 222
 Block Group: 3

Tract: 0008.
 Tract: 0009.
 Tract: 0010.
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401B, 406A, 406B, 407A, 407B, 408, 409A, 409B, 409C, 409D, 409E, 409F, 409G, 409H, 501E, 505A, 505B, 506A, 506B, 507A, 507B

Tract: 0011.
 Tract: 0012.
 Block Group: 1
 Block Group: 2
 Block: 301A, 301B, 302, 303, 304, 305A, 305B, 306A, 306B, 307

Tract: 0013.
 Block: 101A, 101B, 101C, 101D, 101E, 102A, 102B, 102C, 103A, 103B, 103D, 104, 105A, 105B, 106A, 106B, 107A, 107B, 108, 109, 130

Tract: 0014.
 Block: 119A, 119B, 121A, 121B, 122, 127A, 127B, 127C, 128A, 128B, 128C, 128D, 128E, 129A, 129B, 131A, 131B, 132, 133, 134, 135A, 135B, 301A, 301B

District No. 21

GWINNETT

Tract: 0505.03
 Block: 103

Tract: 0506.01
 Block: 136, 137, 138, 163, 165, 166, 167, 168, 199B, 201, 202, 203A, 203B, 204, 205, 206A, 206B, 207, 227, 228, 229, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252
 Block Group: 3

Tract: 0506.02
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309A, 309B, 310A, 310B, 311A, 311B, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 325A, 325B, 326, 327, 328, 329, 330, 331, 332A, 332B, 336, 337, 338, 339, 340A, 340B, 341A, 341B, 342, 343, 344, 415, 416, 417, 418, 419A, 419B, 419C, 420, 421, 422, 423, 424, 425, 426, 427, 428A, 428B

HALL

Tract: 0010.
 Block: 501A, 501B, 501C, 501D, 501F, 502A, 502B, 503, 504, 508A, 508B, 508C, 508D, 508E, 508F, 508G, 509A, 509B, 510A, 510B, 511A, 511B, 511C, 511D, 511E, 512A, 512B, 513, 514, 515, 516A, 516B, 599

Block Group: 6

Tract: 0012.

Block: 308A, 308B, 308C, 309, 310A, 310B, 310C, 311A, 311B, 311C, 311D, 311E, 312, 313, 314, 315, 316, 317A, 317B, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331A, 331B, 331C, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 399A, 399B, 399C, 399D, 399E, 399F, 411A, 411B, 411C, 411D, 412, 413, 414, 415, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 499A, 499B

Tract: 0013.

Block: 103C, 110, 111A, 111B, 111C, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127A, 127B, 128, 129, 131A, 131B, 132A, 132B, 132C, 132D, 133

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0014.

Block: 101A, 101B, 102, 103A, 103B, 104A, 104B, 105A, 105B, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118A, 118B, 120A, 120B, 123A, 123B, 124A, 124B, 125A, 125B, 126, 130A, 130B, 136, 137, 138A, 138B, 139, 140, 199

Block Group: 2

Block: 302A, 302B, 303A, 303B, 303C, 304, 305, 306A, 306B, 306C, 307A, 307B, 308A, 308B, 309, 310A, 310B, 311, 312A, 312B, 313, 314, 315A, 315B, 316A, 316B, 317A, 317B

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0015.

Tract: 0016.

District No. 22

BANKS

CLARKE

Tract: 0003.

Block: 107

FRANKLIN

Tract: 9901.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 137, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 199, 199, 252, 282, 283, 284

STEPHENS

District No. 23

FRANKLIN

Tract: 9901.

Block: 132, 133, 134, 135, 136, 138, 201, 202, 203, 204, 205, 206A, 206B, 207A, 207B, 208, 209A, 209B, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 253, 254, 255, 256, 257A, 257B, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267,

268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279A, 279B, 280, 281,
285, 286, 287, 288, 299, 299, 299

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9902.

Tract: 9903.

Tract: 9904.

HART

District No. 24

CLARKE

Tract: 0014.01

Block: 111, 112, 113, 114, 115, 117, 118, 144, 199

Tract: 0014.02

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214,
216

Block Group: 3

Block: 404, 406, 407, 408, 409, 410, 412, 414, 415, 416, 417, 418B, 419B

Block Group: 5

Block Group: 6

Block: 707, 708, 711, 720A, 720B, 722, 723B, 726, 727, 728, 729, 731, 732

Tract: 0015.01

Block Group: 1

Block Group: 5

Tract: 0015.02

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 217, 218, 219,
220, 221, 299

MADISON

District No. 25

HALL

Tract: 0001.98

Block: 401, 402, 403, 404, 405, 406, 407A, 407B, 408, 409, 410A, 410B, 410C, 411,
412, 413, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 441, 442,
443, 444, 445, 446, 447, 448, 449, 450, 451, 452A, 452B, 453, 454, 455A,
455B, 456, 457A, 457B, 458A, 458B, 459, 460, 461, 462, 463, 464, 465, 466,
467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 479, 480, 499B, 499C

Tract: 0007.

Block Group: 1

Block: 201, 202, 203, 204, 205, 216, 217, 218, 220, 221, 223, 224

Tract: 0012.

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 416, 417, 418, 442, 443

JACKSON

District No. 26

PAULDING

Tract: 1201.

Block: 101, 102, 103, 104A, 126, 127, 130, 131, 148, 149, 150, 151, 152, 153, 154,
155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170,
171, 172, 173, 201, 202, 203, 204, 205, 239, 240, 241, 242, 243, 244, 245, 246,
247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262,
263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278,
279, 280, 281, 282, 283, 284, 285, 299A, 299B, 299C, 299D, 299E

Tract: 1202.

Tract: 1203.

Block Group: 1

Block Group: 2

Block: 311A, 312, 314, 315A, 316A, 317, 318, 319, 329A, 329B, 330A, 330B, 332, 333, 334, 335, 336, 337A, 337B, 337C, 338A, 338B, 338C, 339A, 339B, 340A, 340B, 340C, 341, 342A, 342B, 342C, 343A, 343B, 344A, 344B, 345, 346, 347, 348, 349, 350, 351A, 351B, 352A, 352B, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 366, 367, 368, 369, 370, 371, 372

Block Group: 4

Tract: 1204.

Block: 132, 133, 134, 135, 136, 137, 138, 199A, 201, 202, 203, 204, 254, 255, 301, 302, 303, 304, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 364, 365, 399A, 399C

Tract: 1205.

Tract: 1206.98

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 341, 342, 343, 352, 353, 354, 355, 356, 357, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 401, 402, 403, 405, 406, 407, 408, 409A, 410, 411, 412, 413A, 414A, 414B, 420A, 421A, 424A, 499A, 499B, 499C, 499D, 499E

District No. 27

BARTOW

Tract: 9602.

Block: 542

Tract: 9603.98

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 221, 222, 226, 227, 228A, 228B, 229, 230A, 230B, 231, 232A, 232B, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243A, 243B, 244, 245, 246, 247, 248, 249, 250A, 251, 252, 253, 254, 255A, 255B, 256, 257A, 257B, 258A, 258B, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 291, 299A, 299B, 299C

Tract: 9604.

Block: 309, 310, 311, 312, 313, 314, 315, 316

Block Group: 4

Block Group: 5

Tract: 9605.

Block: 302, 401

Tract: 9609.

Block: 299C, 321, 322, 323, 324, 343, 344, 345, 346, 347, 348

Tract: 9610.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127A, 127B, 128, 129, 130, 131A, 131B, 132A, 132B, 133, 134, 135, 136, 137, 138, 139, 140A, 140B, 141A, 141B, 141C, 142A, 142B, 143, 144, 145A, 145B, 145C, 146, 147, 148, 149, 150A, 150B, 151A, 151B, 152A, 152B, 152C, 153, 154, 155, 156, 157A, 157B, 158A, 158B, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199B, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 199M

Block Group: 2

POLK

Tract: 9901.

Tract: 9902.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149A, 149B, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9903.

Block: 205, 207, 208, 209A, 209B, 210, 211, 218, 219, 221A, 221B, 221C, 221D, 222A, 222B, 223A, 223B, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234A, 234B, 234C, 234D, 235, 236A, 236B, 237A, 237B, 238, 239A, 239B, 240, 241, 242, 243, 244, 245, 246, 247, 301, 302, 303A, 303B, 304A, 304B

Tract: 9904.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129A, 129B, 130A, 130B, 130C, 131A, 131B, 132, 133, 134A, 134B, 134C, 134D, 134E, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 199A, 199B

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 417, 501

Tract: 9905.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503A, 503B, 503C, 503D, 503E, 504A, 504B, 505, 506A, 506B, 507, 508, 509, 510, 511, 512A, 512B, 513A, 513B, 514, 515A, 515B, 516A, 516B, 517, 518, 519, 522, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 639, 641, 699, 699, 699

Tract: 9906.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 463, 464, 465, 466, 499A, 499B, 499C, 499H, 499J, 499K

Tract: 9907.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 501B, 501C, 501D, 501E, 501F, 502A, 502B, 503A, 503B, 504A, 504B, 505, 506, 507, 508, 509A, 509B, 510A, 510B, 511A, 511B, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522A, 522B, 522C, 523A, 523B, 524A, 524B, 525A, 525B, 525C, 525D, 526A, 526B, 526C, 527, 528A, 528B, 529A, 529B, 530A, 530B, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 599A, 599B, 599C, 599D, 599E, 599F, 599G, 599H, 599J, 599L

District No. 28

FORSYTH

Tract: 1301.

Tract: 1302.

Tract: 1303.

Tract: 1304.

Tract: 1305. libtool.com.cn

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408A, 408B, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 482, 483, 485, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 499A, 499B, 499C

Tract: 1306.

Block: 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 133, 134, 135, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 212, 240, 241, 242

District No. 29

COBB

Tract: 0310.01

Block: 910D, 925A, 926

Tract: 0311.01

Block Group: 2

Block: 301, 304, 305, 306, 307, 308, 309, 310

Tract: 0311.03

Block: 112, 113, 114, 115, 116A, 116B, 117, 119, 120, 121, 128

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0311.05

Block: 103, 104, 105A, 105B, 106, 107A, 107B, 108, 109, 110, 111, 112, 113, 114, 115, 116A, 116B, 116C, 116D, 116E, 116F, 116G, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126A, 126B, 126C, 127, 128A, 128B, 129, 130A, 130B, 130C, 131, 132, 134, 135A, 135B, 135C, 136A, 136B, 136C, 137A, 137B, 138, 139A, 139B, 139C, 199, 199, 602, 603, 604, 605, 606, 607, 608, 609A, 609B, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 621, 622, 623, 627, 699

Tract: 0311.06

Block: 409, 412

Block Group: 5

Tract: 0311.07

Tract: 0311.08

Block: 101, 102B, 102C, 102D, 102E, 102F, 102G, 103A, 103B, 104, 105, 106A, 106B, 107A, 107B, 201A, 201B, 202A, 203, 204A, 204B, 204C, 204D, 205A, 205B, 206, 207, 208, 209A, 210, 211, 212, 213, 214, 215A, 215B, 313A, 314A, 315, 320A, 321A, 401A, 401B, 401C, 402, 405B, 409A, 410, 411A, 411B, 411C, 412

Tract: 0311.09

Block: 101B, 503B

Tract: 0312.02

Block: 319A, 320, 321, 322, 323, 324A, 324B, 325A, 326, 327, 328, 331A, 331B, 399B, 401, 402, 403A, 408A, 413A, 419A, 426, 427, 428, 435A, 436A, 436B, 436C, 437A, 437B, 438A, 438B, 438C, 438D, 438E, 438F, 439A, 439B, 505

Block Group: 6

Tract: 0312.03

Block: 110A, 516A, 517, 518, 519, 520, 521A
 Tract: 0312.04
 Block: 501A, 501B, 502, 503, 504A, 504B, 504C, 504D, 505, 506A, 506B, 507A,
 www.507B, 508, 513, 514, 515, 516A, 516B, 516C, 516D, 517, 518A, 518B, 519A,
 519B, 519C, 520, 521, 528, 529, 530A, 530B, 531A, 531B, 532
 Tract: 0313.01
 Block: 101B, 155A, 155B, 155C, 156, 210, 214, 215, 216, 217, 218, 233, 234, 235,
 901A, 901B, 902, 903, 904, 905A, 905B, 905C, 906, 907, 908, 911, 912, 999
 Tract: 0313.02
 Block: 401, 404C, 405B, 407, 408A

District No. 30

COBB

Tract: 0303.21
 Block Group: 2
 Block: 301, 401, 402B, 402C, 404A, 404B, 405A, 405B, 406A, 406B, 407, 408A,
 408B, 409, 410, 411, 412, 413
 Block Group: 5
 Block Group: 6
 Block Group: 9
 Tract: 0304.01
 Block: 919A
 Tract: 0304.02
 Block: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 216
 Block Group: 3
 Block Group: 6
 Tract: 0304.05
 Block Group: 3
 Block: 401B, 401C, 401E, 402A, 402B, 403, 404, 405, 406A, 406B, 407C, 407E, 410
 Block Group: 5
 Block: 601C, 602B, That part of Block 603A lying outside the city limits of
 Marietta, 603C
 Block Group: 7
 Block: 802
 Block Group: 9
 Tract: 0304.06
 Block Group: 6
 Block Group: 7
 Block: 801A, 801B
 Tract: 0311.03
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109A, 109B, 110A, 110B, 110C, 110D,
 110E, 110F, 111, 118, 122
 Tract: 0311.09
 Block: 102, 103, 104A, 104B, 104C, 105A, 105B, 106, 107, 108, 109, 110, 111, 112,
 113, 114, 115A, 115B, 116, 117A, 117B, 118, 119, 120
 Tract: 0312.02
 Block: 301, 302, 303, 305, 309, 310, 399C, 528, 529, 530
 Tract: 0312.03
 Block: 101A, 101B, 102, 103, 104, 105, 106, 107A, 107B, 107C, 108, 109, 110B, 111,
 112, 113, 114, 115, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512,
 513, 514, 515, 516B, 521B, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531,
 532, 533, 534, 599A, 599B
 Tract: 0312.04
 Block Group: 2
 Block: 509, 510, 511, 512, 522, 523, 524, 525, 526, 527

District No. 31

COBB

Tract: 0303.16
Block: 313, 399, 707, 708
Block Group: 8
Block Group: 9
Tract: 0303.17
Block: 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626,
699A, 699B, 699C
Tract: 0303.18
Tract: 0303.19
Tract: 0303.20
Tract: 0304.01
Block Group: 1
Block: 201, 202, 209, 210, 299, 901A, 901B, 902, 903, 904, 905, 906B, 909, 910, 911,
912, 913, 914, 915, 916, 917, 918, 919B
Tract: 0304.02
Block Group: 1
Block: 201, 212, 213, 214, 215
Block Group: 9
Tract: 0304.05
Block: 407A, 407B, 407D, 407F, 407G, 408, 409
Tract: 0304.06
Block: 801C

District No. 32

COBB

Tract: 0302.05
Block: 918
Tract: 0302.07
Block: 104B, 105, 108A, 108B, 109, 113D, 114A, 114B, 115B, 199C
Tract: 0303.21
Block: 302A, 302B, 303, 304, 305, 306, 307, 308, 309, 310, 311, 402A, 403A, 403B,
403C, 403D
Tract: 0304.04
Tract: 0304.05
Block Group: 1
Block Group: 2
Block: 401A, 401D, 601A, 601B, 602A, That part of Block 603A lying inside the
city limits of Marietta, 603B, 801, 803
Tract: 0304.06
Block Group: 1
Block Group: 3
Block Group: 4
Block Group: 5
Tract: 0305.01
Block: 301A, 306, 307A, 307B, 308A, 308B
Block Group: 5
Block: 601A, 601C, 601D, 601E, 602A, 602B, 602C, 602D, 602E, 602F, 602G, 602H,
602J, 602K, 602L, 603, 604A, 604B, 604C, 604D, 604E, 604F, 605A, 605B,
605C, 605D, 606A, 606B, 606C
Block Group: 7
Block: 819
Block Group: 9
Tract: 0305.02
Block: 112A, 114A, 114B, 201A, 201B, 201E, 202A, 202B, 202C, 299
Block Group: 3
Block Group: 6

Tract: 0305.03

Block Group: 1

Block: 202A, 205A, 205C, 207, 208A, 208B, 209, 210, 211, 212, 213, 214, 215, 216, 302C, 307A, 307B, 307C, 308A, 308B, 309A, 309B, 309C, 309D, 310, 311, 312, 313, 314A, 314B, 315A, 315B, 315C, 316A, 316B, 317, 318A, 318B, 407, 408, 409, 410, 411A, 411B, 411C, 411D, 412A, 412B, 413A, 413B, 414, 415, 416, 417, 418, 419A, 419B, 419C, 502A

Block Group: 6

Tract: 0306.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block: 901A, 901B, 901C, 901D, 902A, 902B, 902C, 902D, 902E, 903, 917A, 917B, 917C, 917D, 917E, 919

Tract: 0307.

Tract: 0308.

Tract: 0309.02

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123B, 124, 202B, 203B, 206B, 206C, 207B, 401, 501, 502, 503, 504, 507, 508, 509, 510

Block Group: 6

Tract: 0310.01

Block: 901, 902, 903, 904, 905, 906, 907A, 907B, 908A, 908B, 909A, 909B, 910A, 910B, 910C, 910E, 910F, 910G, 910H, 910J, 910K, 910L, 910M, 910N, 910P, 911, 912, 913, 914, 915A, 915B, 915C, 915D, 916, 917, 918, 919A, 919B, 920, 921, 922, 923, 924A, 924B, 924C, 925B, 925C, 999

Tract: 0311.08

Block: 102A, 102H, 102J, 202B, 209B, 301, 302, 303B, 305, 306, 307, 309, 310B, 311, 312, 313B, 313C, 314B, 316, 317, 318, 320B, 321B, 322, 399, 401D, 401E, 403, 404A, 404B, 405A, 405C, 406, 407, 408, 409B, 411D

Tract: 0311.09

Block: 101A, 101C, 501, 502, 503A, 504, 505

District No. 33

COBB

Tract: 0311.06

Block: 401, 402, 403, 404, 405, 406, 407, 408, 410, 411, 413, 414, 415, 416, 417, 418, 419, 499, 499

Tract: 0313.01

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 231, 299

Block Group: 3

Block Group: 4

Block: 913

Tract: 0313.02

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 117, 199B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 224

Block Group: 3

Tract: 0313.04

Tract: 0313.05

Tract: 0314.03

Block: 106, 107, 108, 109, 110, 111, 112, 113, 114
 Tract: 0314.04
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Tract: 0314.98
 Block: 316, 317, 318
 Block Group: 4
 Block: 508, 510, 511, 513, 517
 Tract: 0316.97

District No. 34

COBB

Tract: 0302.03
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 304, 305, 306, 307
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Tract: 0302.04
 Block: 109, 110, 111, 112, 307, 319, 526E, 533, 534A, 534B, 534C, 534D, 535B, 599
 Tract: 0302.05
 Block: 601, 602, 605, 606, 607, 608, 699C
 Block Group: 7
 Block Group: 8
 Block: 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912A, 912B, 913A, 913B, 913C, 913D, 914A, 914B, 915A, 915B, 916A, 916B, 917A, 917B, 999
 Tract: 0302.06
 Block: 236, 239, 240, 242, 701, 702, 703, 707, 708, 709, 710, 799
 Tract: 0302.07
 Block: 101A, 101B, 101C, 101D, 101E, 102, 103A, 103B, 103C, 103D, 104A, 106, 107, 110, 111, 112, 113A, 113B, 113C, 113E, 115A, 115C, 115D, 199A, 199B, 199D, 199E, 199F
 Block Group: 2
 Block: 601, 602, 603, 608, 609, 611, 612
 Block Group: 7
 Block: 801A, 801B, 801C, 802A, 802B, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 899A, 899B, 899C, 901, 902, 903, 904, 905, 917, 918, 919, 920, 921, 999C
 Tract: 0306.
 Block: 904, 905
 Tract: 0309.01
 Block: 101B
 Block Group: 3
 Block: 401C, 501B, 502, 503, 601E, 601L, 601M, 603B, 604B, 699B, 701B, 701D
 Tract: 0309.03
 Block: 401B, 401C, 403, 404, 405, 406, 407, 501B, 501C, 501D, 502, 503, 504, 505, 506, 507
 Block Group: 6
 Tract: 0310.02
 Block: 211, 212, 224C, 225B, 226, 227, 228
 Tract: 0315.02
 Block Group: 1

District No. 35

COBB

Tract: 0302.07

Block: 823A, 823B

Tract: 0309.01

Block: 101A

Block Group: 2

Block: 401A, 401B, 402, 403, 501A, 601A, 601B, 601C, 601D, 601F, 601G, 601H, 601J, 601K, 602, 603A, 604A, 699A, 701A, 701C, 702, 703A, 703B

Tract: 0309.02

Block: 123A, 201, 202A, 203A, 204, 205, 206A, 207A, 208, 209, 210, 211, 212, 213

Block Group: 3

Block: 402A, 402B, 402C, 402D, 403, 404, 405, 406, 407, 408, 409, 410, 411, 505, 506

Block Group: 7

Tract: 0309.03

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401A, 401D, 402, 501A

Block Group: 7

Block Group: 8

Tract: 0310.01

Block Group: 1

Block Group: 2

Tract: 0310.02

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209A, 209B, 210A, 210B, 210C, 213A, 213B, 213C, 213D, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224A, 224B, 225A

Tract: 0310.03

Tract: 0311.01

Block Group: 1

Block: 302, 303, 311, 312, 313, 314, 315

Tract: 0311.05

Block: 101, 102, 601, 620, 624, 625, 699

Tract: 0311.08

Block: 303A, 304, 308, 310A, 319

District No. 36

COBB

Tract: 0302.03

Block: 303, 308, 309, 310, 311, 312, 313, 314, 315, 399, 399

Block Group: 4

Block Group: 5

Tract: 0314.03

Block: 101, 102, 103, 104, 105

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0314.04

Block Group: 1

Block Group: 6

Tract: 0314.98

Block Group: 1

Block Group: 2

Block: 301A, 301B, 301C, 302, 303A, 303B, 303C, 304A, 304B, 304C, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 319, 320, 321, 322, 399, 501, 502, 503, 504, 505, 506A, 506B, 506C, 507, 509, 512, 514, 515A, 515B, 515C, 515D, 515E, 516, 518, 519, 520A, 520B, 521, 522A, 522B, 523A, 523B, 523C, 523D, 523E, 524, 525, 526, 527, 528A, 528B, 528C, 529A, 529B

Block Group: 6

Block Group: 7

Tract: 0315.01

Tract: 0315.02

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Block Group: 9

District No. 37

COBB

Tract: 0303.15

Tract: 0303.16

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 314, 315

Block Group: 4

Block Group: 5

Block Group: 6

Block: 701, 702, 703, 704, 705, 706, 709, 710, 711, 712, 799, 799, 799, 799

Tract: 0303.17

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 699D

Block Group: 7

Tract: 0304.01

Block: 203, 204, 205, 206, 207, 208, 906A, 907A, 907B, 908, 920A, 920B, 920C, 920D, 920E

Tract: 0305.03

Block: 201, 202B, 203, 204, 205B, 206, 401, 402A, 402B, 403, 404, 405, 406A, 406B, 499, 499, 501A, 501B, 502B, 502C, 503A, 503B, 503C, 504, 505, 506, 507, 508

District No. 38

COBB

Tract: 0301.98

Tract: 0302.04

Block: 101, 102, 103, 104, 105, 106, 107, 108, 199A, 199B, 199C, 199D

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 308, 309, 310, 311, 312, 313A, 313B, 313C, 314A, 314B, 315, 316, 317, 318

Block Group: 4

Block: 501A, 501B, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513A, 513B, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526A, 526B,

526C, 526D, 527A, 527B, 527C, 528A, 528B, 529, 530A, 530B, 531A, 531B,
532, 535A

Tract: 0302.05

Block: ~~603A, 603B, 604~~, 609A, 609B, 610, 611, 612A, 612B, 613, 614, 615, 616, 617,
618, 619A, 619B, 620A, 620B, 621, 622, 623, 699A, 699B

Tract: 0302.06

Block Group: 1

Block: 201A, 201B, 201C, 201D, 202, 203, 204, 205, 206, 207A, 207B, 207C, 207D,
208, 209, 210, 211A, 211B, 211C, 211D, 211E, 212, 213, 214A, 214B, 214C,
215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230,
231A, 231B, 232, 233A, 233B, 234A, 234B, 235, 237A, 237B, 238, 241

Block Group: 3

Block Group: 6

Block: 704, 705, 706

Tract: 0302.07

Block Group: 5

Block: 604, 605, 606, 607, 610, 906, 907, 908, 909, 910, 911,

Block: 912, 913, 914, 915, 916, 999A, 999B

Tract: 0316.98

District No. 39

COBB

Tract: 0303.02

Tract: 0303.07

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 299

Block Group: 3

Tract: 0303.09

Tract: 0303.10

Block Group: 1

Block Group: 8

Tract: 0303.11

Block: 101, 102, 103, 104, 110, 111, 112, 113, 114, 199B

Block Group: 8

Block Group: 9

Tract: 0303.14

Block Group: 3

District No. 40

COBB

Tract: 0303.07

Block: 209, 210, 211, 212, 213, 214, 215, 216, 217

Tract: 0303.10

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 7

Tract: 0303.11

Block: 105, 106, 107, 108, 109, 199A

Block Group: 3

Block Group: 4

Tract: 0303.12

Tract: 0303.13

Tract: 0303.14

Block Group: 1

Block Group: 2

Tract: 0305.01

Block Group: 1
 Block Group: 2
 Block: 301B, 302, 303, 304, 305, 309, 310, 311
 Block Group: 4
 Block: 601B, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818
 Tract: 0305.02
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112B, 112C, 113, 114C, 115, 116, 199, 201C, 201D, 203, 204, 205, 206, 207
 Block Group: 4
 Tract: 0305.03
 Block: 301, 302A, 302B, 302D, 303, 304, 305, 306, 399

District No. 41

FULTON

Tract: 0114.03
 Block: 101B
 Tract: 0114.04
 Block: 501A, 601, 602A, 602B, 604, 702A
 Tract: 0114.08
 Block Group: 8
 Tract: 0114.09
 Block Group: 1
 Block Group: 4
 Tract: 0115.
 Block Group: 3
 Block Group: 4
 Block: 501, 502, 503C, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515B, 515C, 516C, 516D, 599B, 599C, 601, 602, 603, 604, 605C, 605D, 652C, 654, 699D, 699E, 701B
 Block Group: 9
 Tract: 0116.01
 Block: 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 102A, 102B, 103A, 103B, 104A, 104B, 105A, 105B, 106, 107, 108A, 108B, 108C, 108D, 108E, 108F, 108G, 109A, 109B, 110A, 110B, 110C, 110D, 110H, 110J, 111, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610A, 610C, 610D, 610E, 611A, 611C, 612A, 612B, 613A, 614A, 615A, 615G, 616A, 616D, 617, 618A, 618B, 618C, 618D, 619, 620A, 620B, 620D, 620E, 620F, 621A, 622, 623, 624, 625, 626, 699
 Tract: 0116.02
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block: 702, 703, 709A, 709B, 901A, 901B, 901C, 902A, 902B, 903A, 903B, 904, 905, 906, 907A, 907B, 907C, 907D, 908, 909, 910A, 910B, 911A, 911B, 912A, 912B, 913A, 913B, 913C, 913D, 913E, 914A, 914B, 914C, 915, 916A, 916B, 917
 Tract: 0116.03

District No. 42

FULTON

- Tract: 0114.03
 Block: 101A, 102, 103, 104
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
- Tract: 0114.04
 Block Group: 3
 Block Group: 4
 Block: 501B, 599, 602E, 608, 609, 610, 701, 702B
- Tract: 0114.05
- Tract: 0114.06
 Block Group: 1
 Block: 201A, 299A, 299B, 299C
 Block Group: 3
 Block Group: 4
 Block Group: 8
 Block: 901, 902, 903, 904, 906, 907, 908, 909
- Tract: 0114.07
- Tract: 0114.11
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 115, 116, 117A, 119, 120, 199A, 199B, 199C, 199E
 Block Group: 2
 Block: 301, 302A, 401A, 402A, 501A
 Block Group: 6
- Tract: 0115.
 Block: 503A, 503B, 504, 505A, 505B, 515A, 516A, 516B, 517, 518, 599A, 605A, 605B, 605E, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645A, 645B, 646, 647, 648, 649, 650, 651, 652A, 652B, 653, 699A, 699B, 699C, 701A, 702, 703, 704, 705, 706, 707, 708, 709A, 709B, 709C, 710, 711, 712, 713, 799
- Tract: 0116.01
 Block: 110E, 110F, 110G, 610B, 611B, 613B, 614B, 615B, 615C, 615D, 615E, 615F, 616B, 616C, 616E, 620C

District No. 43

FULTON

- Tract: 0101.03
 Block: 701, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 804, 813, 814
- Tract: 0101.05
- Tract: 0102.03
- Tract: 0102.04
- Tract: 0102.05
- Tract: 0114.06
 Block: 201B, 202, 299D, 299E, 299F, 299G, 905, 999

District No. 44

FULTON

- Tract: 0101.03
 Block: 801
- Tract: 0101.06
- Tract: 0101.07
- Tract: 0101.08
- Tract: 0114.04

Block Group: 2
 Block: 602C, 602D, 602F, 603, 605, 606, 607
 Tract: 0114.08
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Tract: 0114.09
 Block Group: 2
 Block Group: 3
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Tract: 0114.10
 Tract: 0114.11
 Block: 114B, 117B, 118, 199D, 302B, 401B, 401C, 401D, 402B, 501B, 501C
 Tract: 0116.01
 Block: 621B
 Block Group: 7
 Tract: 0116.02
 Block: 701, 704A, 704B, 704C, 705A, 705B, 705C, 706, 707A, 707B, 708A, 708B, 708C, 709C, 709D, 710, 918A, 918B, 918C, 918D, 918E

District No. 45

FULTON

Tract: 0097.
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 313, 314, 315, 316, 399, 399
 Tract: 0098.
 Tract: 0099.
 Tract: 0101.01
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 121, 122, 123, 124, 125, 199
 Block Group: 2
 Tract: 0101.03
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block: 702, 715, 716, 802, 803, 805, 806, 807, 808, 809, 810, 811, 812, 815, 816, 817, 818, 819, 820, 821, 822
 Tract: 0102.01

District No. 46

FULTON

Tract: 0004.
 Block: 102, 103, 104, 105, 106
 Block Group: 2
 Block Group: 3
 Tract: 0005.
 Block Group: 1

Block: 202, 203, 204, 205, 206, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218,
219
Block Group: 3
Tract: 0090.
Block Group: 1
Block Group: 2
Block: 301, 302, 303, 304, 305A, 306, 307, 308, 309, 310, 311, 312, 313, 315, 316
Tract: 0091.
Block: 101, 104, 105, 106, 107, 108, 109
Block Group: 2
Block Group: 3
Block Group: 4
Tract: 0095.
Tract: 0096.
Block Group: 1
Block Group: 2
Block: 301, 302, 304, 305, 306, 307, 308, 309, 310, 311
Block Group: 4
Block Group: 5
Block Group: 6
Block Group: 7
Block Group: 8
Tract: 0100.
Tract: 0101.01
Block: 115, 116, 117, 118, 119, 120A, 120B, 126

District No. 47

FULTON

Tract: 0001.
Tract: 0002.
Tract: 0004.
Block: 101, 199
Tract: 0005.
Block: 201, 207
Tract: 0011.
Tract: 0012.
Tract: 0013.
Tract: 0014.
Tract: 0015.
Tract: 0091.
Block: 102, 103
Tract: 0092.
Tract: 0093.
Tract: 0094.01
Tract: 0094.02
Tract: 0096.
Block: 303

District No. 48

FULTON

Tract: 0010.95
Block Group: 1
Block Group: 2
Block Group: 3
Block Group: 4
Tract: 0019.
Tract: 0020.

Tract: 0021.

Tract: 0022.

Block: 102, 103, 104, 110, 111, 206, 208, 209

Block Group: 3

Block: 401, 402, 403, 404A, 405, 406

Tract: 0027.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134,
135, 136, 137, 139

Block Group: 2

Tract: 0035.

Block: 107, 114, 119, 122, 123, 124, 125, 127, 128, 129, 130, 131A, 132, 133, 134,
135, 136, 137, 138, 139, 140, 141, 142

Block Group: 2

Tract: 0043.

Block Group: 1

Block: 202, 203

Tract: 0044.

Tract: 0046.95

Tract: 0049.95

Block Group: 1

Block Group: 2

Block Group: 3

Block: 601, 609, 613

Tract: 0053.

Block: 401

Tract: 0055.01

Tract: 0055.02

Tract: 0056.

Tract: 0057.

Tract: 0058.

Tract: 0063.

Tract: 0065.

District No. 49

FULTON

Tract: 0006.

Tract: 0007.

Tract: 0008.

Tract: 0010.95

Block Group: 5

Block Group: 6

Block Group: 7

Tract: 0022.

Block: 101, 105, 106, 107, 108, 109, 201, 202, 203, 204, 205, 207, 404B

Block Group: 5

Tract: 0023.

Tract: 0024.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207

Block Group: 3

Tract: 0025.

Tract: 0026.

Tract: 0036.

Tract: 0037.

Tract: 0038.

Tract: 0039.

Tract: 0040.
 Block: 201, 203, 204, 205, 206, 207, 209, 210, 211, 212, 215
 Tract: 0041.
 Tract: 0042.95
 Tract: 0043.
 Block: 201, 204, 205, 206
 Block Group: 3
 Tract: 0060.
 Block Group: 1
 Block Group: 2
 Block: 301, 302
 Tract: 0062.
 Block Group: 1
 Block: 201
 Tract: 0088.
 Block: 127, 128
 Tract: 0089.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 215, 216, 299B, 401,
 402, 403, 404, 408

District No. 50

FULTON

Tract: 0024.
 Block: 208
 Block Group: 4
 Block Group: 5
 Tract: 0040.
 Block Group: 1
 Block: 202, 208, 214
 Block Group: 3
 Block Group: 4
 Tract: 0081.02
 Block Group: 1
 Block: 205, 206, 225, 226
 Tract: 0082.01
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 210, 213, 214, 216, 217, 218, 220, 225,
 226, 227, 231, 233
 Tract: 0083.01
 Tract: 0083.02
 Tract: 0084.
 Tract: 0085.
 Tract: 0086.01
 Block: 302, 303, 304, 305, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414
 Block Group: 5
 Tract: 0087.01
 Block: 101, 114
 Block Group: 3
 Tract: 0088.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 201, 202, 203, 204, 205, 206,
 207, 208, 209, 210, 216, 299
 Tract: 0089.
 Block: 212, 213, 214, 217, 218, 299A
 Block Group: 3
 Block: 405, 406, 407, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422
 Block Group: 5

Block Group: 6
 Tract: 0090.
 Block: 305B
 Tract: 0097.
 Block: 311

District No. 51

COBB

Tract: 0312.02
 Block: 304, 306, 307, 308, 311, 312, 313, 314, 315, 316, 317, 318, 319B, 325B, 329, 330, 335, 338, 341, 399A, 403B, 404, 405, 406, 407, 408B, 409, 410, 411, 412, 413B, 414, 415, 416, 417, 418, 419B, 424, 434, 435B, 441, 442, 501, 502, 503, 504, 506, 507, 508, 509, 510, 511, 513, 514, 526, 527

Tract: 0313.02
 Block: 110, 112, 113, 114, 115, 116, 118, 199A, 201, 402, 403, 404A, 404B, 405A, 406, 408B, 409, 410, 411, 499
 Block Group: 5
 Block Group: 9

FULTON

Tract: 0078.04
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 115, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 137

Tract: 0081.02
 Block: 201, 202, 203, 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 220, 221, 222, 223, 224, 227

Tract: 0082.01
 Block Group: 1
 Block: 209, 211, 212, 215, 219, 221, 222, 223, 224, 228, 229, 232

Tract: 0082.02
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401A, 402A, 402B, 403A, 404, 499A

Tract: 0086.01
 Block Group: 1
 Block Group: 2
 Block: 301, 306, 307, 308, 309, 310, 311, 312, 313, 402, 403, 415, 416

Tract: 0086.02

Tract: 0087.01
 Block: 102, 103, 104, 105, 106, 107, 108, 109, 111, 112

Tract: 0087.02

Tract: 0088.
 Block: 211, 212, 213, 214
 Block Group: 3
 Block Group: 4

District No. 52

FULTON

Tract: 0077.01
 Block: 501B, 502, 503B, 504B, 508

Tract: 0078.02
 Block: 101A, 101B, 102A, 102B, 103, 104, 105, 106A, 106B, 107A, 107B, 108, 109, 110, 114, 115, 116, 117B, 118A, 118B, 118C, 118D, 119A, 119B, 119C, 120, 121, 122, 123, 124B, 125, 126, 127, 128, 129B, 199A, 199B, 199C, 199D, 199E, 199F
 Block Group: 2
 Block Group: 3

Tract: 0078.03
 Tract: 0078.04
 Block: 111, 113, 114, 116, 117, 127, 128, 131, 132, 133, 134, 135, 141, 142, 143
 Tract: 0079. libtool.com.cn
 Block: 101, 102, 106, 109, 110, 111, 112, 113, 114, 115, 203, 205, 207, 208, 209, 210,
 211, 213, 214, 215, 216, 217, 299
 Block Group: 3
 Tract: 0082.02
 Block: 401B, 402C, 403B, 499B
 Tract: 0103.01
 Block Group: 6
 Block Group: 7
 Block: 801, 802, 803, 804, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 829, 830,
 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 899, 899, 899, 899
 Tract: 0103.02
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416,
 499A, 499B, 507, 508, 509, 510,
 Block: 511, 512, 513, 518, 519, 520, 521, 522, 599E, 599F, 599G
 Tract: 0104.
 Block: 301, 302, 303, 304, 399, 399
 Tract: 0105.05
 Block: 405A, 405B, 406, 501, 502, 503B, 504B, 505B, 505C, 514B, 601A, 601C,
 601D, 602B, 602C, 603B, 618B
 Tract: 0105.06
 Block: 104, 105, 106, 107, 108, 110, 111, 112, 113, 199, 201, 202A, 202B, 202C,
 202D, 202E, 203A, 203B, 203C, 203D, 204A, 204B, 205, 206, 207B, 299A,
 299B, 299C, 299D, 299E, 299F
 Block Group: 3
 Block: 401, 402, 403C, 405, 406C, 406D, 406E, 406F, 410, 418, 421, 422, 423, 424,
 425, 426, 427, 428, 431, 432, 433, 499, 499, 499, 499, 499, 703A, 703B, 703C,
 704, 705, 706, 707A, 707B, 707C, 708, 709, 710B, 711B, 714A, 714B, 715,
 716C, 716D, 716E, 716F, 716G, 717, 718A, 718B, 718C, 718D, 719A, 719B,
 731, 732, 738, 739, 740A, 740B, 741, 799A, 799B, 799D, 799E

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FULTON

Tract: 0076.01
 Block: 202, 204, 205, 207, 209, 210, 212, 213, 214
 Tract: 0076.02
 Block: 204, 205, 206, 207, 208
 Block Group: 3
 Tract: 0077.01
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block: 501A, 503A, 504A, 505, 506, 507, 599
 Tract: 0077.02
 Tract: 0078.02
 Block: 117A, 124A, 129A
 Tract: 0080.
 Block: 401, 402, 404B, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506B,
 507, 508, 509
 Tract: 0103.02

Block: 417, 418, 499C, 501A, 501B, 501C, 501D, 501E, 501F, 501G, 502, 503, 504,
505, 506, 514, 515, 516, 517A, 517B, 599A, 599B, 599C, 599D
Tract: 0105.03
Block: ~~901B, 903, 904B~~, 904C, 904D
Tract: 0105.05
Block Group: 1
Block Group: 9
Tract: 0105.06
Block: 101, 102, 103, 109, 199, 199
Tract: 0106.02
Block: 311B, 312B, 313, 314B, 315C, 324B
Tract: 0113.01
Block Group: 1
Block Group: 2
Block Group: 3
Block: 401, 402, 403, 404, 405, 415, 416, 504, 505, 506, 507, 508, 510, 511
Block Group: 6
Tract: 0113.02
Block: 101, 102, 103, 104, 105, 112, 113, 301, 302, 303, 304, 305, 306, 307, 308, 309,
310, 311A, 311B, 312, 314, 315, 316A, 316B, 317, 399, 401, 402, 403, 404,
405, 408A, 408B, 414, 415, 416, 418, 419, 420, 422, 424, 425, 426, 427, 428A,
428B, 429A, 429B, 430, 431A, 431B, 432A, 432B, 434, 435, 436, 437, 438,
499, 509, 510

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FULTON

Tract: 0060.
Block: 303, 304, 305, 306, 307, 308, 309, 310, 311
Block Group: 4
Tract: 0061.
Tract: 0062.
Block: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211
Block Group: 3
Tract: 0066.01
Tract: 0066.02
Tract: 0074.
Block Group: 2
Tract: 0075.
Block: 101, 102, 103, 104, 105, 106, 111
Block Group: 2
Block Group: 3
Block Group: 4
Block Group: 5
Tract: 0076.01
Block Group: 1
Block: 201, 211
Block Group: 9
Tract: 0076.02
Block Group: 1
Block: 201, 202, 203
Tract: 0079.
Block: 103, 104, 105, 107, 108, 116, 201, 202, 212
Tract: 0080.
Block Group: 1
Block Group: 2
Block Group: 3
Block: 403, 404A, 506A, 510

Block Group: 6
 Tract: 0081.01
 Tract: 0107.
 Block Group: 1.com.cn
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209A, 210, 211, 212, 213, 214, 215,
 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 229, 230
 Block Group: 3
 Block: 401, 402A, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415,
 416
 Tract: 0108.
 Block Group: 5
 Block: 601B, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612A, 612B, 613, 614,
 615, 616A, 616B, 616C, 617, 618, 619A, 619B, 620B, 621, 622B, 624, 626,
 627, 628A, 628B, 629, 630, 631, 632, 633, 634, 701, 702, 703, 704, 705, 706,
 707, 708, 709, 710, 711, 712, 713, 714, 715C, 716B, 717, 718, 719, 720, 721,
 722
 Block Group: 8
 Tract: 0110.
 Block: 114B
 Tract: 0111.
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 315, 316, 317, 318, 319, 320, 321,
 401, 402, 404, 405, 407, 410A
 Tract: 0112.01
 Block: 108B
 Block Group: 2
 Block: 303, 304, 305, 306, 307, 309

District No. 55**FULTON**

Tract: 0105.03
 Block: 101A, 108A, 199, 311A, 901A, 902, 904A, 905A, 906A, 906B, 999
 Tract: 0106.01
 Tract: 0106.02
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 312A, 314A, 315A,
 315B, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 325, 326, 327, 328, 329,
 399
 Block Group: 4
 Tract: 0107.
 Block: 209B, 402B
 Tract: 0108.
 Block: 601A, 620A, 622A, 623, 625, 715A, 715B, 716A
 Tract: 0109.
 Tract: 0110.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Tract: 0111.
 Block: 310, 311, 312A, 312B, 314, 403, 406, 408, 409, 410B, 411, 412, 413, 414, 415,
 416, 417, 418, 420, 421
 Tract: 0112.01

Block: 101, 102, 103, 104, 105, 106, 107, 108A, 109, 110, 112, 118, 119, 301, 302,
311, 312, 313, 314, 315, 316

Block Group: 4

Tract: 0112.02

Tract: 0113.01

Block: 406, 407, 409, 412, 417, 418, 419, 420, 499, 501, 502, 503, 599

Tract: 0113.02

Block: 106A, 106B, 106C, 106D, 106E, 107, 108, 109, 110, 111, 114, 115, 116, 119,
120

Block Group: 2

Block: 313A, 313B, 406, 407, 409, 410, 411, 412, 413, 417, 501, 502, 503, 504, 505,
506, 507, 508, 511, 512, 514, 517, 519, 520, 521, 522, 523, 524, 525, 528

District No. 56

FULTON

Tract: 0016.

Tract: 0017.

Tract: 0018.

Tract: 0027.

Block: 118

Tract: 0028.

Tract: 0029.

Tract: 0030.

Tract: 0031.

Tract: 0032.

Tract: 0033.

Tract: 0035.

Block: 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 115, 116, 117, 118,
120, 121, 126, 131B

Tract: 0048.

Tract: 0049.95

Block Group: 4

Block Group: 5

Block: 602, 603, 604, 605, 606, 607, 608, 610, 611, 612

Tract: 0050.

Tract: 0052.

Tract: 0053.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 402, 403, 404, 405, 406, 407, 408, 409, 410, 411

Block Group: 5

Tract: 0064.

Tract: 0067.

Block Group: 1

Block: 401, 402, 403, 404, 406, 407, 408, 409A

Tract: 0068.01

Tract: 0069.

Tract: 0070.

Block: 104, 105

District No. 57

FULTON

Tract: 0067.

Block Group: 2

Block Group: 3

Block: 405, 409B, 410

Block Group: 5
 Block Group: 6
 Block Group: 7
 Tract: 0068.02
 Tract: 0070.
 Block: 101, 102, 103, 106, 109
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Tract: 0071.
 Tract: 0072.
 Tract: 0073.
 Tract: 0074.
 Block Group: 1
 Tract: 0075.
 Block: 107, 108, 109, 110, 112, 113
 Tract: 0108.
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4

District No. 58

FULTON

Tract: 0103.01
 Block: 805, 806, 807, 808, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 899, 899,
 899, 899, 899
 Tract: 0104.
 Block Group: 1
 Block Group: 2
 Block: 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 399
 Block Group: 4
 Block Group: 5
 Tract: 0105.03
 Block: 101B, 102, 103, 104, 105, 106, 108B, 108C, 108D, 109, 110, 114, 115, 116,
 117, 118, 120, 121, 122, 123
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311B, 312, 313, 314, 315,
 399, 399, 905B, 905C, 906C
 Tract: 0105.04
 Tract: 0105.05
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 403, 404, 407, 408, 503A, 504A, 505A, 506, 507, 508, 509, 510, 511,
 512, 513, 514A, 601B, 602A, 603A, 604, 605, 606, 607, 608, 609, 610, 611,
 612, 613, 614, 615, 616, 617, 618A, 619, 620, 621, 622, 623, 624, 625A, 625B,
 626, 627, 628, 699, 699
 Tract: 0105.06
 Block: 207A, 403A, 403B, 403D, 404, 406A, 406B, 407, 408, 409, 411, 412, 413, 414,
 415, 416, 417, 419, 420, 429, 430, 434, 435, 436A, 436B, 437, 438, 439A,
 439B, 439C, 440, 441, 442A, 442B, 443, 444, 445, 446, 447, 448, 449, 450,
 451, 452, 453, 454, 455, 456, 457A, 457B, 457C, 458
 Block Group: 6

Block: 701, 702, 710A, 711A, 712, 713, 716A, 716B, 720, 721, 722, 723, 724, 725,
726, 727, 728, 729, 730, 733, 734, 735, 736, 737, 742, 743, 744, 745, 746, 747,
748, 799C

Block Group: 8

Block Group: 9

District No. 59

DEKALB

Tract: 0212.05

Block Group: 1

Block: 201, 204, 506, 507, 508, 509

Tract: 0212.10

Tract: 0212.11

Tract: 0212.12

Block: 201, 202, 203, 212, 213, 214, 215, 216, 217, 220, 221

Tract: 0213.03

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 202, 203A, 203B, 206A, 206B, 207A,
221, 222, 223

Tract: 0213.04

Block: 101B, 101C, 114, 115, 117A, 117B, 117C, 203, 204, 301, 302,

Block: 303, 304, 305, 306, 307B, 308, 309, 310, 311, 312, 313, 314C, 399, 399, 399,
399

Tract: 0217.02

Block Group: 1

Block Group: 4

Tract: 0218.08

Tract: 0218.98

District No. 60

DEKALB

Tract: 0211.

Tract: 0212.02

Tract: 0212.05

Block: 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505, 510

Tract: 0212.07

Tract: 0212.08

Block Group: 1

Block Group: 2

Block: 301, 302A, 302B, 303A, 303B, 304, 305, 306, 307, 308, 309, 310, 311, 312,
313, 314, 315A, 316, 317, 318

Tract: 0212.09

Tract: 0212.12

Block: 204, 205, 206, 207, 208, 209, 210, 211, 218, 219, 222, 223, 224, 225, 226, 227,
228, 229, 230, 231, 232, 233

Tract: 0213.01

Block: 101B, 102, 103, 104, 105A, 105B, 106, 123, 124

Tract: 0213.04

Block: 105C, 106B, 228B, 229, 230, 232, 233B

District No. 61

DEKALB

Tract: 0214.01

Tract: 0214.02

Tract: 0214.03
 Block: 108, 109, 117B, 118B, 120B, 121B, 122, 123
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307B, 308B, 309, 310, 311, 312, 313, 314, 315,
 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331,
 332, 333, 334

Tract: 0215.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 120, 121, 122, 123,
 124, 125, 126, 131, 199
 Block Group: 2

Tract: 0216.01
 Block: 301, 302, 303, 304, 310, 312, 313, 314, 315, 317, 318, 319, 320, 399
 Block Group: 4

Tract: 0216.03

District No. 62

DEKALB

Tract: 0212.04
 Tract: 0212.08
 Block: 315B

Tract: 0213.01
 Block: 101A, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120,
 125

Tract: 0213.02
 Tract: 0213.03
 Block: 101B, 109, 110, 111, 112, 113A, 113B, 114, 201A, 201B, 204, 205, 206C,
 207B, 208, 209, 210, 211, 212A, 212B, 213, 214, 215, 216, 217, 218, 219,
 220A, 220B, 224

Tract: 0213.04
 Block: 101A, 102, 103, 104, 105A, 105B, 106A, 107, 108, 109, 110, 111, 120, 122,
 201, 202, 205, 206, 207, 209, 212, 213, 214, 217, 218, 219, 220, 221, 225,
 228A, 233A, 307A, 314A, 314B

Tract: 0214.03
 Block: 101, 102, 103, 104, 105, 106, 107, 110, 111, 112, 113, 114, 115, 116, 117A,
 118A, 119, 120A, 121A, 307A, 308A

Tract: 0214.04
 Tract: 0216.01
 Block Group: 1
 Block Group: 2
 Block: 305, 306, 307, 308, 309, 311, 316

Tract: 0217.02
 Block Group: 2
 Block Group: 3
 Block Group: 5
 Block Group: 6
 Block Group: 7

Tract: 0217.03
 Block: 420

District No. 63

DEKALB

Tract: 0215.
 Block: 113

Tract: 0216.02
 Tract: 0217.03
 Block Group: 1

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 421, 422, 423, 424, 425, 426, 499, 499

Tract: 0217.04

Tract: 0218.05 www.tool.com.cn

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 230, 231, 232, 233, 234

Tract: 0218.06

Block: 104, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 132, 133, 134, 135, 136, 306, 307

Tract: 0218.09

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 5

Tract: 0218.10

Tract: 0220.01

Block Group: 1

Block: 401, 402, 405, 408, 409, 410, 411, 412, 413, 414, 415A, 415B, 416, 417, 421, 422, 423, 425

Tract: 0223.01

Block Group: 1

Block: 201, 202, 203, 204, 208, 209, 210, 211, 212, 406, 407, 408, 409, 410, 411, 501, 502A, 503, 504, 505

Tract: 0223.02

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 314

District No. 64

DEKALB

Tract: 0218.05

Block: 210, 229

Block Group: 4

Tract: 0218.06

Block: 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 129, 130, 131, 137, 138, 139, 199, 301, 302, 303, 304, 305, 308, 399

Tract: 0218.09

Block Group: 4

Tract: 0219.02

Tract: 0219.03

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119C, 120B, 121, 122, 139B, 142, 143, 144, 149, 150, 199, 199, 199, 199, 199, 201C, 206B, 208B, 208C, 209B, 211B, 213B, 214B, 215B, 220, 229B, 229C, 232B, 247, 325C, 325D, 327B, 328B, 329B, 334, 335, 336B, 337B, 338, 339B, 339C, 339D, 339E, 340B, 340C, 341B, 341C, 344, 345, 346, 347, 348

Tract: 0219.04

Tract: 0219.05

Block Group: 1

Tract: 0220.04

Block Group: 1

Block: 201, 202A

Tract: 0233.05

Tract: 0233.06

Block Group: 3

Block: 402, 407, 408

District No. 65

DEKALB

Tract: 0219.03

Block: 118, 119A, 119B, 120A, 139A, 201A, 201B, 202, 203, 204, 205, 206A, 207,
 www.208A, 209A, 210, 211A, 212, 213A, 214A, 215A, 216, 217, 218, 219, 221, 222,
 223, 224, 225, 226, 227, 228, 229A, 232A, 234, 235, 238, 239, 240, 241, 242,
 243, 246, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313,
 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325B, 326, 327A,
 328A, 329A, 330, 331, 332, 333, 336A, 337A, 339A, 339F, 340A, 341A, 342A,
 342B, 343A, 343B, 349A, 349B, 351, 353

Tract: 0219.05

Block Group: 2
 Block Group: 4
 Block Group: 5
 Block Group: 9

Tract: 0220.02

Block: 201C, 405B, 406, 407, 408, 409, 410B, 411B, 412B

Tract: 0220.04

Block: 202B, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216,
217, 218, 299

Tract: 0220.05

Block: 301, 302
 Block Group: 4

Tract: 0232.04

Tract: 0232.05

Tract: 0233.06

Block: 401, 403, 404, 405, 406, 499, 499

District No. 66

DEKALB

Tract: 0220.01

Block: 403, 404, 406, 407, 418, 419, 420, 424, 426, 427, 428, 429, 430, 431, 432

Tract: 0220.02

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208A, 208B, 208C, 209, 210, 211,
 212, 213, 214A, 214B, 214C, 214D, 214E, 215, 216, 217, 218, 219, 220, 221A,
 221B, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 233, 234,
 235, 236, 240

Block Group: 3

Block: 401A, 401B, 402, 403A, 403B, 404, 405A, 410A, 411A, 412A, 413, 414, 415,
416, 417, 418, 419, 426, 499A, 499B

Tract: 0220.05

Block: 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318,
319, 320

Tract: 0221.

Tract: 0222.

Block Group: 1

Block Group: 2

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516,
517, 601

Tract: 0223.02

Block: 310

Tract: 0231.05

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405B, 406, 407, 408, 411, 412

Block Group: 5

Tract: 0231.06

Block: 101, 102, 103, 104

Block Group: 4

Block Group: 6

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District No. 67

DEKALB

Tract: 0201.

Tract: 0202.

Tract: 0203.

Tract: 0204.

Tract: 0206.

Block: 101

Tract: 0207.

Block: 214A

Tract: 0215.

Block: 114, 115, 116, 117, 118, 119, 127, 128, 129, 130, 132, 133

Tract: 0222.

Block Group: 3

Block Group: 4

Block: 518, 602, 603, 604, 605, 606, 607, 608, 609A, 609B, 610A, 610B, 611, 612, 613, 614

Tract: 0223.01

Block: 205, 206, 207, 213A, 213B

Block Group: 3

Block: 401, 402, 403, 404, 405, 502B, 502C, 506, 508, 509, 510, 511, 512

Block Group: 6

Tract: 0224.01

Tract: 0224.02

Tract: 0224.03

Tract: 0225.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 505, 601, 602, 604, 605, 606, 608, 609, 610, 611, 612A, 612B, 613, 614

Block Group: 7

Tract: 0226.

Tract: 0229.

Block: 101

Tract: 0230.

Block Group: 1

Block: 201, 202, 203, 204, 205A, 206, 207, 208, 210A, 299

Tract: 0231.02

Block: 101, 102, 103, 104, 105A, 106, 107, 108, 109, 110A, 111, 112, 113A, 114A, 114B, 115A, 116A, 199

Tract: 0231.05

Block: 405A, 409, 410

District No. 68

DEKALB

Tract: 0205.

Tract: 0206.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113

Block Group: 2

Block Group: 3

Tract: 0207.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214B, 215, 216
 Tract: 0208.
 Block: ~~201, 202, 203, 204~~, 205, 214, 215, 501, 502, 503, 504, 505, 506, 508, 509, 510, 512, 514, 515, 516, 518, 519, 521, 522, 523, 524, 525, 526, 527, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538
 Block Group: 6
 Block Group: 7
 Tract: 0209.
 Tract: 0225.
 Block Group: 4
 Block: 502, 503, 507, 508, 509, 510, 513, 603, 607
 Tract: 0227.
 Tract: 0237.

District No. 69

DEKALB

Tract: 0208.
 Block Group: 1
 Block: 206, 207, 208, 209, 210, 211, 212, 213
 Block Group: 3
 Block Group: 4
 Block: 513
 Tract: 0228.
 Tract: 0229.
 Block: 102, 103, 109
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Tract: 0230.
 Block: 205B, 205C, 209, 210B
 Tract: 0231.01
 Tract: 0231.02
 Block: 105B, 110B, 113B, 114C, 115B, 116B
 Block Group: 2
 Block Group: 3
 Tract: 0231.03
 Block: 301, 302, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 401, 402, 403, 406, 407, 408
 Tract: 0234.08
 Block: 303, 304, 305
 Tract: 0235.01
 Tract: 0235.02
 Tract: 0236.
 Block: 101, 103, 104, 105, 106, 205, 206, 207, 208, 209, 210, 211

District No. 70

DEKALB

Tract: 0231.03
 Block Group: 1
 Block Group: 2
 Block: 303, 304, 305, 306, 307, 319, 320, 321, 322, 323, 324, 404, 405, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 422, 424, 425, 426
 Block Group: 5
 Tract: 0231.06

Block: 105
 Block Group: 2
 Block Group: 3
 Block Group: 5.com.cn
 Tract: 0232.06
 Tract: 0232.07
 Block: 108A, 108B, 109, 110, 111, 112, 113, 120, 121, 122
 Tract: 0234.08
 Block: 103, 301, 302, 801, 802, 803, 804, 812
 Tract: 0235.03

District No. 71

DEKALB

Tract: 0232.03
 Tract: 0232.07
 Block: 101, 102, 103, 104, 105, 106, 107, 114, 115, 116, 117, 118, 119, 123
 Block Group: 5
 Tract: 0233.06
 Block: 507, 508, 509A
 Tract: 0233.07
 Tract: 0233.08
 Block Group: 2
 Block Group: 5
 Tract: 0234.07
 Block: 201B, 205, 209, 212, 213, 214, 215, 218, 219, 220, 221, 222, 223, 224, 226,
 227, 228, 229, 230, 231, 232, 233, 299A, 299E, 299F
 Block Group: 5

District No. 72

DEKALB

Tract: 0234.03
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 901, 902, 925, 926
 Tract: 0234.04
 Block: 108, 115, 116, 117, 118, 120, 121, 122, 202, 203, 204, 209, 299A, 299B, 304,
 305, 306, 307, 308, 309, 310, 311, 312, 313, 325, 326, 327, 328, 329, 330, 399,
 399, 399
 Block Group: 4
 Block: 505
 Tract: 0236.
 Block: 107, 108, 109, 110, 201, 202, 203, 204, 299
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Tract: 0238.01
 Tract: 0238.02
 Tract: 0238.03

District No. 73

DEKALB

Tract: 0234.03
 Block: 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 920, 921,
 923, 924, 999, 999

Tract: 0234.04

Block: 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 132, 133, 140,
201, 205, 206, 207, 208, 210, 211, 212, 213, 214, 215, 216, 217, 299C, 301,
302, 303, 501, 502, 503, 504, 506, 507, 599

Block Group: 9

Tract: 0234.05

Tract: 0234.08

Block: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111

Block Group: 2

Block: 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,

Block: 317, 399

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block: 805, 806, 807, 808, 809, 810, 811, 813, 814, 815, 816, 817, 818, 819, 820

Block Group: 9

Tract: 0234.09

Tract: 0239.98

District No. 74

ROCKDALE

Tract: 0601.

Block Group: 2

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416,
417, 418, 419, 420, 421, 422, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434,
435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450,
451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466,
467, 468, 469, 470, 471, 472, 473, 474, 475, 499, 499, 499, 499, 499, 499, 499,
499

Tract: 0602.

Block: 305, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 325, 326, 327, 328, 399,
406, 407, 410, 411, 412, 413, 503, 504, 505, 506, 507, 508, 509, 510, 511, 599

Block Group: 6

Block: 701B, 702, 703, 704, 705, 706, 707, 708, 709, 710, 799, 799

Tract: 0603.02

Block Group: 2

Block: 301B, 302, 303, 304, 305C, 305D, 306, 307, 308, 309

Block Group: 4

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611B, 612, 613, 614, 615,
616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631,
632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647,
648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663,
664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679,
680, 681, 682, 683, 684, 699A, 699B, 699C

Tract: 0603.04

Block: 611B, 614B, 614D, 615A, 615B, 616B, 617B, 701C, 702B, 703, 704, 705B,
706, 707, 708, 799

Tract: 0604.01

Tract: 0604.02

District No. 75

DEKALB

Tract: 0233.02

Tract: 0233.03

Tract: 0233.06

Block: 501, 502, 503, 504, 505, 506, 509B, 510, 511

Tract: 0233.08

Block Group: 6

Tract: 0234.07

Block Group: 1

Block: 201A, 202, 203, 204, 206, 207, 208, 210, 211, 216, 217, 225, 234, 235, 299B, 299C, 299D

Block Group: 3

Block Group: 4

ROCKDALE

Tract: 0601.

Block Group: 3

Block: 423, 424

Block Group: 6

Block Group: 7

Tract: 0602.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 314, 320, 321, 401, 402, 403, 404, 405, 408, 409, 501, 502, 701A

Tract: 0603.02

Block: 301A, 305A, 305B, 399A, 399B, 611A

Tract: 0603.03

Tract: 0603.04

Block Group: 1

Block Group: 3

Block Group: 4

Block Group: 5

Block: 601A, 601B, 602, 603, 604, 605, 606, 607A, 607B, 608, 609A, 609B, 610, 611A, 612, 613, 614A, 614C, 616A, 617A, 617C, 618, 619, 620, 699, 701A, 701B, 702A, 705A

District No. 76

GWINNETT

Tract: 0504.14

Tract: 0504.15

Tract: 0504.16

Tract: 0507.06

Block: 299

Tract: 0507.07

Block Group: 4

Tract: 0507.08

District No. 77

GWINNETT

Tract: 0504.03

Block Group: 1

Block Group: 2

Block: 905, 906, 907, 908, 909, 910, 957

Tract: 0504.09

Block Group: 1

Tract: 0504.10

Block Group: 1

Block Group: 2

Block Group: 3

Block: 402, 403, 499

Block Group: 5

Block Group: 6

Block Group: 7
Tract: 0504.11
Block Group: 1
Block Group: 2
Block Group: 3
Block: 401, 402, 403A, 403B, 404A, 404B, 405, 407A, 407B, 408, 409, 499, 499
Block Group: 5
Block Group: 6
Block Group: 7
Tract: 0504.12
Tract: 0504.13
Block Group: 1
Block Group: 2
Block Group: 3
Block Group: 4
Block Group: 5
Block Group: 6
Block Group: 7
Block Group: 8
Block: 901, 902, 903, 904, 999, 999

District No. 78

GWINNETT

Tract: 0504.03
Block Group: 3
Block Group: 4
Block Group: 5
Block: 901, 902, 903, 904, 911, 912, 931, 932, 950, 951, 955, 956, 999
Tract: 0504.06
Block Group: 1
Block: 201B, 202, 203, 204, 205
Block Group: 3
Block Group: 4
Block Group: 5
Tract: 0504.07
Tract: 0504.08
Tract: 0508.98

District No. 79

GWINNETT

Tract: 0503.04
Tract: 0503.05
Tract: 0503.06
Block Group: 1
Block Group: 2
Block Group: 3
Block Group: 4
Block Group: 5
Block Group: 6
Block Group: 7
Block Group: 8
Block: 902
Tract: 0503.07
Tract: 0503.08
Block: 102, 103
Block Group: 2
Block Group: 3

Block: 401, 402, 404, 405, 406, 407, 499, 499, 499
 Tract: 0503.10
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 403, 404, 405, 406, 407, 408, 409, 410, 499A
 Tract: 0503.12
 Tract: 0504.06
 Block: 201A

District No. 80

GWINNETT

Tract: 0502.03
 Tract: 0502.04
 Block: 105, 106, 107, 108, 109A, 109B, 110, 111, 112, 113, 114, 199A, 199B
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 7
 Block Group: 8
 Block Group: 9
 Tract: 0503.06
 Block: 901
 Tract: 0503.08
 Block: 101, 403
 Tract: 0503.09
 Tract: 0503.10
 Block: 401, 402, 411A, 411B, 499B, 499C
 Tract: 0503.11
 Tract: 0503.13
 Block: 101, 102
 Block Group: 2
 Tract: 0505.02
 Block: 101A, 101B, 101C, 103, 104, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133,
 134C, 135, 136, 137, 138, 199
 Tract: 0505.03
 Block: 212C, 215B, 216, 299

District No. 81

GWINNETT

Tract: 0503.13
 Block: 103A, 103B, 103C, 103D, 104, 105, 106, 107, 108, 109
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Tract: 0503.14
 Tract: 0504.09
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7

Tract: 0504.10
 Block: 401
 Tract: 0504.11
 Block: 406
 Tract: 0505.06
 Tract: 0505.07
 Block: 102B, 103, 104, 203, 304, 305, 399

District No. 82

GWINNETT

Tract: 0505.02
 Block: 102, 105, 106, 117, 134A, 134B
 Tract: 0505.03
 Block: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116C, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 199A, 199B, 199C, 199D, 199E, 199F, 201, 202, 203, 204, 205A, 205B, 206, 207, 208, 209, 210, 211, 212A, 212B, 213, 214A, 214B, 215A, 215C, 217A, 217B, 217C, 217D, 218, 219A, 219B, 219C, 220A, 220B, 221A, 221B, 221C, 221D, 222, 223, 224, 225A, 225B
 Tract: 0505.05
 Tract: 0505.07
 Block: 101A, 101B, 102A, 201, 202, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 306, 307, 308, 309, 310, 311
 Block Group: 7
 Tract: 0505.08
 Block Group: 2
 Block Group: 4
 Tract: 0505.09
 Block Group: 2
 Tract: 0506.01
 Block: 164
 Tract: 0506.02
 Block: 333, 334, 335, 345, 346, 347

District No. 83

GWINNETT

Tract: 0504.13
 Block: 999, 999
 Tract: 0507.06
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 299
 Tract: 0507.07
 Block Group: 3
 Tract: 0507.10
 Tract: 0507.11

District No. 84

GWINNETT

Tract: 0505.08
 Block Group: 1
 Block Group: 3

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0505.09

Block Group: 1

Block Group: 3

Block: 402, 403

Block Group: 5

Block Group: 6

Tract: 0507.04

Tract: 0507.05

Block: 102A, 102B, 103, 104A, 104B, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 125C, 126, 127, 128, 129, 130, 131A, 131B, 132, 133, 134A, 134B, 134C, 135, 136, 137, 138A, 138B, 138C, 139A, 139B, 140A, 140B, 140C, 141A, 141B, 141C, 149, 160A, 160B, 160C, 161A, 161B, 162A, 162B, 163, 199, 204, 205, 206, 207, 208, 209, 210, 211A, 211B, 212, 213A, 213B, 213C, 214, 215, 216, 217, 218, 219, 220A, 220B, 221A, 221B, 222, 223A, 223B, 224, 226

Tract: 0507.09

WALTON

Tract: 1105.

Block: 112A, 113A, 113B, 128A, 129A, 130, 131, 132, 135A, 136, 137, 138, 139, 140, 141A, 141B, 176A, 177, 178A, 178B, 179, 180A, 180B, 181A, 181B, 181C, 182, 183A, 199A, 199C, 203A, 204, 205A, 205B, 205C, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228A, 232, 233, 234, 235, 237, 239A, 239B, 239C, 239D, 240A, 240B, 241, 242, 243, 244, 245, 246A, 246B, 246C, 247, 248, 249, 250, 251, 252, 253, 254, 255A, 255B, 256A, 256B, 257A, 257B, 258A, 258C, 259, 314, 315, 317, 319, 320, 321, 322, 325, 342, 344, 345, 502

District No. 85

FORSYTH

Tract: 1305.

Block: 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 484, 486, 497, 499D, 499E

Tract: 1306.

Block: 101, 102, 103, 104, 105, 106, 107, 130, 132, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 299

GWINNETT

Tract: 0501.01

Tract: 0501.02

Tract: 0502.02

Tract: 0502.04

Block: 101, 102, 103, 104

Block Group: 5

Block Group: 6

Tract: 0505.03

Block: 116A, 116B

Tract: 0506.01

Block: 101, 102, 103, 104, 105A, 105B, 105C, 105D, 106, 107A, 107B, 107C, 107D, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 124C, 124D, 125A, 125B, 126, 127, 128, 129, 130, 131, 132, 133,

134, 135, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148A, 148B, 148C,
 148D, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162,
 199A, 199C, 199D, 199E, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217,
 www.218, 219, 220, 221, 222, 223, 224, 225, 226, 230, 231, 253, 254, 299

District No. 86BARROW
GWINNETT

Tract: 0505.09

Block: 401, 404, 405, 406, 407

Tract: 0506.02

Block: 401, 402, 403, 404A, 404B, 405, 406, 407, 408, 409, 410A, 410B, 410C, 411A,
 411B, 411C, 411D, 412, 413, 414A, 414B, 429, 430, 431, 432, 433, 434, 435,
 436A, 436B, 436C, 437A, 437B, 437C, 438, 439, 440, 441, 442, 443, 444, 445,
 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457

Block Group: 5

Tract: 0507.05

Block: 101, 105, 106, 107, 108, 109, 110, 111, 117, 142, 143, 144, 145, 146, 147, 148,
 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 201, 202, 203

District No. 87

WALTON

Tract: 1101.

Tract: 1102.

Tract: 1103.

Tract: 1104.

Tract: 1105.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112B, 113C, 114, 115,
 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128B, 128C, 129B,
 133, 134, 135B, 141C, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152,
 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165A, 165B, 165C,
 166, 167, 168, 169, 170, 171, 172, 173A, 173B, 174A, 174B, 175, 176B, 183B,
 183C, 184, 199B, 201, 202, 203B, 205D, 228B, 229, 230, 231, 236, 238, 258B,
 299, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 316,
 318, 323, 324, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338,
 339, 340, 341, 343, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357,
 358, 359, 360, 361, 362, 363, 364, 365

Block Group: 4

Block: 501, 503, 504, 505, 599

Tract: 1106.

Tract: 1107.

Tract: 1108.

District No. 88

CLARKE

Tract: 0004.

Block: 203B, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 217, 218, 219, 220, 221,
 222

Tract: 0005.

Block: 105

Tract: 0008.

Block Group: 1

Tract: 0010.

Tract: 0011.

Tract: 0012.

Tract: 0013.02

Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,
 317, 318A, 318B, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328A, 328B,
 329
 Tract: 0013.98
 Block: 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121,
 122, 123, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Tract: 0015.01
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Tract: 0015.02
 Block: 214, 215, 216
 Block Group: 3
 Block Group: 4
 Tract: 0016.98

District No. 89

CLARKE

Tract: 0001.
 Tract: 0002.
 Tract: 0003.
 Block: 101, 102A, 102B, 102C, 103A, 103B, 104, 105, 106A, 106B, 108, 109, 112,
 113, 114A, 114B, 115A, 115B, 117A, 117B, 119, 120, 121, 122, 123, 124, 125
 Block Group: 2
 Block Group: 3
 Tract: 0004.
 Block Group: 1
 Block: 201, 202, 203A, 204, 205, 206, 207, 208
 Tract: 0005.
 Block: 101, 102, 103, 104
 Tract: 0006.
 Tract: 0007.
 Tract: 0008.
 Block Group: 2
 Tract: 0009.
 Tract: 0013.02
 Block: 330
 Tract: 0013.98
 Block: 101, 102, 103, 104, 106, 201, 202
 Tract: 0014.01
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 116, 119, 120, 121, 122, 123,
 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139,
 140, 141, 142, 143, 145, 146, 199
 Block Group: 2
 Tract: 0014.02
 Block: 217, 218, 219, 299, 401, 402, 403, 405, 411, 413, 418A, 419A, 420, 701, 702,
 703, 704, 705, 706A, 706B, 706C, 709, 710, 712, 713, 714, 715, 716, 717, 718,
 719A, 719B, 723A

District No. 90

ELBERT
 LINCOLN

WILKES

District No. 91MORGAN www.libtool.com.cn
NEWTON

Tract: 1002.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210A, 210B, 211A, 211B, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 241, 242, 243, 244, 245, 246, 247A, 247B, 248, 249, 250, 251, 252, 257, 258, 259, 260A, 260B, 261A, 261B, 261C, 262A, 262B, 263A, 263B, 264A, 264B, 265A, 265B, 265C, 266, 267, 268A, 268B, 269, 270, 271A, 271B, 272, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 299R, 301A, 301B, 302A, 302B, 303A, 303B, 304A, 304B, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 324C, 325, 326A, 326B, 327, 328, 329, 330, 331, 332, 333, 334, 335A, 335B, 336A, 336B, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 359, 360, 399A, 399B, 401, 402, 403, 404, 405, 406, 407, 408A, 408B, 409, 410, 411, 412, 413A, 413B, 414A, 414B, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 499A, 499B, 499C, 499D, 499E, 499F, 499G, 499H

Tract: 1008.

Block: 113, 114, 115, 117A, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H

OCONEE

District No. 92

HALL

Tract: 0010.

Block: 401A

NEWTON

Tract: 1001.

Tract: 1002.

Block: 232, 233, 234, 235, 236, 237, 238, 239, 240, 253, 254, 255, 256, 299T, 299U, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 399C, 430, 431, 432, 433, 499J

Tract: 1003.

Tract: 1004.

Tract: 1005.

Tract: 1006.

Tract: 1007.

Tract: 1008.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 116, 117B, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 199J, 199K, 199L, 199M, 199N, 199P, 199R

Tract: 1009.

District No. 93

CLAYTON

Tract: 0401.

Tract: 0402.

Block Group: 1
 Block Group: 2
 Block: 919, 920
 Tract: 0404.05
 Block: 106, 107, 108, 206, 207, 227
 Tract: 0405.03
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 120, That part
 of Block 123 lying north of an unnamed creek, 301B, 315, 316
 Block Group: 4
 Tract: 0405.04
 Tract: 0405.05
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 That part of Block 601B which lies north of Camp Creek.

District No. 94

CLAYTON

Tract: 0402.
 Block: 901, 902, 903, 904, 905, 906, 907, 908A, 908B, 909, 910, 911, 912, 913, 914,
 915, 916, 917, 918, 921, 922, 923, 933, 999, 999
 Tract: 0403.01
 Tract: 0403.02
 Tract: 0403.03
 Tract: 0403.04
 Tract: 0403.05
 Tract: 0404.01
 Block: 316, 317, 318, 319, 320, 321, 322, 324, 325, 326, 330, 331, 332, 333, 334, 335,
 336, 337, 401, 402, 403, 404, 405, 417A, 417B, 418A, 418B, 420, 421, 506,
 507A, 509, 510A, 511, 512, 513, 515A, 515B, 515C
 Tract: 0404.02
 Block Group: 1
 Block Group: 2
 Block Group: 8
 Block: That part of Block 904 which lies west of Tanners Church Rd., 905, 906,
 907, 910, 912, 925A, 925B, 925C
 Tract: 0404.03
 Block: 203, 204, 205, 206B, 206D, 207, 208, 209, 210A, 210B, 213, 215, 219, 225
 Tract: 0404.05
 Block: 101, 102, 103, 104, 105, 109, 110, 119A, 119B, 120, 121, 122, 123, 124, 126,
 127, 128, 129, 199
 Tract: 0404.06
 Block Group: 1

District No. 95

CLAYTON

Tract: 0404.01
 Block Group: 1
 Block Group: 2
 Block: 301, 302A, 302B, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314,
 315, 323A, 323B, 323C, 338, 419A, 419B, 422A, 422B, 501A, 501B, 501C,
 502A, 502B, 502C, 503A, 503B, 503C, 504A, 504B, 504C, 505A, 505B, 507B,
 508, 510B, 514A, 514B, 599A, 599B
 Block Group: 6
 Block Group: 7
 Tract: 0404.02

- Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 901, 902, 903, That part of Block 904 which lies east of Tanners Church Road, 908, 909, 911, 913A, 913B, 914A, 914B, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 926A, 926B, 926C, 927, 928, 929, 930, 938, 939, 940, 941, 942, 943,
 Block: 945, 946, 949, 950
 Tract: 0404.03
 Block Group: 1
 Block: 201, 202, 206A, 206C, 211, 212A, 212B, 214A, 214B, 214C, 216, 217, 218, 220, 221A, 221B, 222, 223, 224, 226, 227, 228, 229
 Block Group: 3
 Block Group: 4
 Tract: 0406.03
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 601, 602, That part of Block 603B which lies east of Jonesboro corporate limits, 604, 605, 606B, 607, 609, 699E, 699F, 699G
 Block Group: 7
 Block Group: 9
 Tract: 0406.04
 Block: 301A, 301B, 302, 304, 319, 323, 324
 Block Group: 4
 Block: 501, 502, 503, 504, 505A, 505B, 506, 507, 508, 509A, 509B, 510, 511, 512, 513, 514, 515, 529, 531A, 531B, 532, 533, 534, 543, 599
 Tract: 0406.05
 Block: 201, 202, 203A, 203B, That part of Block 205A which lies north of Wilburn Street extended to Rum Creek, 208, 226, 230, 231, 232, 236, 237, 238, 239, 240, 241, 243, 403, 404, 405, 406, 407, 411, 412, 413, 499G

District No. 96

CLAYTON

- Tract: 0404.05
 Block: 201, 202, 203, 204, 205, 208, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 228
 Block Group: 3
 Tract: 0404.06
 Block Group: 2
 Block Group: 9
 Tract: 0405.03
 Block: 113, 114, 115, 116, 117A, 117B, 118, 119A, 119B, 119C, 119D, 121, 122,
 That part of Block 123 which lies south of an unnamed creek, 125, 126, 301A, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314A, 314B, 317
 Tract: 0405.05
 Block Group: 6 except that part of Block 601B lying south of Camp Creek.
 Tract: 0405.06
 Tract: 0405.07
 Block: 101, 102, 103, 104, 105B, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117
 Block Group: 3
 Tract: 0405.08
 Block: That part of Block 501 which lies north of an unnamed creek that runs from Dixboro Drive to the Flint River, 517, 518, 519, 520, 521, 522, 523, 524

Tract: 0406.04

Block: 308C, 308D, 308F, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 520, 522, 523, 524, 525, 528, 535, 536, 537, 538, 539, 540, 541, 542

Block Group: 6

Tract: 0406.07

Block: 109

District No. 97

CLAYTON

Tract: 0405.07

Block: 105A

Block Group: 2

Tract: 0405.08

Block Group: 4

Block: That part of Block 501 which lies south of an unnamed creek that runs from Dixboro Drive to the Flint River, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516

Tract: 0406.03

Block Group: 1

Block: 603A, That part of Block 603B which lies west of the Jonesboro corporate limits, 606A, 608, 610, 699A, 699B, 699C, 699D

Tract: 0406.04

Block Group: 2

Block: 303, 305, 306, 307, 308A, 308B, 308E, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 338A, 338B, 341

Tract: 0406.05

Block: 204, That part of Block 205A which lies south of Wilburn Street extended to Rum Creek, 205B, 206A, 206B, 207A, 207B, 233, 235, 299

Block Group: 3

Block: 401, 402, 408, 409, 410, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 499A, 499B, 499C, 499D, 499E, 499F

Block Group: 5

Tract: 0406.06

Tract: 0406.07

Block: 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 199, 199, 199, 199

Block Group: 2

Block Group: 3

Tract: 0406.08

District No. 98

DOUGLAS

Tract: 0801.98

Tract: 0802.

Tract: 0803.

Tract: 0804.

Block: 110A, 122A

Tract: 0805.03

Block Group: 7

Tract: 0806.01

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210

Block Group: 3

Tract: 0806.02

Block: 101

Block Group: 2

Tract: 0807.97

Tract: 0807.98

Block Group: 2

Block: 413B, 413C, 414C, 415, 416, 417, 418, 419, 425

District No. 99

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DOUGLAS

Tract: 0804.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110B, 111, 112, 113, 114, 115,
116, 117, 118, 119, 120, 121, 122B, 123, 124, 125, 126, 127, 128, 129, 130,
131, 132, 133, 134, 135, 199

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0805.01

Tract: 0805.03

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 8

Tract: 0805.04

Tract: 0806.01

Block: 211, 212, 213, 214, 299

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0806.02

Block: 102

Block Group: 3

Block Group: 4

Tract: 0807.98

Block: 404, 409B, 420B, 421B, 422, 424B, 499F

District No. 100

CARROLL

Tract: 9901.

Tract: 9902.

Tract: 9903.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 312, 313, 314, 315, 316, 317, 318,
319, 337, 338A, 338B, 338C, 339, 340A, 340B, 340C, 341A, 341B, 342A,
342B, 343A, 343B, 344A, 344B, 345, 346, 347, 348, 349, 350, 351, 352, 353,
354, 355, 363, 364, 399B, 399C

Tract: 9905.

Block: 101B, 102, 103, 104B, 105B, 106, 107, 108A, 108C, 108D, 109C, 110

Tract: 9906.

Tract: 9907.

Block: 116, 117, 118, 119, 120, 165, 166, 167, 168, 169, 181A, 183, 184, 196, 197,
199A, 199B, 199C, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212,
213, 214, 215, 216, 217, 218, 219, 220, 223, 225, 226, 227, 228, 229, 230, 231,
232, 236, 299A, 299C, 299D, 299E

Block Group: 3

Block Group: 4

Block Group: 5

Block: 606, 607, 608, 609, 610A, 610B, 611, 612, 613, 614, 615, 616, 617, 618A,
~~618B, 619A, 619B, 619C, 620, 699A~~

Tract: 9910.

Block Group: 1

Block: 201, 202, 203, 204, 205A, 299A, 301, 302, 303, 304, 305, 306, 307, 308A,
 309A, 310A, 311, 399

Tract: 9911.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 201, 202, 203,
 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
 220, 221, 222, 223, 224, 225A, 226,

Block: 227A, 227B, 228A, 229A, 230A, 230D, 230E, 235, 236, 237, 238, 301, 302,
 303, 304, 305, 306, 307, 308, 309, 310, 311A, 312, 313, 314A, 315A, 315B,
 316A, 316B, 317A, 399

District No. 101

CARROLL

Tract: 9903.

Block: 310, 311, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333,
 334, 335, 336, 356, 357, 358, 359, 360, 361, 362, 365, 366, 367, 368, 369, 370,
 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 399A

Tract: 9904.

Tract: 9905.

Block: 101A, 101C, 104A, 105A, 108B, 109A, 109B, 111A, 111B, 111C, 111D, 112,
 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124A, 124B,
 125, 126, 127, 128A, 128B, 128C, 129A, 129B, 130A, 130B, 130C, 131A,
 131B, 131C, 131D, 131E, 131F, 131G, 131H, 131J, 132, 133, 134, 135, 136,
 137A, 137B, 137C, 138, 139A, 139B, 139C, 139D, 140

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 9907.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 121,
 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137,
 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153,
 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 170, 171, 172, 173, 174,
 175, 176, 177, 178, 179, 180, 181B, 182, 185, 186, 187, 188, 189, 190, 191,
 192, 193, 194, 195, 199D, 199E, 199F, 199G, 199H, 221, 222, 224, 233, 234,
 235, 237, 238, 299B, 601, 602, 603, 604, 605, 621, 622, 623, 624, 625, 626,
 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641,
 699B, 699C, 699D, 699E, 699F

Tract: 9908.

Tract: 9909.

Tract: 9910.

Block: 205B, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235,
 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251,
 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267,
 299B, 299C, 299D, 299E, 308B, 309B, 310B, 310C, 310D, 310E, 312, 313,
 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329,
 330, 331, 332, 333, 334, 335, 336, 337, 338

Tract: 9911.

Block: 128, 225B, 228B, 229B, 230B, 230C, 231, 232, 233, 234, 299A, 299B, 311B, 314B, 317B, 317C

Block Group: 4

Block Group: 5

Tract: 9912.

District No. 102

HARRIS

MERIWETHER

Tract: 9704.

Block: 237, 238, 239, 253, 254, 255, 256, 257, 299R, 299T, 299U, 299V, 299W

Tract: 9705.

Tract: 9706.

Block Group: 1

Block Group: 2

Block: 301, 302, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K

MUSCOGEE

Tract: 0101.03

Block Group: 1

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 399, 399, 399, 399, 399, 399, 399, 399

Tract: 0101.04

Block: 101, 102, 103, 104, 199C, 199D

Tract: 0102.02

Block: 101, 104, 106, 111, 117, 119, 120, 121, 122, 147, 148, 150, 152, 199, 199, 199, 199, 301, 318

District No. 103

COWETA

Tract: 1701.

Block: 111B, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186A, 186B, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 199C, 199D, 199E, 199F, 199G

Block Group: 2 except those parts of Blocks 256 and 258 which lie northeast of the Georgia Power Transmission line.

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, That part of Blocks 357, 358 and 359 which lie northeast of the Georgia Power transmission line, 360, 361, 368, 369, 370, 371, 372, 373, 374, 382, 383, 384, 395, 396, 397, 399A, 399E, 399F, 399G, 399H, 399J, 399K

Tract: 1702.

Tract: 1703.

Block: 165, 166, 167, 168B, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249,

250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262A, 262B, 263, 264, 265, 266, 267, 268, 269A, 269B, 270, 271, 272, 273, 274, 275, 299A, 299B, 299C, 299D, 308, 309, 310, 311, 317, 318, 319, 323, 324, 325, 326, 327, 328, 329A, 329B, 329C, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339A, 339B, 340, 341, 342, 343, 344A, 344B, 344C, 345, 346, 347A, 347B, 348A, 348B, 348C, 349, 350, 351, 352, 353, 354, 355A, 355B, 356, 357A, 357B, 358A, 358B, 359, 360, 361A, 361B, 362A, 362B, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381A, 381B, 399A, 403, 404, 405, 406, 407, 408, 409A, 409B, 409C, 410A, 410B, 410C, 411, 412A, 412B, 413, 414, 415, 416, 417A, 417B, 417C, 418, 419, 420, 421, 422, 423, 424, 425, 426, 431, 432, 433, 434, 435, 436, 499A,

Block: 499D

Block Group: 5

Tract: 1704.

Block: 346, 349, 399L

Tract: 1706.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block: 609A, 610A, 610B

Tract: 1707.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, That part of Blocks 227, 230, 232 and 233 which lies northeast of the Georgia Power Transmission Line, 231, 234, 299A, 299B, 299C

Block Group: 3

Block Group: 4

Block Group: 5

HEARD

District No. 104

COWETA

Tract: 1701.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111A, 124, 125, 126, 164, 165, 166, 168, 197, 199A, 199B

Tract: 1703.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 168A, 169, 170, 185, 186, 199, 199, 199, 199, 199, 199, 199, 199, 199, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 299E, 299F, 299G, 301, 302, 303, 304, 305, 306, 307, 313, 314, 315, 316, 320, 321, 322, 399B, 399C

Tract: 1704.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 316, 317, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 399A, 399B, 399C, 399D, 399E

Tract: 1705.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131A,

131B, 132, 133A, 133B, 134, 135, 136, 137, 138, 140A, 141, 142, 143, 144, 145A, 145B, 146A, 146B, 146C, 153A, 154, 155A, 156, 157, 158, 159, 160, 171, 172, 173, 174, 175, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H

Tract: 1706. libtool.com.cn

Block: 601, 602, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 664, 665, 666, 667A, 667B, 668, 669, 670, 671, 672, 673, 699A, 699B, 699C

FAYETTE

Tract: 1401.01, except that part of Block 210C outside the corporate limits of Fayetteville as of January 1, 1994.

Tract: 1401.02

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,

Block: 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, That part of Block 224B outside the corporate limits of Fayetteville as of January 1, 1994, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 299A, 299B, 299C, 299D, 299E

Block Group: 3

Tract: 1402.01

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 311B, 312, 313, 314A, 314B, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324B, 325, 326, 327B, 399, 399, 399

Block Group: 4

Tract: 1402.02

Block: 301, 302B, 303, 304B, 305B, 305C, 305D, 307, 308, 399, 399, 401, 402, 403B, 403C, 406, 407, 499B, 501B, 502B, 502C, 502D, 504, 505, 506B, 508B, 599B

Tract: 1404.01

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210C, 211B, 211C, 212B, 214, 215B, 216, 217, 218, 219, 220, 221, 222, 223B, 224, 225, 226, 227B, 228B, 229B, 229C, 236, 237, 238, 239, 240B, 299B, 299C

Block Group: 5

Tract: 1404.02

Block: 101, 102, 103, 104, 105, 106, 107, 108A, 108B, 109A, That part of Block 109B lying outside the corporate limits of Fayetteville as of Jan. 1, 1994, 110, 111A, 111B, 112, 113A, 113B, 114, 115, 116, 117, 118A, 118B, 118C, 118D, 118E, 119, 120, 121, 122, 123C, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137B, 137C, 138B, 139, 140, 141B, 142, 143, 199C, 199D, 199E, 199F

Block Group: 2

District No. 105

FAYETTE

Tract 1404.01

That part of Block 210C lying within the corporate limits of Fayetteville as of January 1, 1994.

Tract: 1401.02

Block: That part of Blocks 109B and 224B lying within the corporate limits of Fayetteville as of January 1, 1994, 224A

Tract: 1402.01

Block: 324A, 327A

Tract: 1402.02

Block: 302A, 304A, 305A, 306, 403A, 403D, 404, 405, 408, 409, 410, 411, 412, 413, 499A, 499C, 501A, 502A, 503, 506A, 507, 508A, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527A, 527B, 528, 529, 530, 531, 532, 533, 534, 535A, 535B, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552A, 552B, 552C, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571,

572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587,
588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 599A

Tract: 1403.01

Tract: 1403.02

Tract: 1404.01

Block: 210A, 210B, 211A, 212A, 213, 215A, 223A, 223C, 223D, 227A, 228A, 229A,
230, 231, 232, 233, 234, 235, 240A, 241, 242, 299A

Block Group: 3

Block Group: 4

Tract: 1404.02

Block: 123A, 123B, 123D, 124, 137A, 138A, 141A, 199A, 199B

Block Group: 3

Block Group: 4

Tract: 1405.01

Tract: 1405.02

District No. 106

COWETA

Tract: 1703.

Block: 312, 401, 402, 409D, 427, 428, 429, 430, 499B, 499C

Tract: 1704.

Block: 315, 318, 321, 336, 337, 341, 342, 343, 344, 345, 347, 348, 350, 351, 352, 353,
354, 399F, 399G, 399H, 399J, 399K

Tract: 1705.

Block: 139A, 139B, 140B, 140C, 147A, 147B, 148, 149, 150, 151, 152, 153B, 153C,
155B, 155C, 161A, 161B, 162, 163A, 163B, 164A, 164B, 165, 166, 167, 168,
169, 170, 199J, 199K, 199L, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210,
211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226,
227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242,
243, 244, 245, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 299A,
299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 1706.

Block: 603, 604, 605, 606, 607, 608, 609B, 610C, 611, 612, 613, 614, 615, 616, 617,
618, 619, 620, 621, 622, 623, 624, 636, 637, 638, 639, 640, 641, 642, 643, 644,
645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660,
661, 662, 663, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686,
687, 688, 689, 690, 691, 692, 693, 699D, 699E, 699F

Tract: 1708.

Block: 201, 202, 203, 204, 205, 224, 225, 226, 227, 228, 229, 233, 234, 235, 236, 237,
238, 239, 240, 241, 242, 243, 244, 296, 297, 299J, 299K

SPALDING

Tract: 1601.

Tract: 1603.

Block Group: 1

Tract: 1604.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110A, 111, 112, 113A, 114, 115,
116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 166, 167, 168, 201A

Tract: 1605.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123C, 124, 125, 128, 129B, 130, 131, 132, 133,
134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147B, 148B,
149, 150A, 150B, 151A, 151B, 152A, 152B, 153A, 153B, 154, 155, 156, 157,
158, 159, 160A, 160B, 161A, 161B, 162B, 162C, 163B, 164, 173A, 173B,

174A, 174B, 174C, 175, 176, 177A, 177B, 178, 179, 199A, 199C, 199D, 199E,
199F, 199G

Tract: 1606.

Tract: 1607. www.libtool.com.cn

Tract: 1608.

Block: 235, 236, 237, 239, 240, 241, 245, 246, 247, 248, 249, 250

Block Group: 3

Block: 430, 445, 446, 447, 448, 449, 450, 451, 452, 453

Tract: 1609.

Block: 423, 424, 425, 426, 427, 428, 434, 435, 436, 437, 504, 505, 506

Tract: 1611.

Block Group: 1

Block: 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218A,
219, 220, 221, 222, 223, 224, 225,

Block: 227

Tract: 1612.

Block: 101, 102, 103, 104, 105, 106, 107, 119B, 120, 121, 122, 123B, 199, 199

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312B, 313, 314, 315,
316, 317, 318, 319, 320, 321A, 321B, 322, 323, 324, 325, 326, 327, 328, 329,
330, 399, 401, 402, 403, 404, 405A, 405B, 406A, 406B, 407, 408, 409, 410,
411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426,
427, 428B, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441,
442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457,
458, 459, 460, 461, 462, 463, 499, 499, 499, 499, 499, 499, 499

District No. 107

HENRY

Tract: 0701.03

Block Group: 5

Tract: 0703.01

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 307, 308, 309

Block Group: 4

Tract: 0704.98

Block: 113, 114, 115, 116, 117, 118, 119, 120, 121, 144, 145, 146, 147, 148, 150, 151,
199D, 323, 324, 325, 326, 327, 328, 329, 330, 331, 345, 399C

Tract: 0705.

SPALDING

Tract: 1602.

Tract: 1603.

Block Group: 2

Tract: 1604.

Block: 110B, 113B, 119, 120A, 120B, 121, 122, 123A, 123B, 124, 132, 133, 134, 135,
136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151,
152, 153, 154, 155, 156, 157, 158, 159, 160A, 160B, 161, 162A, 162B, 163A,
163B, 164A, 164B, 164C, 165, 169, 170, 201B, 202, 203, 204, 205, 206, 207,
208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,
224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239,
240, 241, 242, 243, 244, 245, 246, 247, 248A, 248B, 249, 250, 251A, 251B,
252, 253, 254

Block Group: 3

Block Group: 4

Tract: 1605.

Block: 123A, 123B, 126, 127A, 127B, 129A, 147A, 148A, 162A, 163A, 165, 166, 167,
168, 169, 170, 171, 172, 199B

Tract: 1608.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 238, 242, 243, 244, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421A, 421B, 422, 423, 424, 425, 426, 427, 428, 429, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444

Tract: 1609.

Block Group: 1

Block Group: 2

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411,

Block: 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 429, 430, 431, 432, 433, 438, 439, 440, 441, 501, 502, 503, 507A, 507B, 507C, 508A, 508B, 509A, 509B, 510A, 510B, 511A, 511B, 512, 513, 514, 515, 516A, 516B, 517, 518A, 518B, 519

Tract: 1610.

Tract: 1611.

Block: 201, 202A, 202B, 203, 218B, 226, 228, 229A, 229B, 229C, 229D, 230, 231, 232, 233, 234, 235A, 235B, 235C, 236, 237, 238, 239, 240, 241, 299A, 299B, 299C

Tract: 1612.

Block: 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119A, 123A, 124A, 124B, 125, 126, 312A, 428A

District No. 108

HENRY

Tract: 0701.02

Tract: 0701.03

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0701.98

Tract: 0702.01

Tract: 0702.02

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209A, 209B, 210, 211, 212, 213, 214, 215, 216, 217A, 217B, 218, 219, 220, 221, 222, 223, 224, 225, 227, 299A, 299B, 299C, 299D, 299E

Tract: 0702.03

Block Group: 1

Block: 226, 227, 261, 262, 263, 264

Tract: 0703.01

Block: 304, 305, 306

Tract: 0703.02

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, That part of Block 320 lying north of Long Branch extended to Interstate 75, 401, 402, 403A, 403B, 404A, 404B, 404C, 404D, That part of Block 405 lying east of Russell Road extended to Tomlinson Street, 406, 407A, 409A, 409B, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443A, 444, 445, 446A, 446B, 447

District No. 109

BUTTS
HENRY

Tract: 0702.02

Block: 226 www.226tool.com.cn

Tract: 0702.03

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 299A, 299B, 299C, 299D, 299E

Tract: 0703.02

Block: 308, 309A, 309B, That part of Block 320 lying south of Long Branch extended to Interstate 75, 321, 322, 323, 324, 325, 326A, 326B, 327, 328, 329, 330, That part of Block 405 lying west of Russell Road extended to Tomlinson Street, 407B, 408A, 408B, 408C, 443B, 448, 449, 450, 499, 499

Block Group: 5

Block Group: 6

Tract: 0704.02

Tract: 0704.98

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 122, 123A, 123B, 124A, 124B, 124C, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 149, 199A, 199B, 199C

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314A, 314B, 315A, 315B, 316, 317A, 317B, 318A, 318B, 319, 320, 321A, 321B, 322, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 346, 347, 348A, 349A, 351A, 399A, 399B

LAMAR

Tract: 9701.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356A, 356B, 357A, 357B, 358, 359, 360, 361, 362, 363, 364, 365A, 365B, 366A, 366B, 377A, 377B, 378, 379A, 379B, 399C, 399D, 399E, 399F, 399G

Tract: 9702.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 144A, 144C, 145A, 145B, 145C, 145D, 145E, 146, 147A, 147B, 148A, 148B, 148C, 149, 150, 151, 152, 153, 154, 155A, 155C, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 171, 172, 173, 174, 175, 176, 199A, 199B, 199C, 199D, 199E, 199F

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412A, 412B, 413A, 413B, 414, 415, 416, 417A, 417B, 417C, 418A, 418B, 418C, 425, 426, 427, 502A, 503A, 504A, 505, 507, 508

Tract: 9703.

Block: 101A, 101B, 102, 103A, 103B, 104A, 104B, 104C, 107, 108A, 108B, 109, 110, 111A, 111B, 112A, 112B, 113, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122, 199

Block Group: 2

Block: 306A, 307A, 308, 309, 310, 311, 312A, 312B, 313, 314A, 314B, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325B, 326A, 326B, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 430A, 430B, 431, 432, 433A, 433B, 434A, 434B, 435A, 435B, 436A, 436B, 436C, 436D, 499A

District No. 110

JASPER

JONES

Tract: 0301.01

Tract: 0301.02

Block: 111, 113, 114, 115, 116, 117, 118, 119, 124, 125, 204, 205, 206, 208, 209, 225, 226, 227

Tract: 0302.

Block: 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 175, 176, 177, 178, 179, 180, 181, 182, 183, 199A, 199B,

Block: 199C, 199D, 199E, 199F

Block Group: 2

Block: 301, 307, 308, 309, 311, 312, 313, 399, 399

Tract: 0303.

Block: 301, 302, 304, 307, 308, 311, 314B, 316B, 316C, 317B, 327, 328, 341, 343, 347, 377, 378, 379, 399E, 399F, 399H, 399J

LAMAR

Tract: 9701.

Block: 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 380A, 380B, 381A, 381B, 382, 383, 384, 385, 386, 387, 399A, 399B

Tract: 9702.

Block: 143, 144B, 155B, 167, 168, 169, 170, 177, 178, 179, 180, 181, 182, 199G, 419, 420, 421, 422, 423, 424, 499, 499, 501, 502B, 503B, 504B, 506, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 599A, 599B, 599C, 599D, 599E, 599F, 599G, 599H, 599I, 599J, 599K, 599L, 599M, 599N, 599P, 599Q, 599R, 599S, 599T, 599U, 599V, 599W, 599X, 599Y

Tract: 9703.

Block: 105, 106, 199, 301, 302, 303, 304, 305, 306B, 307B, 338, 339, 399, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430C, 437, 438, 439, 440A, 440B, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467A, 467B, 468, 469, 470, 471, 472, 473, 474A, 474B, 475, 476, 499B, 499C, 499D, 499E, 499F, 499G

MONROE

District No. 111

GREENE

OGLETHORPE

PUTNAM

District No. 112

COLUMBIA

Tract: 0303.01

Block Group: 1

Block: 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 221, 222, 231, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 271, 272, 273, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299R, 299T

Tract: 0303.02

Tract: 0304.

Tract: 0305.01

Tract: 0305.02

Block: 407, 408, 409, 410, 411, 412, 413, 414, 415A, 415B, 416, 417A, 417B, 418A, 418B, 419, 420, 421, 422, 423, 424A, 424B, 425, 426, 427, 428A, 428B, 429, 430A, 430B, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454A, 454B, 455, 456, 457, 458, 459, 460, 461, 462A, 462B, 463, 464, 465, 466, 467, 468, 469, 470, 471A, 471B, 472A, 472B, 473, 474, 475, 476, 477, 478, 499

Block Group: 5

MCDUFFIE

Tract: 9501.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299A, 299B, 299C, 299D, 299E, 299F, 299G

Tract: 9502.

Block: 101, 102, 103, 104, 105, 201, 202, 203, 204, 205, 206, 207, 208B, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 230, 231, 232, 233, 234, 301, 302, 303, 304, 305B, 316B, 317, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 399, 399

Tract: 9503.

Block: 238

Tract: 9504.

Block: 250, 501, 502, 503, 504, 547, 595, 596, 597

Tract: 9505.

Block Group: 1

Block: 203, 204, 205, 250, 251, 252, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 281, 282, 283, 299C, 299E, 299F, 299H

Block Group: 3

Block Group: 4

District No. 113

COLUMBIA

Tract: 0301.01

Tract: 0301.02

Tract: 0301.03

Tract: 0302.01

Tract: 0302.02

Tract: 0302.03

Tract: 0303.01

Block: 201, 202, 203, 204, 205, 206, 207, 208, 219, 220, 223, 224, 225, 226, 227, 228, 229, 230, 232, 233, 234, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 274, 275, 296, 297, 299A, 299B, 299C, 299D, 299E, 299N, 299P, 299U, 299V, 299W, 299X

Tract: 0305.02

Block: 401, 402, 403, 404, 405, 406, 479, 480

Tract: 0306.03

PROVIDED, HOWEVER, that District 113 shall not include any portion of the City of Augusta located in Columbia County; and for this purpose the corporate limits of the City of Augusta shall be those determined by the laws of the State of Georgia and not those shown on the census map for the United States decennial census of 1990 for the State of Georgia.

District No. 114

RICHMOND

Tract: 0001.

Block: 515, 516C, 518, 519, 520, 521, 525

Tract: 0016.

Block: 203, 204, 207B, 207C, 208B, 213B, 221, 222, 223, 226B, 227B

Block Group: 3

Block: 501, 502, 515, 516, 517

Tract: 0101.02

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 119, 120,
121

PROVIDED, HOWEVER, that District 114 shall include, in addition to the above-described territory any portion of the City of Augusta located in Columbia County, and for this purpose the corporate limits of the City of Augusta shall be those determined by the laws of the State of Georgia and not those shown on the census map for the United States decennial census of 1990 for the State of Georgia.

Block Group: 3

Block Group: 4

Block Group: 9

Tract: 0101.04

Tract: 0101.05

Tract: 0102.01

Tract: 0102.03

Tract: 0102.04

Tract: 0108.

Block: 901C, 902, 903, 904, 905, 908, 909, 910

District No. 115

RICHMOND

Tract: 0001.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514A, 514B,
514C, 516A, 516B, 517, 522, 599

Tract: 0002.

Tract: 0003.

Tract: 0004.

Tract: 0006.

Block: 115, 116, 117, 118, 199, 201, 214, 215, 401, 402, 412, 413, 414, 415, 416, 417,
418, 501, 502, 503, 506, 507, 512

Tract: 0007.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 116, 119, 120, 121, 122,
123, 124, 127

Tract: 0008.

Tract: 0009.

Block: 602, 606, 607, 608, 609, 610, 612, 613

Tract: 0010.

Block: 101, 102, 103, 104, 105B, 106, 107, 108, 109, 110, 111, 112, 113, 122, 123,
124

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0011.

Tract: 0012.

968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983,
984, 985, 986, 999C, 999D

Tract: 0105.05

Block: 815 www.tool.com.cn

Tract: 0107.03

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 149, 151, 152, 153, 154, 155,
199, 199

Tract: 0107.04

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117,
118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134,
135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 155, 156, 157,
158, 159, 160, 161, 162, 163, 199, 199

Tract: 0108.

Block: 901A, 901B, 901D, 901E, 901F, 901G, 901H, 901J, 906, 907, 911,
Block: 912, 999A, 999B, 999C, 999D, 999E, 999F, 999G, 999H, 999J, 999K, 999L,
999M, 999N, 999P, 999R, 999U, 999V, 999W, 999X

Tract: 0109.01

Block: 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
221, 222, 223, 224, 225, 226, 237, 238, 239, 240, 299, 299, 299

District No. 117

RICHMOND

Tract: 0012.

Block: 209, 210, 211, 212, 213, 214, 215
Block Group: 3
Block: 407, 408, 409, 410, 411, 503

Tract: 0013.

Block: 205B, 217B, 225B

Tract: 0103.

Tract: 0104.

Block: 101B, 102B, 103B, 104A, 104B, 105B, 107A, 107B, 108A, 108B, 110, 111,
112A, 112B, 114B, 115B
Block Group: 2
Block Group: 3
Block Group: 4
Block Group: 5
Block Group: 6
Block Group: 7

Tract: 0105.04

Block: 910, 912, 913, 914, 931, 934, 942, 943, 944, 945, 999B

Tract: 0105.05

Block Group: 4
Block Group: 5
Block: 603, 702, 703, 704, 705, 707, 708, 709, 710, 711, 712, 713, 715, 718, 719, 720,
721, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 816,
817, 818
Block Group: 9

Tract: 0105.07

Tract: 0106.

Block: 402, 403, 404, 405, 406, 407B, 408, 409, 410, 411, 412, 413, 414, 415, 416,
417, 419, 420

Tract: 0107.03

Block: 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142,
143, 144, 145, 146, 147, 148, 150

Tract: 0107.04

Block: 101, 148, 149, 150, 151, 152, 153, 154

District No. 118

RICHMOND

Tract: 0006.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 217, 218, 219, 220, 221

Block Group: 3

Block: 403, 404, 405, 406, 407, 408, 409, 410, 411, 504, 505, 508, 509, 510, 511, 513, 514, 515, 516, 517

Tract: 0007.

Block: 112, 113, 114, 115, 117, 118, 125, 126, 128, 129

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0009.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block: 601, 603, 604, 605, 611

Tract: 0010.

Block: 105A, 119, 120, 121

Tract: 0013.

Block: 102, 103, 104, 105, 205A, 209, 217A, 218, 219, 220, 221

Block Group: 3

Tract: 0014.

Tract: 0015.

Tract: 0104.

Block: 101A, 102A, 103A, 105A, 114A, 115A

Tract: 0105.05

Block Group: 2

Block Group: 3

Block: 601, 602, 701, 706, 714, 716, 717, 722, 723

Tract: 0105.06

Tract: 0105.08

Block Group: 1

Block: 701, 702, 703, 704, 705, 706, 707, 711

Tract: 0105.09

Block: 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 828, 829, 830, 831, 832, 833, 835

Tract: 0105.10

Block Group: 1

Block Group: 9

Tract: 0105.11

Block: 201, 313, 314, 315, 316, 317, 318, 319, 320, 327, 328

Block Group: 9

Tract: 0106.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 407A, 418

Block Group: 5

Block Group: 6

Block: 901, 902A, 902B, 902C, 902D, 903, 904, 905, 906A, 906B, 907, 908, 909, 910, 911, 912A, 912B, 912C, 913, 914, 915A, 915B, 915C, 916, 917, 918, 919, 920A, 920B, 921A, 921B, 922A, 922B, 922C, 922D, 923A, 923B, 923C, 923D, 924A, 924B, 925, 926, 927, 928, 933, 935, 936A, 937, 938, 939, 940, 944A,

944B, 948A, 966, 967, 968, 969A, 969B, 970, 971, 972, 999A, 999B, 999C,
999D, 999E

Tract: 0107.05

Block: 101, 102, 103, 105, 106, 107, 108, 109

District No. 119

BURKE

Tract: 9501.

Block: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120,
199B, 199B, 199B, 199B, 199B, 199B, 199B, 199B

Block Group: 2

Tract: 9502.

Block: 101, 102, 103, 104, 105, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134,
135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150,
151, 152, 199B, 199C, 199D, 201, 202, 203, 204B, 236, 237, 238, 239, 240,
251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266,
267, 268, 269, 272, 299B

RICHMOND

Tract: 0105.08

Block: 708, 709, 710, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721

Tract: 0105.09

Block Group: 7

Block: 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 834, 836, 837

Tract: 0105.10

Block Group: 2

Block Group: 4

Block Group: 5

Tract: 0105.11

Block: 202, 203, 204, 214, 215, 216, 217, 218, 301, 302, 303, 304, 305, 306, 307, 308,
309, 310, 311, 312, 321, 322, 323, 324, 325, 326, 399

Block Group: 4

Tract: 0106.

Block: 929A, 929B, 930A, 930B, 931, 932, 934, 936B, 941, 942, 943, 945, 946, 947,
948B, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962,
963, 964, 965, 973, 999F, 999G, 999H, 999J, 999K, 999L

Tract: 0107.04

Block: 131

Tract: 0107.05

Block: 104

Block Group: 2

Tract: 0107.06

Tract: 0108.

Block: 999T

Tract: 0109.01

Block Group: 1

Block: 201, 202, 203, 204, 227, 228, 229, 230A, 230B, 231, 232, 233, 234, 235, 236

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0109.02

District No. 120

BALDWIN

Tract: 9701.

Block: 101, 102, 103, 104, 105, 106, 107D, 107E, 108, 109, 110, 111, 112, 113, 114,
115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125B, 127B, 128, 129, 130,
131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146,

147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162,
163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178,
179, 180, 181, 182, 183, 184, 185B, 199D, 199D, 199E, 199F, 199G, 199H

Block Group: 2

Block Group: 3

Tract: 9702.

Block: 342B, 399C, 524, 599

Tract: 9707.

Block: 126

GLASCOCK

HANCOCK

MCDUFFIE

Tract: 9501.

Block: 280, 281, 282, 283, 284, 285

Tract: 9502.

Block: 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117A, 117B, 118, 119A,
119B, 119C, 120A, 120B, 121A, 121B, 121C, 122A, 122B, 122C, 122D, 123A,
123B, 124A, 124B, 124C, 125A, 125B, 125C, 126A, 126B, 126C, 127A, 127B,
127C, 128, 129A, 129B, 130A, 130B, 208A, 211, 224, 225, 226, 227, 228, 229,
305A, 306, 307, 308, 309, 310A, 310B, 311A, 311B, 311C, 311D, 312, 313A,
313B, 313C, 313D, 314A, 314B, 315, 316A, 318, 319A, 319B, 320, 321, 322

Block Group: 4

Block Group: 5

Tract: 9503.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214,
215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230,
231, 232, 233, 234, 235, 236, 237, 239A, 239B, 240, 241, 242A, 242B, 243A,
243B, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256A, 256B,
257A, 257B, 258, 259, 260A, 260B, 261A, 261B, 299, 299, 299

Block Group: 3

Tract: 9504.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215A,
215B, 216, 217, 218A, 218B, 219A, 219B, 220A, 220B, 221, 222, 223, 224,
225, 226, 227, 228, 229, 230, 231, 232, 233, 234A, 234B, 234C, 235, 236, 237,
238, 239A, 239B, 239C, 240, 241A, 241B, 242A, 242B, 243, 244, 245, 246,
247, 248, 249, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 299A, 299B

Block Group: 3

Block Group: 4

Block: 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520,
521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536,
537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 548, 549, 550, 551, 552, 553,
554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569,
570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585,
586, 587, 588, 589, 590, 591, 592, 593, 594, 599A, 599B, 599C, 599D

Tract: 9505.

Block: 201, 202, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235,
236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 253, 254,
255, 256, 257, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 299A, 299B,
299D, 299G, 299J

TALIAFERRO

WARREN

District No. 121

JEFFERSON

WASHINGTON

District No. 122BALDWIN www.libtool.com.cn

Tract: 9701.

Block: 107B, 125A, 126, 127A, 185A, 199B

Tract: 9702.

Block Group: 1

Block Group: 2

Block: 301A, 301B, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312A, 312B, 313, 314, 315, 316, 317, 318, 319A, 319B, 319C, 319D, 320A, 320B, 321A, 321B, 321C, 322, 323A, 323B, 323C, 324, 325A, 325B, 326, 327A, 327B, 328A, 328B, 329A, 329B, 330A, 330B, 330C, 330D, 331, 332A, 332B, 333, 334, 335, 336A, 336B, 337, 338, 339, 340, 341, 342A, 399A, 399B, 399D

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523

Tract: 9703.

Tract: 9704.

Tract: 9705.

Tract: 9706.

Tract: 9707.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140A, 140B

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9708.

District No. 123

JONES

Tract: 0301.02

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 120, 121, 122, 123, 201, 202, 203, 207, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 228, 229, 230, 299A, 299B

Block Group: 3

Block Group: 9

Tract: 0302.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 174, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199G, 199H, 199J, 199K, 199L, 199M, 199N, 199P, 302, 303, 304, 305, 306, 310

Tract: 0303.

Block Group: 1

Block Group: 2

Block: 303, 305, 306, 309, 310, 312, 313A, 313B, 314A, 315, 316A, 317A, 318A, 318B, 319, 320, 321, 322, 323, 324, 325, 326, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 342, 344, 345, 346, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358A, 358B, 358C, 359A, 359B, 360A, 360B, 361, 362A, 362B, 363A, 363B, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 399A, 399B, 399C, 399D, 399G, 399K, 399L, 399M, 399N, 399P

Block Group: 4

Block Group: 5

TWIGGS

WILKINSON

District No. 124**BIBB**

- Tract: 0102.
Block: 101
- Tract: 0105.
Block: 105, 106, 107, 108, 109, 110, 111, 112
Block Group: 2
Block: 311, 312, 313
- Tract: 0106.
Block Group: 1
Block: 201, 202, 203, 204, 205, 208, 209, 210, 211, 212, 215, 216, 217
Block Group: 3
Block: 402, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419
- Tract: 0107.
- Tract: 0108.
Block: 102, 103, 104, 106, 107, 108, 109, 110, 112, 114, 115, 116, 117, 118, 119, 120, 121
Block Group: 2
Block Group: 3
- Tract: 0110.
Block Group: 1
Block Group: 2
Block: 303, 304, 315, 316, 408, 409, 410, 411, 412, 413, 414, 415
Block Group: 5
- Tract: 0111.
- Tract: 0112.
- Tract: 0113.
- Tract: 0114.
- Tract: 0115.
- Tract: 0117.01
- Tract: 0117.02
- Tract: 0127.
Block: 201, 202, 205, 206, 207, 208, 209, 210, 211, 212, 213, 221A, 222, 223
Block Group: 3
- Tract: 0128.
- Tract: 0130.
Block: 201A, 201B, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231A, 231B, 232A, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 274A, 274B, 276A, 277A, 292, 293, 294, 295, 296, 297, 299A
- Tract: 0133.02
Block: 101, 102, 103, 104, 105, 106, 107, 199
Block Group: 2
Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419
- Tract: 0137.97

District No. 125**BIBB**

- Tract: 0121.
Block: 102A, 102C, 102D, 102E, 103, 207D, 208, 209, 210C, 211, 212, 213B, 223B
- Tract: 0122.
Block: 226

Tract: 0129.

Tract: 0130.

Block Group: 1

Block: 201C, 202C, 231C, 232B, 273A, 273B, 274C, 275, 276B, 277B, 278A, 278B, 279A, 279B, 279C, 280, 281A, 281B, 281C, 282, 283A, 283B, 284, 285, 286, 287, 288, 289, 290, 291, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J

Tract: 0131.01

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502C, 503, 504A, 504B, 504C, 504D, 504E, 504F, 504G, 504H, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 599A, 599B

Tract: 0131.02

Block Group: 4

Tract: 0132.01

Block: 101B, 110B, 111, 112, 113, 114, 115B, 116, 117, 118B, 119B, 119C, 120B, 121C, 121D, 121E, 123, 124, 199, 199, 201B, 202, 203, 204, 205, 206A, 206B, 207A, 207B, 208A, 208B, 209, 210, 211A, 211B, 212A, 212B, 299

Tract: 0132.02

Block: 102B, 102D, 103A, 103B, 113A, 113B, 113C, 113D, 114A, 114B

Tract: 0133.01

Tract: 0133.02

Block: 108, 109

Block Group: 3

Block: 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437

Tract: 0134.97

Block: 101, 102, 103, 104, 105, 106, 107, 108B, 115, 116, 117, 118, 119, 120, 121, 122, 123, 199, 199, 199, 199, 199, 199, 206D, 207, 208A, 208B, 209A, 209B, 210A, 210B, 211, 212, 213, 214, 215, 216A, 216B, 217A, 217B, 218, 219, 220, 304B, 305, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 399, 399, 399

Block Group: 4

Tract: 0135.01

Tract: 0135.02

Tract: 0136.01

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 301, 302, 308, 399D, 399E, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413

Tract: 0136.02

Block Group: 1

Block Group: 2

Block Group: 3

Block: 408, 409, 410, 411, 412, 413, 501, 502, 503, 510, 511, 512

District No. 126

BIBB

Tract: 0102.

Block: 115

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0103.

Block: 202, 203, 204

Tract: 0110.

Block: 301A, 301B, 301C, 302, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 317,
318, 319, 399A, 399B, 401, 402, 403, 404, 405, 406, 407, 419, 420

Block Group: 6

Tract: 0118. www.libtool.com.cn

Tract: 0119.

Tract: 0120.

Tract: 0121.

Block: 101, 102B, 201, 202, 203, 204, 205, 206, 207A, 207B, 207C, 210A, 210B,
213A, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223A, 224, 225, 226, 227,
228, 229, 230, 231, 232, 233, 234

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0122.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208A, 208B, 209, 210, 211, 212, 213, 214,
215, 216, 217, 218, 219, 220, 221, 222A, 222B, 223A, 223B, 224, 225A, 225B,
225C, 227, 228A, 228B, 228C, 228D, 229, 230, 231, 232, 233, 234, 235, 236,
237, 238, 239, 299, 299

Tract: 0123.

Block: 301

Block Group: 4

Block Group: 5

Tract: 0124.

Block Group: 1

Block Group: 2

Tract: 0134.97

Block: 108A, 109, 110, 111, 112, 113, 114, 201, 202, 203, 204, 205A, 205B, 206A,
206B, 206C, 206E, 206F, 221, 222, 301, 302B, 303B, 306, 307

Tract: 0134.98

Tract: 0137.98

District No. 127

BIBB

Tract: 0101.

Tract: 0102.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 113, 114

Tract: 0103.

Block Group: 1

Block: 201, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235,
236, 237, 238, 239, 240

Tract: 0104.

Tract: 0105.

Block: 101, 102, 103, 104, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 314, 315,
316

Tract: 0106.

Block: 206, 207, 213, 214, 401, 403

Tract: 0108.

Block: 111

Tract: 0123.

Block Group: 1

Block Group: 2

Block: 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317,
318, 319, 320

Tract: 0124.

Block Group: 3

Block Group: 4
 Block Group: 5
 Tract: 0125.
 Tract: 0126. libtool.com.cn
 Tract: 0127.
 Block Group: 1
 Block: 203, 204, 214, 215, 216, 217, 218, 219, 220, 221B
 Tract: 0131.01
 Block: 502A, 502B
 Tract: 0131.02
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Tract: 0132.01
 Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110A, 115A, 118A, 119A, 120A,
 121A, 121B, 122, 201A
 Block Group: 3
 Block Group: 4
 Tract: 0132.02
 Block: 101, 102A, 102C, 104, 105, 106, 107, 108, 109, 110, 111, 112, 199
 Block Group: 2
 Block Group: 3

District No. 128**BIBB**

Tract: 0136.01
 Block: 207, 208, 209, 210, 211, 212, 213, 214, 299, 299, 299, 299, 299, 299, 299, 299, 303,
 304, 305, 306, 307, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320,
 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 399A, 399B,
 399C, 399F, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426,
 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 499
 Tract: 0136.02
 Block: 401, 402, 403, 404, 405, 406, 407, 414, 499, 499, 499, 499, 504, 505, 506, 507,
 508, 509, 513, 514, 515, 516, 517, 599
 Block Group: 6

CRAWFORD**HOUSTON**

Tract: 0201.01
 Block: 101, 102B, 102C, 103, 104, 105A, 105B, 106A, 106B, 107, 108A, 108B, 112B,
 117, 118A, 118B, 201C, 202, 203, 204, 205, 206B, 401, 402
 Tract: 0201.02
 Tract: 0201.03
 Tract: 0203.
 Block Group: 1
 Block: 201, 301
 Tract: 0204.
 Block: 101A, 101B, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113

PEACH

Tract: 0401.
 Tract: 0402.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111,
 Block: 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 160, 161, 162,
 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 201, 202, 217, 218,
 219, 234, 235, 253, 254, 255, 256, 257A, 257B, That part of Block 258 which
 lies east of the boundary line for GMD 1813 and GMD 1816, 259
 Tract: 0403.01

Block: 101, That part of Block 102 which lies northeast of Mossy Creek, 113, 114, 115, 116, 117, 118, 119, 120A, 120B, 121A, 121B, 123, 124A, 124B, 125, 126A, 126B, 134, 136, 137, 138, 139, 140A, 140B, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167A, 167B, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197

Block Group: 2

Block Group: 3

Tract: 0403.02

Block: 101, 102, 103A, 103B, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 133, 134, 135, 136, 137A, 137B, 138A, 138B, 139A, 139B, 142, 143A, 143B, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 199, 199, 199

District No. 129

PIKE

UPSON

District No. 130

COWETA

Tract: 1701.

Block: That part of Blocks 256, 258, 357, 358 and 359 which lies southwest of the Georgia Power Transmission line, 362, 363, 364, 365, 366, 367, 375, 376, 377, 378, 379, 380, 381, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 399B, 399C, 399D

Tract: 1705.

Block: 246

Tract: 1707.

Block: 228, 229, That part of Blocks 227, 230, 232 and 233 which lies southwest of the Georgia Power transmission line, 235, 236, 237

Tract: 1708.

Block Group: 1

Block: 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 230, 231, 232, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264A, 264B, 265, 266, 267A, 267B, 268, 269, 270A, 270B, 271, 272, 273, 274A, 274B, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295A, 295B, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H

Block Group: 3

Block Group: 4

TROUP

Tract: 9601.

Tract: 9602.

Tract: 9603.

Tract: 9604.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 434, 435

Tract: 9605.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 114B,

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113, 114A, 114B, 115, 116A, 116B, 117A, 117B, 118, 119A, 119B, 120, 121, 122, 123, 124, 125, 126, 127, 134, 135, 136, 137, 138, 141, 143, 144, 158, 159, 160, 161, 162, 163, 199D, 199E, 199F, 201B, 214B, 215B

Tract: 9609.

Block: 203C, 203D, 204, 205B, 313B, 314A, 314B

Block Group: 4

Block: 513D, 515, 516, 517, 518A, 518B, 519, 520, 521, 522, 523, 540, 561B, 564B, 599A

Block Group: 6

Block Group: 7

Tract: 9610.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 133, 134, 135, 136, 137, 139, 144, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 266, 290, 291, 299C, 299D, 299E

Tract: 9611.

Block: 101, 104

District No. 131

MERIWETHER

Tract: 9701.

Tract: 9702.

Tract: 9703.

Tract: 9704.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 258, 259A, 259B, 260A, 260B, 261A, 261B, 261C, 262A, 262B, 263, 264, 265, 266, 267, 268, 269, 270, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P

Block Group: 3

Tract: 9706.

Block: 303, 304, 305, 306, 307, 308, 309, 310, 311, 321, 399L

TROUP

Tract: 9604.

Block: 429, 430, 431, 432, 433

Tract: 9606.

Block: 128, 129, 130, 131, 132, 133, 139, 140, 142, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 199A, 199B, 199C, 201A, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 215A, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 299

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9607.

Tract: 9608.

Tract: 9609.

Block Group: 1

Block: 201, 202, 203A, 203B, 205A, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 313C, 315, 316, 317, 318, 319, 320, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513A, 513B,

Block: 513C, 514, 524A, 524B, 524C, 525, 526A, 526B, 527, 528, 529A, 529B, 530A, 530B, 530C, 530D, 531, 532, 533A, 533B, 534, 535, 536, 537, 538, 539, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561A, 562, 563, 564A, 565, 566, 567, 599B, 599C

Tract: 9610.

Block: 101, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 138, 140, 141, 142, 143, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 199A, 199B, 243, 244, 245, 261A, 261B, 262, 263, 264, 265, 267, 268, 269, 270, 271, 272A, 272B, 273A, 273B, 273C, 274, 275A, 275B, 276A, 276B, 277A, 277B, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 292, 293, 299A, 299B

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9611.

Block: 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 199, 199, 199, 199, 199, 199

Block Group: 2

Tract: 9612.98

District No. 132

MUSCOGEE

Tract: 0002.

Tract: 0003.

Tract: 0004.

Tract: 0005.

Tract: 0006.

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 118, 119, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218

Tract: 0009.

Block Group: 1

Tract: 0011.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317

Tract: 0016.

Block: 102, 103, 104, 105, 106, 109, 110, 301, 302, 303, 306, 307, 308, 309, 401, 402, 403, 407, 408, 411, 413, 414, 499

Tract: 0102.01

Tract: 0102.02

Block: 102, 103, 105, 107, 108, 109, 110, 112, 113, 123, 124, 125, 126, 127, 128, 129, 131, 133, 134, 135, 137, 139, 140, 141, 142, 144, 145, 149, 151, 153, 199, 199

Block Group: 2

Block: 302, 303, 304, 305, 306, 308, 309, 310, 311, 312, 313, 314, 315, 316, 319

Tract: 0103.01

Tract: 0103.02

Tract: 0104.01

Tract: 0104.02

Block Group: 1

Block: 201, 202, 203, 204, 231, 901, 902, 904, 905, 906, 907,

Block: 908, 909, 910, 911, 914, 999

Tract: 0110.

District No. 133

MUSCOGEE

Tract: 0101.02

Tract: 0101.03

Block: 328

Tract: 0106.02

Tract: 0106.04

Tract: 0106.05

Tract: 0106.06

Tract: 0107.01

Tract: 0107.02

Block: 113, 114, 115, 116, 117, 118, 119, 136, 137, 201, 202, 221, 222, 223, 224, 225, 226, 228

Tract: 0108.

Block: 901F, 901G, 901H, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 999C, 999D, 999E

TALBOT

District No. 134

MUSCOGEE

Tract: 0029.02

Block: 130A, 130B, 130C, 131

Tract: 0031.

Tract: 0032.

Tract: 0033.

Tract: 0034.

Tract: 0107.02

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 121, 122, 123, 125, 126, 127, 128, 129, 130, 132, 134, 135

Tract: 0107.03

Block: 102, 103, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 199, 199, 199

Block Group: 2

Tract: 0108.

Block: 901A, 901B, 901C, 901D, 901E, 901J, 999A, 999B

Tract: 0109.

District No. 135

MUSCOGEE

Tract: 0001.

Block: 101, 102, 103, 221, 223

Tract: 0006.

Block: 101, 102, 113, 114, 115, 116, 117, 201, 202

Tract: 0008.

Tract: 0009.

Block Group: 2

Block Group: 3

Tract: 0010.

Tract: 0011.

Block: 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 126, 127

Block Group: 2

Block: 301, 302, 303, 304, 318, 319, 320, 321, 322

Tract: 0012.

Tract: 0013.

Tract: 0014.

Tract: 0015.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 423, 424, 425, 426, 427, 432, 433

Tract: 0016.

Block: 101, 108, 111, 113, 123

Block Group: 2
 Block: 304, 305, 310, 311, 312, 313, 404, 405, 406, 409, 410, 412
 Block Group: 5
 Block Group: 6
 Tract: 0018.
 Tract: 0019.
 Tract: 0023.
 Tract: 0101.03
 Block: 329, 330, 331, 332
 Tract: 0101.04
 Block: 105, 106, 107, 108, 109, 110, 111, 112, 199A, 199B
 Tract: 0104.02
 Block: 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
 221, 222, 223, 230, 299, 903
 Tract: 0105.
 Block: 101, 102, 103, 105, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 140,
 199A, 199B, 199C, 199D, 199E, 304, 308, 309, 310, 311, 312, 313, 314, 315,
 318
 Block Group: 4

District No. 136

MUSCOGEE

Tract: 0001.
 Block: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
 120, 121, 122, 123, 124, 125, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210,
 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 222, 299
 Tract: 0015.
 Block: 418, 428, 429, 430, 431, 434, 435, 436, 437, 438
 Tract: 0020.
 Tract: 0021.
 Tract: 0022.
 Tract: 0024.
 Tract: 0025.
 Tract: 0026.
 Tract: 0027.
 Tract: 0028.
 Tract: 0029.01
 Tract: 0029.02
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120A, 120B, 120C, 121, 122, 123, 124, 125, 126, 127, 128A,
 128B, 129
 Tract: 0030.
 Tract: 0105
 Block: 104, 106, 109
 Block Group: 2
 Block: 301, 302, 303, 305, 306, 307, 316, 317
 Tract: 0107.02
 Block: 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218,
 219, 220, 227, 229, 230
 Tract: 0107.03
 Block: 124, 125

District No. 137

MARION

Tract: 9801.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 155, 156, 157, 199, 199, 201, 202, 203, 204, 206, 215, 216, 217, 218, 219, 220, 221, 223, 224, 225, 263, 264, 296, 297, 299A, 299B, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 399A

Tract: 9802.

Block: 158, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 328, 329, 330, 331, 332, 333, 334, 335, 336, 341, 399D

SCHLEY
SUMTER

District No. 138

CRISP
DOOLY

Tract: 9701.

Block Group: 1

Block: 201A, 201B, 202A, 202B, 203, 204, 205, 206, 207, 208, 223, 224, 225, 226, 227, 228A, 228B, 228C, 229A, 229B, 230A, 230B, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257A, 257B, 258, 259A, 259B, 260, 261, 262, 263, 264, 273, 274, 275, 276, 277, 278, 279A, 279B, 280A, 280B, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299B, 301, 302A, 302B, 303A, 303B, 304A, 304B, 305, 306, 307, 308, 309, 310, 311, 317, 318, 319, 320, 325, 326, 327, 328, 329, 330A, 330B, 331A, 331B, 332A, 332B, 333, 334A, 334B, 335A, 335B, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362A, 362B, 363, 364, 365, 366, 367A, 367B, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383A, 383B, 384A, 384B, 385, 386, 387A, 387B, 388, 389A, 389B, 390, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399E, 399F, 399G, 399H

Tract: 9703.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 220, 301, 302, 303, 304, 305, 306, 307, 312, 399K, 399R, 501, 502, 503, 504, 505, 506, 507, 508, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 557, 561

HOUSTON

Tract: 0211.02

Block: 314, 315, 316

Tract: 0211.03

Block: 304

Block Group: 4

Tract: 0214.

Block: 501, 502, 503, 504, 505, 506, That part of Block 508 which lies northeast of Mossy Creek, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 599A, 599B

Tract: 0215.02

Block: That part of Block 101 which lies southwest of Indian Creek, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143A, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299, 299, 299, 299

PULASKI

District No. 139

HOUSTON

Tract: 0201.01

Block: 102A, 109A, 109B, 110, 111A, 111B, 112A, 113, 114, 115, 116, 201A, 201B, 206A, 207A, 207B, 207C, 207D, 207E, 208A, 208B, 208C, 209, 210A, 210B, 210C, 211, 212A, 212B, 212C, 213A, 213B, 214A, 214B, 215A, 215B, 216A, 216B, 217, 218A, 218B, 218C, 218D, 218E, 219A, 219B, 219C, 219D, 220, 221, 222A, 222B, 223, 224A, 224B, 225, 226

Block Group: 3

Block: 403, 404, 405, 406A, 406B, 406C, 407A, 407B, 407C, 408A, 408B, 408C, 409, 410, 411A, 411B, 412

Tract: 0202.

Tract: 0203.

Block: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315

Block Group: 4

Tract: 0204.

Block: 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127

Block Group: 2

Block Group: 9

Tract: 0205.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,

Block: 212, 213, 214, 215, 216, 226, 229, 230, 231, 232

Tract: 0207.

Block: 410, 411, 419, 420, 421

Tract: 0209.

Tract: 0210.

Tract: 0211.01

Block: 111A, 111B, 111C, 111D, 111E, 112A, 112B, 112C, 112D, 113A, 199A, 199B

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0211.02

Block: 201, 202, 203, 204, 205, 206, 207, 213, 214

District No. 140

DOOLY

Tract: 9701.

Block: 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 265, 266, 267, 268, 269, 270, 271, 272, 299A, 312, 313, 314, 315, 316, 321, 322, 323, 324, 399D

Tract: 9702. www.libtool.com.cn

Tract: 9703.

Block: 166, 167, 168, 169, 170, 218, 219, 221A, 221B, 222A, 222B, 223, 224A, 224B, 225, 226A, 226B, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 308, 309, 310, 311, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341A, 341B, 342, 343A, 343B, 344A, 344B, 345A, 345B, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399L, 399M, 399N, 399P

Block Group: 4

Block: 509, 510, 511, 512, 513, 514, 515A, 515B, 516, 517, 518, 519, 520, 521, 522, 523A, 523B, 524A, 524B, 525, 526, 527, 528, 529, 530, 531, 532, 556, 558, 559, 560, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572A, 572B, 573, 574, 575, 576, 577, 578A, 578B, 579, 580A, 580B, 581, 582, 583, 584, 585, 586, 587, 588, 589, 599

MACON

PEACH

Tract: 0402.

Block: 125, 126, 127, 128, 129A, 129B, 130, 131, 132, 133, 134, 135, 136, 137A, 137B, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153A, 153B, 154, 155, 156, 157A, 157B, 158, 159, 175, 176, 203, 204, 205, 206, 207A, 207B, 208, 209, 210, 211A, 211B, 212, 213, 214, 215, 216, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 236, 237, 238, 239, 240, 241A, 241B, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, That part of Block 258 which lies west of the boundary line for GMD 1813 and GMD 1816, 260, 261, 262, 263, 264, 299, 299, 299

Tract: 0403.01

Block: That part of Block 102 which lies southwest of Mossy Creek, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 122, 127A, 127B, 128, 129, 130, 131A, 131B, 132A, 132B, 133, 135, 199, 199

Tract: 0403.02

Block: 129, 130, 131, 132, 140A, 140B, 141

Tract: 0404.

TAYLOR

District No. 141

HOUSTON

Tract: 0205.

Block: 217, 218, 219, 220, 221, 222, 223, 224, 225, 227A, 227B, 228, 233, 234, 235, 236, 237, 238, 239, 240A, 240B, 241A, 241B, 242, 243, 244, 245, 246

Tract: 0206.

Tract: 0207.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 412, 413, 414, 415, 416, 417, 418

Tract: 0208.

Tract: 0211.01

Block: 101A, 101B, 102A, 102B, 103A, 103B, 104A, 104B, 105A, 105B, 105C, 105D, 106, 107, 108A, 108B, 108C, 108D, 108E, 109, 110, 113B, 114A, 114B, 115A, 115B

Tract: 0211.02

Block Group: 1

Block: 208, 209, 210, 211, 212, 215, 216, 217, 218, 219, 301, 302, 303, 304, 305, 306,
307, 308, 309, 310, 311, 312, 313, 317

Tract: 0211.03

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317,
318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333,
334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 399

Tract: 0212.

Tract: 0213.

Tract: 0214.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 507, That part of Block 508 which lies southwest of Mossy Creek, 509, 525,
526, 527, 528, 529, 530, 599C, 599D

Tract: 0215.01

Tract: 0215.02

Block: That part of Block 101 which lies northeast of Indian Creek, 143B, 144,
145, 254, 255, 267, 268

District No. 142

BLECKLEY

DODGE

LAURENS

Tract: 9507.

Block: 294, 295

Tract: 9511.

Block: 150, 151, 152, 154, 155, 156, 157, 158, 178, 199A

Block Group: 2

Tract: 9512.

Tract: 9513.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 118,
119, 120A, 120B, 121, 122, 123, 124, 125, 126A, 126B, 127A, 127B, 128, 129,
130, 131, 132, 133, 134, 135, 136, 137, 138, 139A, 139B, 140A, 140B, 140C,
141, 142, 143, 144, 145, 146, 147, 148A, 148B, 149, 150,

Block: 151, 152A, 152B, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164,
165, 166, 167, 168, 169, 170, 171, 172, 173A, 173B, 174A, 174B, 175, 176,
177, 178, 179, 180, 181, 199A, 199B, 199C

Block Group: 2

TELFAIR

Tract: 9501.

Block: 101A, 101B, 101C, 101E, 102, 103, 104, 105A, 105B, 106A, 106B, 107, 108,
109, 110, 111, 112, 113, 114A, 114B, 115A, 115B, 116, 117, 118, 119, 120,
121, 122, 123, 124, 125, 126A, 126B, 127A, 127B, 128, 129, 130, 131A, 131B,
131C, 132A, 132B, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144,
145, 146, 147, 148, 149, 150, 151, 152A, 152B, 152C, 153, 154, 155, 156A,
156B, 156C, 156D, 157, 158A, 159

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505A, 505B, 506, 507, 508, 509, 510, 511, 512, 513, 514,
515, 516, 517, 518, 519, 520A, 520B, 520C, 521A, 521B, 522A, 522B, 523,
524, 525, 526, 527, 528, 529A, 529B, 530, 534A, 534B, 536, 537, 538, 539,

540, 541, 542, 543, 544A, 544B, 545A, 545B, 545C, 546, 550A, 553, 554, 555,
556, 557, 599A, 599H

Tract: 9502.

Block: 109A, 110A, 113A, 120A, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,
132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144A, 145, 146A,
199A

District No. 143

LAURENS

Tract: 9501.

Tract: 9502.

Tract: 9503.

Tract: 9504.

Tract: 9505.

Tract: 9506.

Tract: 9507.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216,
217A, 217B, 218A, 218B, 219, 220, 221, 222, 223, 224, 225, 226, 227A, 227B,
228, 229, 230, 231A, 231B, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241,
242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257,
258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273,
274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289,
290, 291, 292, 293, 296, 299, 299, 299, 299, 299, 299, 299, 299, 299, 299,
299, 299

Tract: 9508.

Tract: 9509.

Tract: 9510.

Tract: 9511.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148,
149, 153, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172,
173, 174, 175, 176, 177, 179, 180, 181, 199B

Tract: 9513.

Block: 116, 117, 199D

Tract: 9514.98

District No. 144

EMANUEL

JOHNSON

TREUTLEN

District No. 145

BULLOCH

Tract: 9901.

Block Group: 2

Block Group: 3

Tract: 9903.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130B, 131,
132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143B, 144B, 145, 146,
147, 148, 149, 150, 151, 152, 199A, 199B, 199C, 199D, 199E, 199F, 199G,
199H, 199J, 199K, 199L, 199M, 199N, 199P

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 9904.

Block: 303B, 308A, 308B, 309, 310, 311, 399, 399, 411B, 426B, 426C, 429B, 430, 431, 432, 433A, 433B, 434, 435, 436, 437, 438, 499B, 499C, 515B, 516, 521B, 522B, 523, 524B, 525B, 526B, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 599, 599, 603C, 608B, 610B, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 699B, 699C, 699D

Tract: 9905.

Block: 503B, 504B, 522B, 523, 524, 525, 526, 527, 528, 529, 599, 599

Tract: 9906.

Block Group: 4

Block: 645

Tract: 9907.

Tract: 9908.

Tract: 9909.

CANDLER

JENKINS

District No. 146

BULLOCH

Tract: 9901.

Block Group: 1

Tract: 9902.

Tract: 9903.

Block: 130A, 143A, 144A

Tract: 9904.

Block Group: 1

Block Group: 2

Block: 301, 302, 303A, 304, 305, 306, 307, 312, 313, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411A, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426A, 427, 428, 429A, 499A, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515A, 517, 518, 519, 520, 521A, 522A, 524A, 525A, 526A, 527, 601, 602, 603A, 603B, 604, 605, 606, 607, 608A, 609, 610A, 699A

Tract: 9905.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 501B, 502, 503A, 504A, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521,

Block: 522A

Tract: 9906.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 5

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 699, 699, 699, 699, 699, 699,

SCREVEN

District No. 147

BRYAN

Tract: 9201.

Tract: 9202., except that part of Block 901E which lies south of Georgia State Highway 144.

Tract: 9203. libtool.com.cn

Block: 101, 102A, 102B, 103A, 103B, 104A, 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 114B, 115A, 115B, 115C, 116, 117, 118, 119A, 119B, 120A, 120B, 121, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134A, 134B, 135A, 137, 138A, 138B, 139, 140A, 140B, 141, 142, 143, 144, 145, 146, 147, 148, 160A, 164, 165, 166, 167, 174, 176, 177, 189, 199A, 199D, 232, 233A

EFFINGHAM

District No. 148

CHATHAM

Tract: 0003.

Block: 301A, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334

Tract: 0010.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 203, 208, 209, 210, 211, 213, 214, 215

Tract: 0011.

Tract: 0020.

Tract: 0021.

Tract: 0022.

Tract: 0026.

Block: 101, 102, 103, 104, 105, 107

Tract: 0027.

Block: 101, 102, 103, 104

Block Group: 2

Block Group: 4

Tract: 0036.01

Block: 102A, 103, 108, 109, 115, 116, 120

Block Group: 2

Block Group: 3

Block: 401A, 401B, 402, 403, 404B, 499

Tract: 0036.02

Tract: 0037.

Block Group: 1

Block: 201A, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216

Tract: 0038.

Block Group: 1

Block: 201A, 201B, 202, 203A, 204A, 204B, 205, 206, 207, 208

Block Group: 3

Tract: 0039.

Block Group: 2

Block Group: 3

Block: 404, 405, 406A, 406B, 407A, 407B, 408, 409, 410A, 410B, 411

Tract: 0101.01

Block Group: 1

Block: 203A, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 324, 325, 326, 327

Tract: 0101.02

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 314, 315A, 401, 403A, 499A

Tract: 0102.

Block Group: 1
 Block: 201, 204, 210
 Tract: 0111.01
 Block: 501A, 501B, 502, 503, 504, 505, 506, 507, 599A, 599G

District No. 149

CHATHAM

Tract: 0001.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140
 Tract: 0003.
 Block Group: 1
 Block Group: 2
 Block: 301B
 Tract: 0006.01
 Tract: 0008.
 Tract: 0009.
 Tract: 0010.
 Block: 114, 201, 202, 204, 205, 207, 212
 Tract: 0012.
 Tract: 0013.
 Tract: 0015.
 Tract: 0017.
 Tract: 0018.
 Tract: 0019.
 Tract: 0023.
 Tract: 0024.
 Block: 107, 108, 109, 120, 201, 213, 214, 221, 232, 233, 242
 Tract: 0032.
 Tract: 0033.01
 Tract: 0033.02
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 208, 209, 215, 216, 217, 221
 Tract: 0036.01
 Block: 102B
 Tract: 0037.
 Block: 201B
 Tract: 0040.02
 Block Group: 3
 Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 524, 525, 526, 527, 528
 Tract: 0043.
 Block: 101A, 101B, 102A, 102B, 103A, 103B, 104, 105, 199
 Tract: 0045.
 Block: 101B, 401B, 413B, 414B
 Tract: 0101.01
 Block: 201, 202, 203B, 204, 205, 299, 304A, 304B, 305A, 305B, 306, 307, 308, 309, 310, 311, 312, 313, 314A, 314C, 321A, 321D, 322, 323, 328, 329A, 329B, 399A
 Tract: 0105.01
 Block: 201, 212B, 213, 229, 230, 231
 Block Group: 3
 Block: 401, 402, 403, 404, 405, 406, 407, 408, 499B
 Tract: 0105.02
 Block: 101A, 101B, 102, 103, 104, 105, 106, 109, 110, 111, 112, 113, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212

Tract: 0106.01
 Block: 620B
 Tract: 0106.04
 Block: 101A, 101B, 102A, 102B, 103A, 103B, 104A, 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 114B, 115, 116, 117, 118, 119A, 119B, 120A, 120B, 121A, 121B, 122A, 122B, 123, 124A, 124B, 125, 126A, 126B, 127A, 127B, 127C, 128, 129A, 129B, 130, 131A, 131B, 132, 133, 134, 135A, 135B, 136, 137, 138, 139, 140, 141, 142B, 143B, 144, 145, 146, 147B, 150, 151, 152, 153, 154, 155
 Tract: 0106.05
 Block: 102A, 106A, 146A, 146B, 151A, 152A, 154A, 155, 156, 157, 158, 159, 160, 161, 169A, 170A, 171A, 172A, 199A
 Block Group: 9

District No. 150

CHATHAM

Tract: 0001.
 Block: 199
 Tract: 0101.01
 Block: 399B
 Tract: 0105.01
 Block Group: 1
 Block: 202, 203A, 203B, 204A, 204B, 205A, 205B, 206, 207A, 207B, 208, 209, 210, 211A, 211B, 212A, 214, 215, 216, 217, 218, 219A, 219B, 220, 221A, 221B, 222A, 222B, 222C, 223, 224, 225, 226, 227A, 227B, 228A, 228B, 409, 410, 411, 412, 413, 499A
 Block Group: 5
 Tract: 0105.02
 Block: 107A, 107B, 108, 199, 213
 Tract: 0106.01
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619A, 619B, 620A
 Tract: 0106.03
 Tract: 0106.04
 Block: 142A, 143A, 147A, 148, 149
 Tract: 0106.05
 Block: 101, 102B, 103, 104, 105, 106B, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146C, 147, 148, 149, 150, 151B, 152B, 153, 154B, 162, 163, 164, 165, 166, 167, 168, 169B, 170B, 171B, 172B, 173, 174, 175, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 199M
 Tract: 0106.99
 Tract: 0107.98
 Tract: 0108.04
 Tract: 0108.06
 Tract: 0108.07
 Tract: 0108.97
 Tract: 0108.98
 Tract: 0109.01
 Block: 308, 309, 399A, 399B
 Tract: 0109.02

Block: 107, 108, 110, 114, 115, 116, 199T, 199U
 Tract: 0112.98

District No. 151

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CHATHAM

Tract: 0024.

Block: 101, 102, 103, 104, 105, 106, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
 121, 122, 123, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 215, 216,
 217, 218, 219, 220, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 234, 235,
 236, 237, 238, 239, 240, 241

Tract: 0025.

Tract: 0026.

Block: 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122,
 123, 124, 125, 126, 127, 128

Block Group: 2

Tract: 0027.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120,
 121, 122, 123

Block Group: 3

Tract: 0028.

Tract: 0029.

Tract: 0030.

Tract: 0033.02

Block: 207

Tract: 0034.

Tract: 0035.01

Tract: 0035.02

Tract: 0039.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125

Tract: 0040.01

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0043.

Block: 106

Tract: 0044.

Tract: 0045.

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115,
 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,
 132, 133, 134A, 134B, 134C

Block Group: 2

Block Group: 3

Block: 401A, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413A, 414A

District No. 152

CHATHAM

Tract: 0039.

Block: 126, 127, 128, 129, 401, 402, 403, 412A

Tract: 0040.01

Block Group: 5

Tract: 0040.02

Block: 101, 102, 103, 104A, 105, 106A, 106B, 107, 108, 109, 110, 111, 112A, 112B,
 113, 114, 115, 116A, 116B, 117A, 117B, 118A, 199

Block Group: 2

Block Group: 4

Block: 514, 515, 516, 517, 518, 519, 520, 521, 522, 523
 Tract: 0042.02
 Tract: 0042.03
 Tract: 0042.05
 Tract: 0042.06
 Tract: 0102.
 Block: 312A, 312B, 313A, 313B
 Tract: 0109.01
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307
 Tract: 0109.02
 Block: 101A, 101B, 101C, 101D, 102, 103, 104, 105, 106, 109, 111, 112, 113, 117,
 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133,
 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 199A, 199B, 199C,
 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 199M, 199N, 199P, 199R

District No. 153

CHATHAM

Tract: 0036.01
 Block: 101, 104, 105, 106, 107, 110, 111, 112, 113, 114, 117, 118, 119, 404A, 405,
 406, 407, 408, 409
 Tract: 0038.
 Block: 203B
 Tract: 0039.
 Block: 412B
 Tract: 0040.02
 Block: 104B, 118B
 Tract: 0041.
 Tract: 0101.01
 Block: 301, 302, 303, 314B, 315, 316, 317, 318A, 318B, 319, 320, 321B, 321C, 399C
 Tract: 0101.02
 Block: 313B, 315B, 402, 403B, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413,
 499B, 499C
 Tract: 0102.
 Block: 202, 203, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 309,
 310, 311, 312C, 312D, 313C, 314, 315, 316
 Tract: 0110.02
 Tract: 0110.03
 Tract: 0110.04
 Tract: 0111.01
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block: 508, 509, 510, 511, 512, 513, 514, 599B, 599C, 599D, 599E, 599F
 Tract: 0111.02
 Tract: 0111.03
 Tract: 0111.99

District No. 154

BRYAN

Tract: 9202.
 That portion of Block 901E which lies south of Georgia State Highway 144.
 Tract: 9203.
 Block: 122, 135B, 136, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160B,
 161, 162, 163, 168, 169, 170, 171, 172, 173, 175, 178, 179, 180, 181A, 181B,

182, 183, 184, 185, 186, 187, 188, 190, 191, 192, 193, 194, 195, 196, 197, 199B, 199C, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 233B, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M

EVANS
LIBERTY

Tract: 0101.

Block: That part of Block 901D which lies east of Hero Road, north of Inquist Road and northwest of Harmon Avenue, That part of Block 901E lying south of Lorraine, That part of Block 901G which lies north and east of Georgia State Highway 144 and Georgia State Highway 119, 901H, That part of Block 901J which lies south of Tank Trail on Fort Stewart Military Reservation, 901K, 902, 903, 904, 905, 999A, 999B, 999C, 999D

TATTNALL

District No. 155

MONTGOMERY
TOOMBS
WHEELER

District No. 156

BEN_HILL
IRWIN
TIFT

Tract: 9901.

Block: 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 160, 161, 162, 199A, 199B, 199C, 199D, 199E, 199F, 199G

Tract: 9904.

Block: 101, 102, 103, 104, 105D, 106, 107, 108, 109, 122, 129, 130, 199A, 199B, 401C, 402, 403, 408B, 409, 410, 411, 413B, 414B, 415, 416, 417B, 533B

Tract: 9905.

Tract: 9906.

Block: 101B, 102B, 103B, 117B, 120B, 122, 123, 124, 125, 126, 127, 128, 129, 130B, 131B, 138B, 139B, 172, 173, 201C, 202B, 206, 207, 208, 209B, 211, 212, 213, 214, 215, 216, 217, 222, 223, 224, 225B, 226, 227, 228, 231, 233, 234, 235, 236, 237, 238, 299, 301, 304, 305, 306, 307, 309, 310, 311, 312, 315

Tract: 9909.

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 299A, 299B, 299C

WILCOX

District No. 157

LEE

Tract: 0201.

Tract: 0203.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 151, 152, 153, 154, 155, 156, 157, 199A, 199B, 199C, 199D, 421A, That part of Blocks 421B, 431B, and 434B lying within the corporate boundaries of the City of Leesburg as defined and amended and set forth in Georgia Laws 1995, pg. 4129, 422, 424, 431A, 434A, 438, 439A, 439B, 440A, 440B, 440C,

278, 299A, 299A, 299A, 299A, 299A, 299B, 299B, 299B, 299B, 299B, 299B,
299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B

District No. 158 www.libtool.com.cn

BAKER

Tract: 9601.

Block: 243B, 260, 261, 262, 263, 264, 265, 266, 268, 271, 272, 274, 275, 276, 277,
278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293,
294, 295, 296, 297, 299P

Tract: 9602.98

Block: 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127,
128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143,
144, 145, 146, 147, 148, 149, 150, 152, 162, 163, 164, 165, 166, 167, 168, 169,
170, 171, 172A, 172B, 173, 174, 175, 176, 177, 178, 179, 180, 181, 199A,
199B, 199N, 199P, 199Q, 199R, 199T, 199U, 199V, 199W, 199X, 199Y

Block Group: 2

Tract: 9603.97

Tract: 9603.98

CALHOUN

CHATTAHOOCHEE

Tract: 0201.

Tract: 0202.

Block: 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919

CLAY

EARLY

Tract: 9901.98

Block: 101B, 102B, 103B, 104, 105, 106A, 106B, 107, 108A, 108B, 109, 110A, 110B,
111, 112, 113, 114, 115, 116A, 116B, 117A, 117B, 118, 119, 120, 121, 122,
123, 124, 125, 126, 127, 128A, 128B, 129A, 129B, 130, 131, 132, 133A, 133B,
134, 135, 136, 137, 138, 139, 140B, 140C, 141B, 142B, 143B, 144B, 148, 149,
150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165,
166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182,
183, 184, 185, 186, 199A, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L,
199M, 199N

Tract: 9902.

Block: 147A, 147B, 169, 170, 171, 172, 173, 174, 175, 176A, 176B, 177, 178, 218A,
219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 299, 299, 330A,
332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345

Block Group: 4

Tract: 9903.

Block: 101, 102, 103, 104, 105, 106, 107A, 126A, 127, 128, 129, 130, 131, 132, 133,
134, 135, 136, 137, 138, 139, 140, 141, 142A, 143A, 145, 155, 156, 157, 158,
159, 201, 202, 203, 204A, 204B, 205, 206, 207, 208, 209, 210, 211, 212A,
212B, 213, 214, 215, 217, 218, 219, 220, 221, 222, 223, 224, 225, 252, 253,
254

Tract: 9904.

Block: 101, 102, 103, 104, 105A, 105B, 105C, 105D, 106A, 106B, 107, 108, 109, 110,
111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122A, 122B, 123, 124,
125, 126A, 126B, 127A, 127B, 131, 132, 135, 136, 137, 146A, 169, 170, 171,
199A, 199B, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213,
214, 215, 216A, 217, 299A, 301, 302, 303, 304, 305A, 306, 307, 308, 309, 310,
311A, 311B, 312A, 313, 314

QUITMAN

RANDOLPH

STEWART

District No. 159

CHATTAHOOCHEE

Tract: 0202.

Block: 901A, 901B, 901C, 901D, 901E, 901F, 902, 903, 904, 920, 921, 999A, 999B, 999C, 999D, 999E, 999F, 999G, 999H, 999I, 999J, 999K, 999L, 999M, 999N, 999P, 999Q, 999R, 999S, 999T, 999U, 999V, 999W, 999X, 999Y

LEE

Tract: 0202.

Tract: 0203.

Block: 148, 149, 150, 199E

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, That part of Blocks 421B, 431B and 434B lying outside the corporate limits of Leesburg as defined, amended and set forth in Ga. Laws 1995, pg. 4129, 423, 425, 426, 427, 428, 429, 430, 432, 433, 435, 436, 437, That part of Blocks 485B and 505B lying outside the corporate limits of Leesburg as defined, amended and set forth in Georgia Laws 1995, pg. 4129, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499B, 499C, 499D, 499E, 499F, 499G, 499H, 499J, 499K, 499L, 499M, 499N, 499P, 499Q, 499R, 499S, 499T, 499W, 499X, 499Y, 511B, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 548, 549, 599A, 599B, 599C, 599D, 599E, 599F

MARION

Tract: 9801.

Block: 153, 154, 158, 159, 160, 161, 162, 163, 205, 207, 208, 209, 210, 211, 212, 213, 214, 222, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280A, 280B, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 299C, 299D, 299E, 299F, 299G, 299H, 326, 327, 328, 329, 330, 331, 399B

Tract: 9802.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142,

Block: 143A, 143B, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155A, 155B, 156, 157, 159, 160, 161, 162A, 162B, 163, 164A, 164B, 165, 166, 167, 168, 169, 170, 171, 172, 173, 199A, 199B, 199C, 199D, 199E, 199F

Block: Group: 2

Block: 312A, 312B, 313, 314, 315A, 315B, 315C, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 325, 326, 327, 327, 337, 338, 339, 340, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 399A, 399B, 399C

TERRELL

WEBSTER

District No. 160

DECATUR

Tract: 9701.

Tract: 9702.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 191, 196, 197, 199B, 199C, 199D, 199E, 201A, 201B, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222A, 222B, 223A, 223B,

224, 225A, 225B, 226A, 226B, 227, 228, 229A, 229B, 230, 231, 232, 233, 234,
235, 264, 265, 299A, 299A, 299A, 299A

Tract: 9703.

Block: 101, 102, 141, 142, 143, 283, 299D, 301, 302, 303, 304, 305, 306, 307, 308,
309, 310, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334,
335, 336

Tract: 9704.

Tract: 9705.

Block: 101, 102, 103, 199H

EARLY

Tract: 9901.98

Block: 145C, 146, 147, 180, 187, 188, 189, 190, 191, 192, 193, 194, 199P, 199R,
199T

Block Group: 2

Tract: 9902.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146A, 146B,
148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163,
164, 165, 166, 167, 168, 179, 180, 181, 182, 199, 199, 199, 199, 199, 199, 199,
199, 199, 199, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212,
213, 214, 215, 216, 217, 218B, 301, 302, 303, 304, 305, 306, 307, 308, 309,
310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325,
326, 327, 328, 329, 330B, 331, 399A, 399B, 399C

Tract: 9903.

Block: 107B, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121,
122, 123, 124, 125, 126B, 142B, 143B, 144, 146, 147, 148, 149, 150, 151, 152,
153, 154, 199, 199, 216, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236,
237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 255,
256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271,
272, 273, 274, 275, 276, 277, 278, 279, 280, 281,

Block: 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 299A, 299B,
299C, 299D, 299E, 299F, 299G, 299H

Tract: 9904.

Block: 126C, 126D, 127C, 128, 129, 130, 133, 134, 138, 139, 140, 141, 142, 143, 144,
145, 146B, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159,
160, 161, 162, 163, 164, 165, 166, 167, 168, 199C, 216B, 218, 219, 220, 221,
222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237,
238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252,
299B, 299C, 299D, 299E, 299F, 299G, 305B, 312B, 315A, 315B, 316, 317,
318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333,
334, 335, 336, 337, 338, 339, 340, 399A, 399B, 399C

Tract: 9905.

Tract: 9906.98

GRADY

Tract: 9501.

Tract: 9502.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 135,
136, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 199A, 199B,
199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K

Tract: 9503.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 128A, 129A, 129B, 129C,
130, 131A, 131B, 132, 133, 134, 135A, 135B, 136A, 136B, 137, 138, 139, 140,
141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156,
157, 158, 159, 160, 199A, 199B, 199C, 199D

Tract: 9504.

Block Group: 1

Block: 203, 204, 205, 206, 207, 208, 209, 221, 222, 223, 224, 225, 226, 227, 228, 229,
230, 231A, 231B, 231C, 232A, 232B, 233, 236, 239, 240, 241, 242A, 242B,
242C, 243, 244, 245, 299D, 299E, 299F, 299G, 299H, 301C, 302, 303B, 322B

MILLER
SEMINOLE

District No. 161

BAKER

Tract: 9601.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213A,
213B, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227,
228, 229, 230, 231, 232, 233, 234A, 234B, 235A, 235B, 236, 237A, 237B, 238,
239, 240, 241, 242, 243A, 243C, 244, 245, 246, 247, 248, 249, 250, 251, 252,
253, 254, 255, 256, 257, 258, 259, 267, 269, 270, 273, 299A, 299B, 299C,
299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299R

Tract: 9602.98

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 151, 153, 154, 155, 156,
157, 158, 159, 160, 161, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K,
199L, 199M

DOUGHERTY

Tract: 0003.

Block: 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125,
199B, 199C, 201, 206, 207, 208

Tract: 0008.

Tract: 0009.

Block Group: 1

Block: 310, 311

Tract: 0010.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 217

Tract: 0011.

Tract: 0012.

Tract: 0013.

Block: 101B

Tract: 0014.02

Block: 207, 208, 209, 210, 212, 213, 215, 216, 217, 222, 223, 224, 225, 227, 228, 229,
230, 231, 232, 233

Tract: 0015.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 316, 319, 322,
323, 324, 325, 326, 327

Tract: 0104.03

Block Group: 2

Tract: 0105.

Tract: 0106.01

Block: 118, 126

Block Group: 2

Tract: 0106.02

Tract: 0109.

Block: 101, 102, 103, 104B, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126

Block Group: 2

Block Group: 3

Tract: 0110.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 208, 209, 211, 212, 213, 214, 215, 216, 217, 227, 228, 230, 231, 232, 233, 234, 235, 236, 299

District No. 162

DOUGHERTY

Tract: 0001.

Block: 101A, 102, 103A, 107A, 108A, 109, 110, 111, 112, 113, 114, 115

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0002.

Tract: 0013.

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 199A, 199B

Tract: 0014.01

Tract: 0014.02

Block Group: 1

Block: 214, 218, 219, 221, 235

Tract: 0015.

Block: 119, 120, 121

Block Group: 2

Block: 313, 314, 315, 320, 321

Tract: 0101.

Block: 128A, 129A, 130A, 132, 133, 208A

Tract: 0103.01

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 199C

Tract: 0103.02

Tract: 0106.01

Block: 107, 108, 109, 110, 111, 112, 114, 115, 119, 120, 121, 122, 123, 124, 125, 127, 128, 199, 199

Tract: 0107.

Tract: 0108.

Tract: 0109.

Block: 104A, 105

Tract: 0110.

Block: 101, 102, 103, 104, 113, 114, 201, 202, 203, 204, 205, 206, 207, 210, 218, 219, 220, 221, 222, 223, 224, 225, 226, 229, 237, 238, 239, 240

Tract: 0111.

District No. 163

DOUGHERTY

Tract: 0001.

Block: 101B, 101C, 103B, 104, 105, 106, 107B, 108B, 108C

Tract: 0003.

Block: 101, 102, 103, 104, 105, 106, 107, 110, 124, 126, 131, 199A, 202, 203, 204, 205, 209, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225

Block Group: 3

Tract: 0004.

Tract: 0005.

Tract: 0006.

Tract: 0007.

Tract: 0009.

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 312, 313, 314, 315, 316, 317

Tract: 0010.

Block: 214, 215

Tract: 0101.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128B, 129B, 130B, 131, 134, 199, 199, 199, 199, 199, 199, 201, 202, 203, 204, 205, 206, 207, 208B, 208C, 209, 210, 211, 212, 213, 214, 215, 216

Tract: 0102.

Tract: 0103.01

Block: 101A, 101B, 102, 199A, 199B

Tract: 0104.01

Tract: 0104.02

Tract: 0104.03

Block Group: 1

WORTH

Tract: 9501.

Block: 283, 284, 287, 288, 289, 290, 291, 292, 293, 294, 299A, 299A

Tract: 9502.

Block: 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 299, 299, 299, 299, 299, 299, 299, 299, 299, 299

Tract: 9504.

Block: 257, 258, 261

Tract: 9505.

Block: 114, 115, 116, 117, 118, 119, 120, 121, 122, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 199, 199, 236, 237, 238, 239, 240, 295, 296, 297

Tract: 9506.

Block Group: 1

Block: 201, 202, 203, 204, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 249, 252, 253, 254, 255, 256, 257, 258, 271, 272, 273, 274, 275, 299C, 299C, 299C, 299C, 299C, 299C, 299C, 299C, 299C

District No. 164

COLQUITT

Tract: 9702.

Block: 108, 109A, 109B, 110, 111A, 111B, 112A, 112B, 113A, 113B, 114, 115, 116, 117, 118, 119A, 119B, 120, 121, 122, 123, 124A, 124B, 125A, 125B, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158A, 158B, 172, 173, 174, 175, 199A, 199B, 199C, 199D, 201, 202, 203, 204, 205A, 205B, 205C, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215A, 215B, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230A, 230B, 231A, 231B, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 293, 294, 295, 296, 297, 299A, 299B, 299C, 299C, 299C, 299C, 299C

Tract: 9703.

Block: 201, 202, 203A, 203B, 204, 205, 206, 207, 208A, 208B, 209, 210, 211, 212A, 212B, 212C, 213A, 213B, 214, 215B, 217, 218, 219, 220, 221, 222, 223, 224, 225A, 225B, 226A, 226B, 299, 299, 299

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 9706.

Block: 108D, 108E, 108F, 126B, 139B, 140, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 245, 246, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 302C, 303, 306B, 306C, 307B, 308B, 309, 310, 311, 312, 313, 314B, 315B, 319, 320, 321, 322B, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L, 399M, 399N, 399P

Tract: 9707.

Block: 121B, 131B, 135, 136, 137, 138, 139, 140, 401, 402B, 403B,

Block: 404B, 406B, 415, 416, 417, 418, 419B, 420, 421, 422, 423,

Block: 424, 425, 426, 501B, 504, 506, 507, 508, 509B, 510B, 510C, 511B, 511C, 512B, 513D, 516B, 517B, 517C, 518B, 520B, 520C, 521B, 522B, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 538B, 539, 540, 541, 542, 543, 544, 545, 546, 599A, 599B, 599C, 599D, 599E, 599F, 626B

Tract: 9708.

Block: 101, 102, 103, 104, 105, 106, 107, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 204, 205, 206, 207, 208, 209, 210

Tract: 9709.

Block Group: 1

Block Group: 2

Block: 301A, 301B, 301C, 302, 303, 304, 305, 306, 307, 308A, 308B, 309, 310, 311, 312, 313, 314A, 314B, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325C, 326, 327, 328, 329, 330, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L, 399M, 399N, 399P, 399R, 399T, 399U, 399V, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418C, 418D, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 499A, 499B, 499C, 499D, 499E, 499F, 499G, 499H, 499J, 499K, 499L, 499M, 499N, 499P, 499Q, 499R, 499T, 499U, 499V, 499W, 499X, 499Y

MITCHELL

District No. 165

COLQUITT

Tract: 9701.

Tract: 9702.

Block: 101, 102, 103, 104, 105, 106, 107, 158C, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 176, 177, 178, 199E, 199F, 199G, 289, 290, 291, 292

Tract: 9703.

Block Group: 1

Tract: 9704.

Block: 101, 102, 103, 104, 105, 106, 107B, 108C, 108D, 109B, 109C, 110B, 128, 129, 130, 131, 132, 133, 134, 135, 136B, 137, 138B, 199, 199, 199, 199, 201C, 202,

203B, 235B, 236B, 237C, 299B, 301, 302, 303, 304, 305, 306, 307, 308, 318, 319, 323, 324, 399E

Tract: 9705.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126, 127, 128, 129, 130, 131, 132, 133A, 133B, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145A, 145B, 146A, 146B, 147, 148, 149A, 149B, 150, 151, 152, 155, 156, 157A, 157B, 158, 159A, 159B, 160, 161, 162A, 162B, 163, 164, 165, 166, 167, 168, 169, 172, 199G, 199H, 199J, 199K, 199L, 199M, 199N, 199P, 199R, 199T, 199U, 199V, 199W

TIFT

Tract: 9901.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 137, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 199H, 199I, 199J, 199K, 199L, 199M, 199N, 199P, 199Q, 199R, 199S, 199T, 199U, 199V, 199W, 199X, 199Y

Block Group: 2

Tract: 9902.

Tract: 9903.

Tract: 9904.

Block: 105A, 105B, 105C, 110A, 110B, 111A, 111B, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 123, 124, 125, 126, 127, 128

Block Group: 2

Block Group: 3

Block: 401A, 401B, 404, 405, 406, 407, 408A, 412, 413A, 414A, 417A, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533A, 534, 535, 536, 537, 538

Block Group: 6

Tract: 9906.

Block: 101A, 102A, 103A, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117A, 118, 119, 120A, 121, 130A, 131A, 132, 133, 134, 135, 136, 137, 138A, 139A, 140A, 140B, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156A, 156B, 157, 158, 159, 160, 161, 162, 163, 164A, 164B, 165A, 165B, 166A, 166B, 167A, 167B, 168, 169, 170, 171A, 171B, 201A, 201B, 202A, 203, 204, 205, 209A, 210, 218A, 218B, 219, 220A, 220B, 221A, 221B, 225A, 225C, 225D, 229, 230A, 230B, 232A, 232B, 302, 303, 308, 313, 314, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334

Block Group: 4

Tract: 9907.

Tract: 9908.

Tract: 9909.

Block Group: 1

Block: 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 299R, 299T

Block Group: 3

District No. 166

BERRIEN
COLQUITT

Tract: 9703.

Block: 215A, 216

Tract: 9704.

Block: 107A, 108A, 108B, 109A, 110A, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 136A, 138A, 139, 140, 141, 142, 143, 201A, 201B, 203A, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235A, 236A, 237A, 237B, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 299A, 309, 310, 311, 312, 313, 314, 315, 316, 317, 320, 321, 322, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335A, 335B, 336, 337, 338, 339, 340, 341, 342, 399A, 399B, 399C, 399D

Tract: 9705.

Block: 153, 154, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 199A, 199B, 199C, 199D, 199E, 199F

Block Group: 2

Tract: 9706.

Block: 101, 102A, 102B, 103, 104A, 104B, 104C, 105A, 105B, 106A, 106B, 107, 108A, 108B, 108C, 109, 110, 111, 112, 113, 114, 115, 116A, 116B, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126A, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139A, 141, 142, 143, 144, 145, 146, 147, 199A,

Block: 199B, 199C, 199D, 199E, 201, 202, 225, 227, 228, 243, 244, 299A, 301, 302A, 302B, 304, 305, 306A, 307A, 308A, 314A, 315A, 316, 317, 318, 322A, 399A

Tract: 9707.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131A, 132, 133, 134

Block Group: 2

Block Group: 3

Block: 402A, 403A, 404A, 405, 406A, 407, 408, 409, 410, 411, 412, 413, 414, 419A, 427, 428, 429, 430, 431, 432, 433, 434, 435, 501A, 502, 503, 505, 509A, 510A, 511A, 512A, 513A, 513B, 513C, 514, 515, 516A, 517A, 518A, 519, 520A, 521A, 522A, 537, 538A, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622A, 622B, 622C, 623A, 623B, 623C, 624, 625A, 625B, 626A, 627, 628, 629, 630

Tract: 9708.

Block: 108A, 108B, 109, 110, 111, 112, 113, 114, 115, 147, 148, 201, 202, 203, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229

Block Group: 3

Block Group: 4

Tract: 9709.

Block: 325B, 418A, 418B

COOK

Tract: 9801.

Tract: 9802.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219A, 219B, 220, 221, 222, 223, 224, 225A, 225B, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 247A, 249, 250, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 299R, 299T, 299U, 299V, 299W, 299X

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9803.

Block Group: 1

Block Group: 2

558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 599B, 599C, 599D, 599E, 599F, 599G

Block Group: 6

Tract: 9502. libtool.com.cn

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109B, 110B, 111, 112, 113B, 114, 115, 116, 117, 118, 119, 120B, 121, 144B, 146B, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 199B, 199C

Block Group: 2

Tract: 9503.

Tract: 9504.

WAYNE

Tract: 9701.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 156, 157, 158, 159, 160, 161, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 199E, 199F, 199G, 199H

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 343, 344, 362, 363, 364, 365, 366, 367, 368, 369, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L, 399M, 399N, 399P, 399R, 399T, 420

Tract: 9702.

Block: 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 199

Block Group: 2

Block: 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315

Tract: 9704.

Block: 110, 111, 112, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 161, 162, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 192, 193, 199H, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293

District No. 171

LIBERTY

Tract: 0101.

All that part of the Fort Stewart Military Reservation located within Liberty County and not contained in Districts 154 and 172.

LONG

WAYNE

Tract: 9701.

Block: 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199B, 199C, 199D, 341, 342, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 399A, 399B, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415A, 415B, 416, 417, 418, 419, 421, 422, 423A, 423B, 424A, 424B, 425A, 425B, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450A, 450B, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484A, 484B, 485A, 485B, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499, 499, 499, 499, 499, 499, 499, 499

Tract: 9702.

Block: 101, 102, 103, 104, 105, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145,

146A, 146B, 147, 148, 149, 150, 151, 152, 153, 154, 155, 301, 302, 316, 317,
318, 319, 320, 321, 322, 323, 324

Block Group: 4

Block Group: 5

Tract: 9703.

Tract: 9704.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 113, 114, 115, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135,
136, 157, 158, 159, 160, 163, 164, 165, 166, 180, 181, 182, 183, 184, 185, 186,
187, 188, 189, 190, 191, 194, 195, 196, 197, 199A, 199B, 199C, 199D, 199E,
199F, 199G, 199J, 199K, 201, 202, 203, 204, 205, 206, 207, 208, 224, 225,
226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236A, 236B, 237A, 237B,
238, 239A, 239B, 240A, 240B, 241, 242, 243, 244,

Block: 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260,
261, 262, 263, 264, 265, 266A, 266B, 267A, 267B, 268, 269, 270, 271, 272,
273, 274, 275, 276, 277, 299

Block Group: 3

Tract: 9705.

Tract: 9706.

District No. 172

LIBERTY

Tract: 0101.

That part of Block 901B located upon the Ft. Stewart Military Reservation and bounded by West Sixth Street, Georgia State Highway 119, Hero Road, Tilton Avenue, Utility Street and General Stewart Way.

Tract: 0102.

Tract: 0103.

Tract: 0104.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,
317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330A, 330B,
331, 332, 333, 334, 335A, 335B, 335C, 336, 337, 338, 339A, 339B, 340, 341,
342, 343, 344, 345A, 345B, 345C, 346, 347A, 347B, 348A, 348B, 348C, 348D,
349, 350, 351A, 351B, 352, 353A, 353B, 354, 355, 356, 357A, 357B, 357C,
357D, 358A, 358B, 359A, 359B, 360, 361, 362, 363, 364, 372, 373, 374, 375,
376, 377, 383A, 383B, 383C, 384A, 384B, 385, 387A, 387B, 387C, 387D,
388A, 388B, 389, 390A, 390B, 391A, 391B, 392, 393, 394, 395, 396, 397,
399A, 399B, 399C

Tract: 0105.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
133, 134, 135, 137, 141, 142, 143, 201, 202, 203, 204, 205, 206, 207, 208,
209D, 209E, 209F, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222,
223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238,
239, 240, 241, 242, 243A, 243B, 243C, 244, 245, 246, 247, 248A, 248B, 248C,
249, 250, 251, 252, 270, 271, 272, 273B, 299C, 299D, 299E, 299F, 299G,
299H, 299J, 299K, 299L, 299M, 299N, 299P, 301, 302, 303, 304, 305, 306,
307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322,
323, 324A, 324B, 324C, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335,
336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351,
352, 353, 354, 355, 356, 357, 358, 359, 362, 363, 365, 378, 379, 380, 399A,
399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399N, 399P, 399R,
399T, 399U, 399V, 399W

Block Group: 4

District No. 173

GLYNN

Tract: 0004.

Block: 123, 236, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 379, 380, 381, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399D, 399E, 410, 420, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 540, 541, 542, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 599, 623, 625, 699H

Tract: 0005.

Block: 106A, 106B, 107A, 107B, 108, 109, 110, 111, 112A, 112B, 113A, 113B, 113C, 114A, 114B, 114C, 115, 116A, 116B, 116C, 116D, 117, 118A, 118B, 118C, 118D, 119A, 119B, 119C, 120A, 120B, 121, 122A, 122B, 123, 124, 125A, 125B, 126, 127, 128, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0006.

Block: 202, 203, 209, 210

Block Group: 3

Block: 502, 503, 504, 505, 506, 507, 508, 510A, 531, 532, 533, 534, 535, 542, 543A, 599, 599

Block Group: 6

Tract: 0007.

Block: 105A, 105B, 106, 107, 108, 109, 110A, 110B, 110C, 110D, 111, 112A, 112B, 112C, 113, 114, 115, 116, 117, 118, 119A, 119B, 119C, 120, 121, 122, 123, 124, 125, 199A

Block Group: 2

Block: 301, 302A, 302B, 303A, 303B, 304A, 304B, 305, 306, 307, 308A, 308B, 309, 310A, 310B, 311A, 311B, 311C, 312, 313, 314A, 314B, 315A, 315B, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 401, 402, 403, 404, 405, 406, 407, 408, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 499

Block Group: 5

Block: 701, 702, 703, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 722, 723, 724, 725, 726, 727, 728, 729, 735, 736, 737, 738, 739, 740, 741, 749, 750, 751, 752, 753, 755A, 755B, 756A, 757, 758

Block Group: 8

Tract: 0008.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239A, 239B, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0009.

LIBERTY

Tract: 0104.

Block: 365, 366, 367, 368, 369, 370, 371, 372, 375, 376, 377, 378, 379, 380, 381, 382, 386, 399D, 399E

Tract: 0105.

Block: 136, 138A, 138B, 139, 140, 144, 145, 146, 147, 148, 149, 150A, 150B, 151, 152, 153, 154, 155, 209A, 209B, 209C, 210, 253, 254, 255, 256, 257, 258A, 258B, 259, 260, 261, 262, 263A, 263B, 264A, 264B, 265, 266, 267, 268A, 268B, 269, 273A, 299A, 299B, 360, 361, 364, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 399L, 399M

Tract: 0106.

MCINTOSH

District No. 174

GLYNN

Tract: 0001.

Tract: 0001.99

Tract: 0002.

Tract: 0003.

Tract: 0004.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 199A, 199B, 199C, 199D, 199E, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228A, 228B, 229, 230, 231, 232, 233, 234, 235, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 299, 299, 320, 371, 372, 373, 374, 375, 376, 377, 378, 382, 383, 384, 385, 386, 387, 388, 389, 390, 399F, 401, 402, 403, 404, 405, 406, 407, 408, 409, 411, 412, 413, 414, 415, 416, 417, 418, 419, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 499, 537, 538, 539, 543, 544, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 624, 626, 627, 628, 699A, 699B, 699C, 699D, 699E, 699F, 699G

Tract: 0005.

Block: 101, 102, 103, 104, 105A, 105B, 201

Block Group: 6

Block Group: 7

Block Group: 8

Block Group: 9

Tract: 0006.

Block Group: 1

Block: 201, 204, 205, 206, 207, 208, 211, 212

Block Group: 4

Block: 501, 509, 510B, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 536, 537, 538, 539, 540, 541, 543B, 544

Tract: 0007.

Block: 101, 102, 103, 104, 126, 127, 128, 199B, 327, 328, 329, 330, 409, 410, 411, 412, 413, 414

Block Group: 6

Block: 704, 716, 717, 718, 719, 720, 721, 730, 731, 732, 733, 734, 742, 743, 744, 745, 746, 747, 748, 754, 756B, 759

Tract: 0008.

Block: 216

Tract: 0010.

District No. 175

CAMDEN

CHARLTON

Tract: 9901.

Block: 149, 150, 152A, 152B, 152C, 152D, 152E, 153, 154, 155, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180A, 180B, 180C, 181A, 181B, 181C, 182A, 182B, 183, 184, 185, 186, 187, 188, 189, 190, 191A, 191B, 191C, 192A, 192B, 193A, 193B, 194A, 194B, 195, 196A, 196B, 196C, 197, 199, 199, 199, 199, 199, 199, 199, 199, 222A, 222B, 222C, 222D, 222E, 223A, 223B, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 283, 284, 285, 286, 287A, 287B, 287C, 287D, 287E, 287F, 288, 301, 302, 303A, 303B, 304, 305A, 305B, 305C, 306A, 306B, 306C, 306D, 307A, 307B, 308, 309, 310, 311A, 311B, 311C, 312, 313, 314, 315, 316, 317, 318A,

Block: 318B, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358A, 358B, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369A, 369B, 370, 371A, 371B, 372, 373, 374, 375, 376A, 376B, 376C, 376D, 376E, 377, 378, 379, That part of Block 382A which lies north of Bay Street extended in a straight line to its intersection with the Seaboard Coastline Railroad, 386, 387, 388, 389, 390, 399A, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413B, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 445, 453, 454, 455, 456, 457, 458, 459, 460, 461, 469B, 470, 471B, 473, 474, 475, 476, 477, 478, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499

Tract: 9902.

Block: 101, 110, 111, 112, 115, 116, 199G, 199H

District No. 176

CLINCH

COOK

Tract: 9802.

Block: 246, 247B, 248

Tract: 9803.

Block: 331, 332, 341, 343, 344, 345, 346, 347, 348, 349, 399C, 501, 502, 503, 504B, 508A, 508C, 509A, 509B, 523, 524, 599, 599, 599, 599

Tract: 9804.

Block: 121, 122, 136B, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 158, 159B, 160, 161, 162, 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249A, 249B, 250, 251, 252, 253, 254A, 254B, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 299R, 299T, 299U, 299V, 299W, 299X, 299Y

Block Group: 3

LANIER

LOWNDES

Tract: 0101.

Block Group: 1

Block: 201A, 201B, 201C, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233A, 233B, 233C, 234, 235, 236, 237, 238, 239, 240, 241, 242A, 242B, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270,

271, 272, 273, 274A, 274B, 275, 276, 282, 286, 294, 295, 296, 297A, 297B,
299A, 299B, 299C, 299E, 299F, 299G, 299H, 301, 302, 303, 304, 399C, 399D

Tract: 0102.

Block Group: 1.com.cn

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,
317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332,
333, 334, 335, 336, 337, 338, 339, 340, 341, 388, 389, 390, 391, 399A, 399B,
399C, 399D, 399E, 399F, 399G, 401, 402, 403, 404, 405, 406, 407, 408, 409,
410, 411, 412, 413, 414, 415, 467, 468, 469, 470, 471, 472, 499A, 499B, 499C

Tract: 0104.

Block: 101A, 101B, 102A, 102B, 103A, 103B, 104, 105, 106, 107, 108, 109, 110, 111,
112, 113, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122A, 122B, 122C,
123A, 123B, 124A, 124B, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169,
170, 199B, 208, 209, 210, 211, 212, 213, 235, 236, 237, 238, 239, 240, 241,
242, 243, 244

Tract: 0105.

Block: 101, 102, 129

Tract: 0106.

Block Group: 1

Block: 201, 202, 205, 206, 207, 208, 209, 210, 211A, 211B, 213, 214, 215, 216, 217,
218, 219, 220, 221A, 221B, 221C, 221D, 222, 223, 224, 225, 226, 227, 228

Block Group: 3

Block Group: 4

Tract: 0107.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314, 315, 316, 317,
318, 322, 328, 329

Tract: 0108.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113B, 114, 131,
132, 133, 134, 199B, 201, 202A, 202B, 202C, 203, 204B, 207, 401B, 434B,
436B

District No. 177

LOWNDES

Tract: 0101.

Block: 277, 278, 279, 280, 281, 283, 284, 285, 287, 288, 289, 290, 291, 292, 293,
299D, 305A, 305B, 305C, 305D, 305E, 305F, 305G, 305H, 305J, 305K, 305L,
305M, 306, 307, 308, 399A, 399B

Tract: 0103.

Block Group: 1

Block: 201A, 201B, 201C, 201D, 201E, 201F, 201G, 201H, 201J, 201K, 201L, 201M,
202, 203A, 203B, 204A, 204B, 205, 206A, 206B, 206C, 206D, 206E, 206F,
206G, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219A, 219B,
220A, 220B, 220C, 220D, 220E, 220F, 220G, 221A, 221B, 221C, 221D, 221E,
222A, 222B, 222C, 222D, 222E, 223A, 223B, 224, 225, 226, 227, 228, 229,
230, 231, 232, 233, 234A, 235, 236, 237, 238, 239, 240, 241A, 241B, 241C,
241D, 242, 243, 244, 245, 246, 247, 248A, 248B, 249, 250, 251, 252, 253A,
253B, 253C, 253D, 254A, 254B, 254C, 255, 256A, 256B, 257A, 257B, 257C,
257D, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L

Tract: 0104.

Block: 125A, 125B, 125C, 126, 127, 128, 129, 130, 131A, 131B, 132A, 132B, 132C,
133, 134A, 134B, 135A, 135B, 136A, 136B, 137, 138A, 138B, 139A, 139B,
140A, 140B, 141, 142A, 142B, 143, 144, 145, 146, 147, 148, 149, 150, 151,
152, 153, 154, 155, 156, 157, 158, 159, 199A, 201, 202, 203, 204, 205, 206,

207, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228,
229, 230, 231, 232, 233, 234

Tract: 0105.

Block: ~~103, 104, 105, 106~~, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118,
119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 132, 133, 134, 135

Tract: 0106.

Block: 203, 204, 212, 299, 299

Tract: 0108.

Block: 113A, 116A, 117A, 117B, 118A, 118B, 119A, 119B, 120A, 120B, 120C, 121A,
121B, 121C, 122, 123, 124, 125, 126A, 126B, 127A, 127B, 128A, 128B, 129A,
129B, 130A, 130B, 204A, 204C, 204D, 205, 206A, 206B, 206C, 206D, 208,
209, 210, 211, 212, 213, 214, 215,

Block: 216, 217, 218, 219

Block Group: 3

Block: 401A, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415,
416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431,
432, 433, 434A, 435, 436A, 437A, 437B, 438, 439, 440, 441, 442, 443, 444,
445, 446, 447, 448, 449, 450, 451, 501, 502, 503, 504, 505, 506, 507, 508, 509,
510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525,
526, 527, 528, 529A, 529B, 529C, 529D, 530, 531, 532A, 532B, 533A, 533B,
534A, 534B, 535A, 535B, 536, 537, 538, 539, 540, 541, 542, 543A, 543B, 544

Tract: 0109.

Tract: 0110.

Tract: 0111.

Tract: 0112.

Block: 101, 102, 103, 105A, 105B, 105D, 106A, 106C, 107, 108, 109, 110, 111, 112,
113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123A, 123B, 123C, 124A,
124B, 124C, 124D, 125A, 125B, 125C, 126, 127, 128, 129, 130A, 130B, 130C,
131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146,
147, 148, 149, 150, 151, 199

Block Group: 2

Block Group: 3

Tract: 0113.

Tract: 0114.

Block: 101A, 101B, 102, 103A, 103B, 104A, 104B, 104C, 105A, 105B, 106A, 106B,
107A, 107B, 108A, 108B, 109A, 109B, 110, 111, 112, 113, 114, 115A, 115B,
115C, 115D, 116A, 116B, 116C, 117, 199A, 199B, 301, 302, 303, 305A, 305C,
306B, 338A, 338B, 338C, 339A, 339B, 339C, 401A, 401B, 401C

District No. 178

BROOKS

ECHOLS

LOWNDES

Tract: 0102.

Block: 342, 343, 344A, 344B, 344C, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354,
355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370,
371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386,
387, 399H, 399J, 399K, 399L, 399M, 399N, 416, 417, 418, 419, 420, 421, 422,
423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438,
439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454,
455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 473, 474, 475, 476,
477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492,
493, 494, 495, 496, 497, 499D, 499E, 499F, 499G, 499H, 499J, 499K, 499L,
499M, 499N, 499P, 499R, 499T, 499U, 499V, 499W

Tract: 0103.

Block: 234B

Tract: 0107.

- Block: 310, 319, 320, 321, 323, 324, 325, 326, 327, 399
 Tract: 0108.
 Block: 115A, 115B, 116B, 135, 136, 137, 199A, 199C, 545, 546A, 546B, 547, 548,
 549A, 549B, 549C, 549D, 550A, 550B, 551, 599
 Tract: 0112.
 Block: 104, 105C, 106B
 Tract: 0114.
 Block: 118, 119, 120, 121, 122A, 122B, 123A, 123B, 124A, 124B
 Block Group: 2
 Block: 304A, 304B, 304C, 305B, 305D, 306A, 306C, 307, 308, 309A, 309B, 309C,
 310A, 310B, 311, 312, 313, 314, 315, 316A, 316B, 317, 318, 319, 320, 321,
 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337,
 340, 399A, 399B, 399C, 399D, 399E, 402A, 402B, 403A, 403B, 403C, 403D,
 403E, 403F, 404, 405A, 405B, 405C, 405D, 405E, 405F, 406, 407A, 407B,
 408, 409A, 409B, 410, 411, 412, 413A, 413B, 413C, 414A, 414B, 415A, 415B,
 416, 417A, 417B, 417C, 418, 419, 420A, 420B, 421, 422, 423, 424, 425, 426,
 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440A, 440B,
 441, 442, 443, 444, 445, 446, 447, 499, 499, 499, 499
 Block Group: 5
 Block Group: 6
 Tract: 0115.
 Tract: 0116.98

District No. 179

DECATUR

- Tract: 9702.
 Block: 190, 192, 193, 194, 195, 199A, 236, 237, 238, 239, 240, 241, 242, 243, 244,
 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260,
 261, 262, 263, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278,
 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294,
 295, 296, 297, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B,
 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B,
 299B, 299B, 299B
 Tract: 9703.
 Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118,
 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134,
 135, 136, 137, 138, 139, 140, 144A, 144B, 145, 146A, 146B, 147A, 147B, 148,
 149, 150, 151, 152, 153, 154, 155, 156, 157, 158A, 158B, 159, 160, 161, 162,
 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178,
 179, 180, 181, 182, 183, 199, 199, 201A, 201B, 202A, 202B, 202C, 203, 204A,
 204B, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218,
 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234,
 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250,
 251, 252, 253, 254, 255, 256, 257, 258, 259, 260A, 260B, 261, 262, 263, 264,
 265, 266, 267A, 267B, 267C, 268, 269, 270A, 270B, 271, 272, 273, 274, 275,
 276, 277, 278A, 278B, 279, 280, 281, 282, 284A, 284B, 285, 286, 287, 288,
 299A, 299B, 299C, 299E, 299F, 299G, 311, 312, 313, 314, 315, 316, 317, 318,
 319, 320, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350,
 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366,
 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382,
 383A, 383B, 384, 385, 386, 387, 388, 399A, 399B, 399C, 399D
 Block Group: 4
 Tract: 9705.
 Block: 104, 105A, 105B, 106A, 106B, 107, 108, 109, 110, 111, 112, 113, 114, 115A,
 115B, 116A, 116B, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127,
 128A, 128B, 129, 130A, 130B, 131A, 131B, 132, 133A, 133B, 134, 135, 136,
 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147A, 147B, 148A, 148B,

149, 150, 151, 152, 153, 154, 155, 156, 157, 158A, 158B, 159, 199A, 199B,
199C, 199D, 199E, 199F, 199G

Block Group: 2

Tract: 9706. www.libtool.com.cn

Tract: 9707.

Tract: 9708.

GRADY

Tract: 9502.

Block: 132, 133, 134, 137, 138, 151, 152, 153A, 153B, 154A, 154B, 155A, 155B, 156,
157, 158, 159, 160A, 160B, 161, 162, 163, 164, 165, 166A, 166B, 167, 168,
169, 170, 171, 172A, 172B, 172C, 173, 174, 175, 176A, 176B, 176C, 176D,
177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 199L, 199M

Block Group: 2

Tract: 9503.

Block: 126A, 126B, 127, 128B, 199E, 199F

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 9504.

Block: 201, 202, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 234, 235, 237,
238, 299A, 299B, 299C, 301A, 301B, 303A, 304, 305, 306, 307, 308, 309, 310,
311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322A, 323, 324, 325,
326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341,
342, 343, 344, 345, 346, 347, 348, 349, 350, 351

Block Group: 4

Tract: 9505.

Tract: 9506.

THOMAS

Tract: 9608.

Block Group: 1

Block: 512A, 512B, 513A, 513B, 514A, 514B, 515, 516, 517, 518A, 518B, 519A,
519B, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529A, 529B, 530, 531, 532,
533, 534, 535A, 535B, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546,
547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562,
563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 599A, 599B, 599C,
599D, 599E, 599F, 599G, 599H

Tract: 9610.

Block: 304A, 304B, 304C, 304D, 304E, 305A, 305B, 306, 307A, 307B, 307C, 308,
309A, 309B, 310A, 310B, 310C, 310D, 310E, 310F, 311A, 311B, 311C, 311D,
311E, 312, 313, 314, 315, 316, 325, 326, 327, 328A, 328B, 329, 330, 331, 332,
333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348,
349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364,
365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380,
381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396,
397, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L,
399M, 399N, 399P, 399R, 399T

District No. 180

THOMAS

Tract: 9601.

Tract: 9602.

Tract: 9603.

Tract: 9604.

Tract: 9605.

Tract: 9606.

Tract: 9607.

Tract: 9608.

Block Group: 2
 Block Group: 3
 Block Group: 4
 Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511
 Tract: 9609.
 Tract: 9610.
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 317, 318, 319, 320, 321, 322, 323, 324, 399U, 399V
 Tract: 9611.

The following amendment was read:

Representative Buckner of the 95th moves to amend the Committee substitute to HB 7EX by striking Section 1 in its entirety and inserting in lieu thereof the following:

“SECTION 1.

Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, is amended by striking the description of the 180 representative districts immediately following the second sentence of subsection (a) thereof and inserting in its place the description of the 180 representative districts attached to this Act and made a part hereof and further identified as: ‘Operator: state Client: house Plan: HB7EXAPH.’”

By striking the description of representative districts 93, 94, 95, 96, and 97 contained in the attachment to the House committee substitute to HB 7EX and inserting in their respective places the description of representative districts 93, 94, 95, 96, and 97 attached to this amendment and made a part hereof.

District No. 93

CLAYTON

Tract:0401.
 Tract:0402.
 Block Group:1
 Block Group:2
 Block: 919 ,920
 Tract:0403.05
 Block: 303 ,304 ,305 ,306 ,309 ,312 ,314A,314B,315 ,316 ,317 , 399 ,399 ,399
 Tract:0404.05
 Block: 102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,126 ,127 ,128 , 129 ,199 ,206 ,207 ,227
 Tract:0405.03
 Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,120 ,121 ,123 ,301A,301B,313 ,315 ,316
 Block Group:4
 Tract:0405.04
 Block Group:1
 Block Group:2
 Block: 301 ,302 ,309 ,310A,310B,310C,311A,311B,312 ,315A,315B, 315C,316 ,318 ,319 ,320 ,321 ,322 ,323 ,324 ,325 ,326 , 327 ,328 ,329 ,330A,330B,331 ,333A,333B,399B,399C
 Block Group:4
 Tract:0405.05
 Block: 212 ,213 ,214 ,215 ,216 ,217 ,218 ,219 ,220 ,221A,222 , 224A,226 ,301A,302 ,303 ,304 ,305 ,306 ,307 ,308 ,310A, 310B,310C,313 ,401 ,402 ,499A,499B

District No. 94

CLAYTON

Tract:0402.

Block: 901 ,902 ,903 ,904 ,905 ,906 ,907 ,908A,908B,909 ,910 , 911 ,912 ,913 ,914 ,915 ,916 ,917 ,918 ,921 ,922 ,923 , 933 ,999 ,999

Tract:0403.01

Tract:0403.02

Tract:0403.03

Tract:0403.04

Tract:0403.05

Block: 201A,201B,202 ,203 ,204 ,205 ,206 ,207 ,208A,208B,208C, 209 ,214 ,215 ,216 ,217A,217B,217C,217D,218 ,219 ,220 , 299 ,299 ,301 ,302 ,307A,307B,308A,308B,310 ,311 ,313A, 313B

Tract:0404.01

Block: 706 ,707 ,708 ,709 ,710 ,711

Tract:0404.02

Tract:0404.03

Block Group:3

Block: 401 ,405 ,406 ,407 ,408 ,409

Tract:0404.05

Block: 101 ,110 ,119A,119B,120 ,121 ,122 ,123 ,124

Tract:0404.06

Block: 103 ,106 ,107 ,108 ,109 ,110 ,113 ,115 ,116 ,117 ,130 , 131 ,132 ,135A,135B,136

Tract:0406.03

Block Group:2

Block: 301 ,302 ,303 ,307 ,308 ,309 ,310 ,311 ,312 ,313 ,314 , 315

District No. 95

CLAYTON

Tract:0403.05

Block Group:1

Block: 210 ,211 ,212 ,213

Tract:0404.01

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Block: 701 ,702 ,703 ,704 ,705

Tract:0404.03

Block Group:1

Block Group:2

Block: 402 ,403 ,404 ,410 ,411 ,412 ,499 ,499

Tract:0404.05

Block: 308 ,309

Tract:0404.06

Block: 101 ,102A,102B,104 ,105 ,133 ,201 ,202 ,203 ,218 ,219 , 220 ,234 ,235 ,236 ,237 ,901 ,902A,902B,904 ,905 ,906 , 907A,907B,908 ,909 ,914 ,915 ,916 ,917 ,918 ,923 ,924 , 925A,925B,929 ,931 ,933

Tract:0406.03

Block: 304 ,305 ,306 ,316 ,317

Block Group:4

Block Group:5

Block: 601 ,602 ,603B,604 ,605 ,606B,607 ,609 ,699E,699F,699G

Block Group:9

Tract:0406.04

Block: 301A,301B,302 ,304 ,319 ,323 ,324

Block Group:4

Block Group:5

Block Group:6

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District No. 96

CLAYTON

Tract:0404.05

Block: 201 ,202 ,203 ,204 ,205 ,208 ,216 ,217 ,218 ,219 ,220 , 221 ,222 ,223 ,224 ,225 ,228 ,301 ,302 ,303 ,304 ,305 , 306 ,307

Tract:0404.06

Block: 204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 ,212 ,213 ,214 , 215 ,216 ,217 ,227 ,228 ,903

Tract:0405.03

Block: 114 ,115 ,116 ,117A,117B,118 ,119A,119B,119C,119D,122 , 125 ,126 ,302 ,303 ,304 ,305 ,306 ,307 ,308 ,309 ,310 , 311 ,312 ,314A,314B,317

Tract:0405.04

Block: 330C,333C,334 ,399A,399D

Tract:0405.05

Block: 221B,221C,221D,224B,225 ,299 ,299 ,301B,309 ,310D,311 , 312 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411 ,412 ,

Block: 413 ,499C

Block Group:5

Block Group:6

Tract:0405.06

Tract:0405.07

Block: 101 ,102 ,103 ,104 ,105B,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116 ,117

Block Group:3

Tract:0405.08

Block: 501 ,517 ,518 ,519 ,520 ,521 ,522

Tract:0406.03

Block Group:1

Block: 603A,606A,608 ,610 ,699A,699B,699C,699D

Tract:0406.04

Block Group:2

Block: 303 ,305 ,306 ,307 ,308A,308B,308C,308D,308E,308F,309 , 310 ,311 ,312 ,313 ,314 ,315 ,316 ,317 ,318 ,326 ,327 , 328 ,329 ,330 ,331 ,332 ,333 ,334 ,335 ,336 ,338A,338B, 341

Tract:0406.05

Block: 311A,311C

Tract:0406.07

Block: 101 ,102 ,103 ,107 ,109 ,110 ,111 ,112 ,113 ,114 ,115 , 199 ,199 ,199 ,199

District No. 97

CLAYTON

Tract:0405.07

Block: 105A

Block Group:2

Tract:0405.08

Block Group:4

Block: 502 ,503 ,504 ,505 ,506 ,507 ,508 ,509 ,510 ,511 ,512 , 513 ,514 ,515 ,516 ,523 ,524

Tract:0406.03

Block Group:7

Tract:0406.05

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,306 ,307 ,308A,308B,309 ,310 , 311B,312 ,313A,313B,314 ,315 ,316 ,317 ,318 ,319 ,320 , 321 ,322 ,323 ,324 ,399 ,399

Block Group:4

Block Group:5

Tract:0406.06

Tract:0406.07

Block: 104 ,105 ,106 ,108

Block Group:2

Block Group:3

Tract:0406.08

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

N Ashe	N Crews	N Hugley	N Parham	N Smith, W
N Bailey	N Culbreth	N Irvin	N Parrish	N Smyre
N Baker	N Cummings	N James	N Parsons	N Snelling
N Bannister	N Davis, G	N Jamieson	N Pelote	N Snow
N Barfoot	N Davis, M	N Jenkins	N Perry	N Stallings
N Bargeron	Y Day	N Johnson, G	N Pinholster	N Stancil, F
N Barnard	N DeLoach, B	Johnson, J	N Polak	N Stancil, S
N Barnes	N DeLoach, G	N Johnston	N Porter	N Stanley, L
N Bates	N Dix	N Jones	Y Poston	N Stanley, P
N Benefield	N Dixon, H	E Joyce	N Powell	N Stephenson
N Birdsong	Dixon, S	N Kaye	N Purcell, A	N Streat
N Bordeaux	Dobbs	N Kinnamon	N Purcell, B	N Taylor
N Bostick	N Ehrhart	N Klein	N Randall	N Teague
N Breedlove	N Epps	N Ladd	N Randolph	N Teper
N Brooks, D	N Evans	N Lakly	Ray	N Thomas
N Brooks, T	N Falls	N Lane	Reaves	N Tillman
N Brown, G	Y Felton	N Lawrence	N Reichert	N Titus
N Brown, J	N Floyd	N Lee	Y Roberts	N Towery
Brush	N Godbee	N Lewis	N Rogers	N Trense
N Buck	N Golden	N Lifsey	N Royal	Turnquest
Y Buckner	N Goodwin	N Lord	N Sanders	Twiggs
N Bunn	N Greene	Lucas	N Sauder	N Walker, L
N Burkhalter	Grindley	N Maddox	N Scoggins	N Walker, R.L
N Byrd	N Hanner	N Mann	N Shanahan	N Wall
N Campbell	N Harbin	N Martin	N Shaw	N Watson
N Canty	N Harris	N McBee	N Sherrill	N Watts
N Carter	Hart	N McCall	N Shipp	N Westmoreland
N Chambliss	N Heard	N McClinton	N Simpson	N Whitaker
N Channell	N Heckstall	N McKinney	N Sinkfield	Y White
N Childers	N Hegstrom	N Mills	N Skipper	N Wiles
N Coker	N Hembree	N Mobley, B	N Smith, C	N Williams, B
Coleman, B	N Henson	N Mobley, J	N Smith, C.W	N Williams, J
N Coleman, T	N Holland	N Mosley	N Smith, L	N Williams, R
N Connell	N Holmes	N Mueller	N Smith, P	N Woods
N Cox	N Howard	N O'Neal	N Smith, T	N Yates
N Crawford	N Hudson	N Orrock	N Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 6, nays 160.

The amendment was lost.

The Committee substitute was adopted.

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:

N Ashe	Y Barfoot	Y Bates	Y Bostick	N Brown, G
Y Bailey	Y Bargeron	Y Benefield	Y Breedlove	N Brown, J
N Baker	N Barnard	Y Birdsong	N Brooks, D	Y Brush
N Bannister	Y Barnes	Y Bordeaux	N Brooks, T	Y Buck

N Buckner	N Felton	N Klein	Y Poston	Y Stallings
N Bunn	Y Floyd	N Ladd	Y Powell	Y Stancil, F
Y Burkhalter	Y Godbee	Y Lakly	Y Purcell, A	N Stancil, S
Y Byrd	Y Golden	Y Lane	Y Purcell, B	N Stanley, L
N Campbell	N Goodwin	N Lawrence	N Randall	N Stanley, P
N Canty	Y Greene	Y Lee	N Randolph	Y Stephenson
Y Carter	N Grindley	Y Lewis	Y Ray	Y Streat
Y Chambless	Y Hanner	N Lifsey	Y Reaves	N Taylor
Y Channell	Y Harbin	Y Lord	Y Reichert	N Teague
Y Childers	N Harris	N Lucas	N Roberts	Y Teper
N Coker	N Hart	N Maddox	Y Rogers	N Thomas
Coleman, B	N Heard	N Mann	Y Royal	N Tillman
Y Coleman, T	N Heckstall	Y Martin	N Sanders	Y Titus
Y Connell	Y Hegstrom	Y McBee	N Sauder	N Towerly
Y Cox	N Hembree	Y McCall	Y Scoggins	N Trense
N Crawford	Y Henson	N McClinton	Y Shanahan	N Turnquest
N Crews	Y Holland	N McKinney	Y Shaw	Y Twiggs
Y Culbreth	N Holmes	N Mills	Y Sherrill	Y Walker, L
Y Cummings	N Howard	N Mobley, B	N Shipp	N Walker, R.L
N Davis, G	Y Hudson	Y Mobley, J	Y Simpson	Y Wall
N Davis, M	N Hugley	Y Mosley	N Sinkfield	Y Watson
N Day	N Irvin	N Mueller	Y Skipper	Y Watts
N DeLoach, B	N James	Y O'Neal	Y Smith, C	N Westmoreland
Y DeLoach, G	Y Jamieson	N Orrock	N Smith, C.W	N Whitaker
Y Dix	Y Jenkins	Y Parham	Y Smith, L	N White
Y Dixon, H	N Johnson, G	Y Parrish	Y Smith, P	N Wiles
Y Dixon, S	Johnson, J	N Parsons	Y Smith, T	N Williams, B
Y Dobbs	N Johnston	N Pelote	N Smith, V	N Williams, J
N Ehrhart	N Jones	Y Perry	N Smith, W	Y Williams, R
N Epps	E Joyce	N Pinholster	N Smyre	N Woods
N Evans	N Kaye	Y Polak	N Snelling	N Yates
N Falls	Y Kinnamon	Y Porter	Y Snow	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 89, nays 87.

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

Representative Walker of the 141st gave notice that at the proper time he would move that the House reconsider its action in failing to give the requisite constitutional majority to HB 7EX.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Wednesday, August 23, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by the Reverend Eugene C. Cochran, Pastor, First & Friendship United Methodist Churches, Eastman, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

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

HB 26EX. By Representative Smith of the 169th:

A bill to amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts.

Referred to the Committee on Legislative & Congressional Reapportionment.

HB 27EX. By Representatives Holmes of the 53rd, McKinney of the 51st, Sinkfield of the 57th, Davis of the 48th, Cauty of the 52nd and others:

A bill to create the Atlanta-Fulton Family Connection Authority.

Referred to the Committee on State Planning & Community Affairs Local.

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

HB 24EX

HB 25EX www.libtool.com.cn

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 18EX Do Pass

HB 19EX Do Pass

HB 20EX Do Pass

HB 21EX Do Pass

HB 22EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

By unanimous consent, HB 21EX was removed from the Local Calendar and recommit-
ted to the Committee on State Planning and Community Affairs Local.

By unanimous consent, the following Bills of the House were taken up for considera-
tion and read the third time:

HB 18EX. By Representatives Hembree of the 98th and Snelling of the 99th:

A bill to amend an Act known as the "Douglasville-Douglas County Water and Sewer Authority Act," so as to provide that the mayor of the Town of Lithia Springs or such mayor's designee shall be an ex officio member of the authority board of directors; to amend an Act authorizing the creation and funding of an enhanced emergency telephone number 911 system special district within the corporate boundaries of Douglas County.

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

On the passage of the Bill, the ayes were 93, nays 8.

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

HB 19EX. By Representatives Hembree of the 98th and Snelling of the 99th:

A bill to amend an Act known as the "Douglas County Community Improvement Districts Act," so as to change certain definitions; to authorize the creation of community improvement districts within the City of Lithia Springs; to change provisions relating to governing boards.

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

On the passage of the Bill, the ayes were 93, nays 8.

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

HB 20EX. By Representative Crawford of the 129th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Upson County, so as to change the date of the election at which the nonpartisan nomination and election begin.

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

On the passage of the Bill, the ayes were 93, nays 8.

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

HB 22EX. By Representative Porter of the 143rd:

A bill to amend an Act providing for the Magistrate Court of Laurens County, so as to change the provisions relating to the election of the chief magistrate; to provide for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Laurens County.

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

On the passage of the Bill, the ayes were 93, nays 8.

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

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

Mr. Speaker:

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

SB 8EX. By Senator Gillis of the 20th:

A bill to amend an Act providing a new charter for the City of Soperton, as amended, so as to change the council district descriptions; to change the terms of office for the mayor and members of the council from concurrent terms to staggered terms; to change the dates of elections for the mayor and the members of the council; to provide for submissions; to provide for effective dates.

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

SB 8EX. By Senator Gillis of the 20th:

A bill to amend an Act providing a new charter for the City of Soperton, as amended, so as to change the council district descriptions; to change the terms of office for the mayor and members of the council from concurrent terms to staggered terms; to change the dates of elections for the mayor and the members of the council; to provide for submissions; to provide for effective dates.

Referred to the Committee on State Planning & Community Affairs Local.

Representative Walker of the 141st moved that the House reconsider its action in failing to give the requisite constitutional majority to the following Bill of the House:

HB 7EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts.

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

N Ashe	N Crews	Y Hugley	Y Parham	N Smith, W
Y Bailey	Y Culbreth	N Irvin	Y Parrish	Y Smyre
Y Baker	Y Cummings	Y James	N Parsons	N Snelling
N Bannister	Y Davis, G	Y Jamieson	Y Pelote	Y Snow
Y Barfoot	N Davis, M	Y Jenkins	Y Perry	Y Stallings
Y Bargeron	N Day	N Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	N Johnson, J	Y Polak	N Stancil, S
Y Barnes	DeLoach, G	N Johnston	Y Porter	Y Stanley, L
Y Bates	Dix	Y Jones	Y Poston	N Stanley, P
Y Benefield	Y Dixon, H	E Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	N Kaye	Y Purcell, A	Y Streat
Y Bordeaux	Y Dobbs	Y Kinnamon	Y Purcell, B	Y Taylor
Y Bostick	N Ehrhart	N Klein	Y Randall	N Teague
N Breedlove	Y Epps	N Ladd	Y Randolph	Y Teper
N Brooks, D	N Evans	Lakly	Y Ray	Y Thomas
N Brooks, T	Falls	Y Lane	Y Reaves	N Tillman
N Brown, G	N Felton	N Lawrence	Y Reichert	Y Titus
N Brown, J	Y Floyd	Y Lee	N Roberts	N Towery
Brush	Y Godbee	Y Lewis	Y Rogers	N Trense
Y Buck	Y Golden	N Lifsey	Y Royal	Y Turnquest
Y Buckner	N Goodwin	Y Lord	N Sanders	Y Twiggs
N Bunn	Y Greene	Y Lucas	N Sauder	Y Walker, L
Burkhalter	N Grindley	N Maddox	Y Scoggins	N Walker, R.L
Y Byrd	Y Hanner	N Mann	Y Shanahan	Wall
N Campbell	Harbin	Y Martin	Y Shaw	Y Watson
N Canty	N Harris	Y McBee	Y Sherrill	Y Watts
Y Carter	Y Hart	Y McCall	N Shipp	N Westmoreland
Y Chambless	Y Heard	Y McClinton	Y Simpson	N Whitaker
Y Channell	Y Heckstall	McKinney	Y Sinkfield	Y White
Y Childers	Y Hegstrom	N Mills	Y Skipper	N Wiles
N Coker	N Hembree	Y Mobley, B	Y Smith, C	N Williams, B
N Coleman, B	Y Henson	Y Mobley, J	N Smith, C.W	N Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Williams, R
Y Connell	N Holmes	N Mueller	Y Smith, P	N Woods
Y Cox	Y Howard	Y O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	Orrock	N Smith, V	Murphy, Spkr

On the motion, the ayes were 104, nays 63.

The motion prevailed.

Representative McKinney of the 51st stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

Due to a mechanical malfunction, the vote of Representative Orrock of the 56th was not recorded on the preceding roll call. She wished to be recorded as voting "aye" thereon.

The Speaker announced the House in recess until 3:00 o'clock this afternoon.

AFTERNOON SESSION

The Speaker called the House to order.

Representative Poston of the 3rd arose to a point of personal privilege and addressed the House.

Representative Irvin of the 45th arose to a point of personal privilege and addressed the House.

Representative Canty of the 52nd arose to a point of personal privilege and addressed the House.

Representative Brooks of the 54th arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st arose to a point of personal privilege and addressed the House.

Representative Towery of the 30th arose to a point of personal privilege and addressed the House.

The following Resolutions of the House were read and adopted:

HR 24EX. By Representatives Porter of the 143rd, Coleman of the 142nd, Murphy of the 18th, Connell of the 115th, Watts of the 26th and others:

A resolution expressing sympathy at the passing of Ed Gannaway.

HR 25EX. By Representatives Chambless of the 163rd, White of the 161st and Roberts of the 162nd:

A resolution commending Anne Bragg.

HR 26EX. By Representative Purcell of the 147th:

A resolution commending Mr. Kim Warnock.

HR 27EX. By Representative Pelote of the 149th:

A resolution commending Gladys Flowers.

HR 28EX. By Representative Pelote of the 149th:

A resolution commending Reverend Franklin Taylor.

HR 29EX. By Representatives Stancil of the 16th, Carter of the 166th, Campbell of the 42nd, Breedlove of the 85th and Crawford of the 129th:

A resolution commending the Georgia chapter of the Women's Council of Realtors.

HR 30EX. By Representative Bailey of the 93rd:

A resolution recognizing and commending the school bus drivers of the Clayton County School System.

HR 31EX. By Representative Bailey of the 93rd:

A resolution recognizing and commending the school lunchroom workers of the Clayton County school system.

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Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Thursday, August 24, 1995**www.libtool.com.cn

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:

Ashe	Cox	Holland	O'Neal	Smith, W
Bailey	Crawford	Hudson	Orrock	Snelling
Bannister	Crews	Irvin	Parham	Snow
Barfoot	Culbreth	Jamieson	Parrish	Stallings
Bargeron	Cummings	Jenkins	Parsons	Stancil, F
Barnard	Davis, M	Johnson, G	Pinholster	Stancil, S
Barnes	Day	Johnson, J	Polak	Stephenson
Bates	DeLoach, B	Johnston	Powell	Streat
Benefield	DeLoach, G	Kinnamon	Purcell, A	Titus
Birdsong	Dix	Klein	Purcell, B	Towery
Bostick	Dobbs	Ladd	Reaves	Trense
Brown, J	Ehrhart	Lakly	Reichert	Twiggs
Brush	Evans	Lane	Royal	Walker, L
Buck	Falls	Lee	Sanders	Walker, R.L
Buckner	Felton	Lewis	Sauder	Wall
Bunn	Floyd	Lifsey	Scoggins	Watson
Byrd	Godbee	Lord	Shanahan	Watts
Campbell	Golden	Maddox	Shaw	Westmoreland
Carter	Goodwin	Mann	Shipp	Whitaker
Chambless	Greene	Martin	Skipper	Wiles
Channell	Grindley	McBee	Smith, C	Williams, B
Childers	Hanner	McCall	Smith, C.W	Williams, R
Coker	Harbin	Mills	Smith, L	Woods
Coleman, B	Harris	Mobley, J	Smith, P	Yates
Coleman, T	Hegstrom	Mosley	Smith, T	Murphy, Spkr
Connell	Hembree	Mueller	Smith, V	

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

Representatives Poston of the 3rd, Williams of the 83rd, Brooks of the 103rd, Breedlove of the 85th, Kaye of the 37th, Rogers of the 20th, Davis of the 48th, Brown of the 117th, Teague of the 58th, Thomas of the 148th, Pelote of the 149th, Randolph of the 72nd, Turnquest of the 73rd, Bordeaux of the 151st, Hart of the 116th, Smyre of the 136th, Howard of the 118th, Jones of the 71st, Hugley of the 133rd, Taylor of the 134th, Epps of the 131st, McKinney of the 51st, Mobley of the 69th, McClinton of the 68th, Canty of the 52nd, Burkhalter of the 41st, Ray of the 128th, Dixon of the 150th, Lawrence of the 64th, Henson of the 65th, Holmes of the 53rd, Perry of the 11th and Roberts of the 162nd.

They wish to be recorded as present.

Prayer was offered by Representative Roger Byrd, District 170, Hazlehurst, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bill of the House was introduced, read the first time and referred to the committee:

HB 28EX. By Representatives Davis of the 48th and McKinney of the 51st:

A bill to amend an Act creating a State Court of Fulton County, so as to change the provisions relating to the selection of and eligibility for chief judge.

Referred to the Committee on State Planning & Community Affairs Local.

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

HB 26EX
HB 27EX
SB 8EX

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 24EX Do Pass
HB 25EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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

HB 24EX. By Representatives Watts of the 26th and Murphy of the 18th:

A bill to amend an Act creating a Board of Commissioners of Paulding County, so as to change the provisions relating to the appointment and removal of certain county officials and employees.

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

On the passage of the Bill, the ayes were 94, nays 6.

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

HB 25EX. By Representatives Shipp of the 38th, Coker of the 31st, Klein of the 39th, Sauder of the 29th, Towery of the 30th and others:

A bill to amend an Act reincorporating and providing a new charter for the City of Acworth, so as to change the corporate limits of the city.

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

On the passage of the Bill, the ayes were 94, nays 6.

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

Representative Ladd of the 59th arose to a point of personal privilege and addressed the House.

Representative Towery of the 30th arose to a point of personal privilege and addressed the House.

Representative Woods of the 32nd arose to a point of personal privilege and addressed the House.

Representative McKinney of the 51st arose to a point of personal privilege and addressed the House.

Representative Smyre of the 136th arose to a point of personal privilege and addressed the House.

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

Mr. Speaker:

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

HB 11EX. By Representative Smith of the 109th:

A bill to provide a new charter for the City of Jackson.

HB 18EX. By Representatives Hembree of the 98th and Snelling of the 99th:

A bill to amend an Act known as the "Douglasville-Douglas County Water and Sewer Authority Act," so as to provide that the mayor of the Town of Lithia Springs or such mayor's designee shall be an ex officio member of the authority board of directors; to amend an Act authorizing the creation and funding of an enhanced emergency telephone number 911 system special district within the corporate boundaries of Douglas County.

HB 19EX. By Representatives Hembree of the 98th and Snelling of the 99th:

A bill to amend an Act known as the "Douglas County Community Improvement Districts Act," so as to change certain definitions; to authorize the creation of community improvement districts within the City of Lithia Springs; to change provisions relating to governing boards.

HB 20EX. By Representative Crawford of the 129th:

A bill to amend an Act providing for the nonpartisan nomination and election of the judge of the Probate Court of Upson County, so as to change the date of the election at which the nonpartisan nomination and election begin.

HB 22EX. By Representative Porter of the 143rd:

A bill to amend an Act providing for the Magistrate Court of Laurens County, so as to change the provisions relating to the election of the chief magistrate; to provide for the nonpartisan nomination and election of the chief magistrate of the Magistrate Court of Laurens County.

The Speaker announced the House in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The ~~Speaker~~ called the House to order.

Under the general order of business, the following Bill of the House was again taken up for consideration:

HB 7EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts.

By unanimous consent, the House reconsidered its action in adopting the Committee substitute to HB 7EX.

By unanimous consent, the Committee substitute on HB 7EX was withdrawn.

The following substitute, offered by Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th, was read:

A BILL

To amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts; to provide for the election of members of the House of Representatives; to provide for the continuation of present representative districts until a certain time; to provide for applicability to certain primary and general elections; to define certain terms; 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.

Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, is amended by striking the description of the 180 representative districts immediately following the second sentence of subsection (a) thereof and inserting in its place the description of the 180 representative districts attached to this Act and made a part hereof and further identified as: "Operator: state Client: house Plan: hb7exfs2."

SECTION 2.

Said Code section is further amended by striking subsection (c) thereof and inserting in its place the following:

"(c) The first members of the House of Representatives elected pursuant to this Code section shall be those who are elected to take office on the convening date of the regular session of the General Assembly in ~~1993~~ 1997. Until that time the membership of the House of Representatives elected under prior law shall continue to serve and shall represent the districts from which elected; and until that time the composition of the districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective, however, for the primary and general elections of ~~1992~~ 1996 for the purpose of electing members of the House of Representatives in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under this Code section."

SECTION 3.

Said Code section is further amended by striking subsection (d) thereof and inserting in its place the following:

"(d) For purposes of this Code section:

(1) The terms 'Tract,' 'Block,' and 'VTD' 'Block Group' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia; and

(2) The term 'Precinct' is synonymous with the term 'voting precinct' and means a geographical area designated by Article 7 of Chapter 2 of Title 21, within which all electors vote at one polling place;

(3) Except as otherwise provided in the descriptions of representative districts No. 113 and 114, description of any representative district, whenever the description of any representative district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 1990 for the State of Georgia such boundaries existed on August 1, 1995; and

(4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any representative district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control."

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.

District No. 1

DADE

WALKER

Tract: 0201.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block: 702A, 702B, 702C, 703, 707, 708, 709, 710, 718

Tract: 0202.

Tract: 0203.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503A, 503B, 504, 505, 506, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544

Block Group: 7

Block Group: 8

Block Group: 9

Tract: 0204.98

Tract: 0205.

Block: 101, 102B, 103, 104, 105, 106, 107, 108, 109, 110, 203, 204, 219, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518,

519, 520, 521, 522, 523, 533, 534, 599, 603, 604, 605, 606, 607, 608, 609, 610,
611, 612, 613, 614, 615

Tract: 0208.

Block: 316, 317, 318, 319, 320, 321, 322, 359, 360, 361, 362, 363, 364, 365, 366, 367,
368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383,
384, 385, 386, 387, 388, 399A, 399B, 399C

District No. 2

CATOOSA

Tract: 0307.

Block: 101A, 101B, 101C, 101D, 101E, 102, 157, 158, 159A, 159B, 160, 161A, 161B,
161C, 161D, 162, 163, 164, 165, 166

Block Group: 2

Block: 313, 314, 315, 316, 317, 318, 319, 403, 404, 405, 406, 407, 408, 409, 410, 411,
412

Block Group: 5

Block: 607A, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621,
622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 701A, 701B, 702, 703,
704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 718

WALKER

Tract: 0201.

Block: 701, 702D, 704, 705, 706, 711A, 711B, 712, 713, 714, 715, 716A, 716B, 717A,
717B, 719, 720, 721, 722A, 722B, 722C, 723

Tract: 0203.

Block: 507, 508, 509, 510, 511

Block Group: 6

Tract: 0205.

Block: 102A, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124,
125, 126, 127, 128, 129, 130, 131,

Block: 132, 133, 134, 135, 136, 137, 138, 139, 199, 199, 199, 201, 202, 205, 206, 207,
208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 220, 221, 222, 223, 224,
225A, 225B, 225C, 226, 227A, 227B, 228, 229, 230, 231, 232, 233, 234, 235,
236, 237, 238, 239, 240, 241, 242, 243, 244, 245

Block Group: 3

Block Group: 4

Block: 524, 525, 526, 527, 528, 529, 530, 531, 532, 535, 536, 537, 538, 539, 540, 541,
542, 601, 602, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628,
629, 630, 631, 632

Tract: 0206.01

Tract: 0206.02

Tract: 0207.

Tract: 0208.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115A,
115B, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129,
130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145,
146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161,
162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177,
178, 179, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194,
195, 196, 197, 199

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315,
323A, 323B, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336,
337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352,
353, 354, 355, 356, 357, 358, 389, 390, 391, 392, 393, 394, 399D

Block Group: 4

Tract: 0209.01

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 215, 216, 217, 219, 225, 226, 227, 228, 229,
230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516,
517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532,
533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 549, 550,
556, 557

Block Group: 6

Tract: 0209.02

District No. 3

CATOOSA

Tract: 0301.98

Tract: 0302.

Tract: 0303.

Tract: 0304.

Tract: 0305.

Tract: 0306.

Tract: 0307.

Block: 103, 104, 107, 301A, 301B, 302A, 302B, 303, 304, 305A, 305B, 306A, 306B,
306C, 307, 308, 309, 310A, 310B, 310C, 311, 312, 401, 402, 601, 602, 603A,
603B, 604, 605, 606, 607B, 717A, 717B, 717C, 719A, 719B

Tract: 0308.98

District No. 4

WHITFIELD

Tract: 0001.

Tract: 0002.

Tract: 0003.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 316, 317,
318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333,
334

Block Group: 4

Block Group: 5

Tract: 0004.

Tract: 0005.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 113A, 113B, 114, 115, 120,
121, 138E, 139, 140A, 140B, 141A, 141B, 141C, 142, 143, 144, 145A, 145B,
146A, 146B, 199B, 201A, 201B, 211, 212, 213, 234, 235, 254, 301, 302, 311B,
313, 314, 315B, 337, 338, 339, 356, 357, 358, 359, 360, 361, 362

Tract: 0006.98

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401A, 401B, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412A, 412B,
413, 414, 415, 416, 417, 418, 419, 420, 421

Tract: 0007.

Block: 101A, 101B, 102, 103, 104, 105, 106, 107, 108, 201, 202, 203, 204, 205, 206,
207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222,
223, 224, 225, 226, 227, 228, 229, 233, 234, 235, 236, 237, 238, 239, 240, 241,
242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 299, 318, 319, 320, 322,
323, 324, 325, 326, 327, 328, 329, 330, 348, 349, 350, 351

Tract: 0010.

Tract: 0011.

Block: 101, 102, 201, 202, 203

Block Group: 3

Block Group: 4

Tract: 0013.

Block: 101A, 101B, 101C, 102, 103A, 103B, 104A, 104B, 105A, 105B, 105C, 105D, 105E, 106A, 106B, 106C, 106D, 107A, 107B, 107C, 107D, 108, 109, 110, 111, 112, 113, 114A, 114B, 114C, 118A, 118B

Block Group: 3

Tract: 0016.97

Tract: 0016.98

District No. 5

WHITFIELD

Tract: 0003.

Block: 315, 335, 336

Tract: 0005.

Block: 111A, 111B, 111C, 112A, 112B, 116, 117, 118, 119, 122, 123, 124, 125, 126, 127, 128A, 128B, 128C, 128D, 128E, 128F, 128G, 128H, 129, 130, 131, 132, 133, 134A, 134B, 135, 136A, 136B, 137A, 137B, 138A, 138B, 138C, 138D, 147, 148, 149A, 149B, 150A, 150B, 150C, 151, 152A, 152B, 153, 199A, 202A, 202B, 203A, 203B, 203C, 204A, 204B, 204C, 204D, 205, 206, 207, 208, 209, 210, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 257, 258, 259, 260, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 312, 315A, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326,

Block: 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Tract: 0006.98

Block: 422A, 422B, 422C, 422D, 423A, 423B

Tract: 0007.

Block: 109, 110, 111, 112, 113, 114, 230, 231, 232, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 321, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347

Block Group: 4

Tract: 0008.

Tract: 0009.

Tract: 0011.

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 199, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227

Tract: 0012.

Tract: 0013.

Block: 115A, 115B, 115C, 115D, 115E, 115F, 116, 117, 119A, 119B, 119C, 120A, 120B, 120C, 120D, 121, 122A, 122B, 122C, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132

Block Group: 2

Tract: 0014.

Tract: 0015.

District No. 6

FANNIN

Tract: 9501.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 196, 197, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220B, 221, 222, 223, 224, 225, 226, 227, 229B, 230B, 231, 232B, 234B, 235B, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 263B, 299

Tract: 9502.

Tract: 9503.98

Tract: 9504.

Block: 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117D, 118, 119, 120, 121, 122, 123, 142, 145B, 145C, 146B, 147, 148, 149, 150, 151, 152, 153, 154B, 155, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241B, 242B, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264B, 265, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 433B, 434B, 435, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 450, 451

MURRAY

District No. 7

FANNIN

Tract: 9501.

Block: 101, 102, 103, 104, 128, 129, 130, 131, 132, 133, 134,

Block: 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 220A, 228A, 228B, 229A, 230A, 232A, 233, 234A, 235A, 250, 251, 252, 253, 254, 255, 256, 257A, 257B, 258A, 258B, 259, 260A, 260B, 261, 262A, 262B, 263A, 264, 265, 266, 267A, 267B, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 299

Tract: 9504.

Block: 105, 117A, 117B, 117C, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141A, 141B, 143, 144, 145A, 146A, 154A, 156, 157, 158, 159, 160, 161, 162, 163, 164A, 164B, 165A, 165B, 166, 167A, 167B, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 199, 241A, 242A, 264A, 266, 267, 268

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417A, 417B, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429A, 429B, 430A, 430B, 431, 432, 433A, 434A, 436, 448, 449, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 499

Tract: 9505.

Tract: 9506.98

GILMER

LUMPKIN

District No. 8

RABUN

TOWNS

UNION

WHITE

Tract: 9501.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133,

134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 158, 167, 168, 169, 176, 177, 178, 191, 199A, 211A, 211B, 211C, 211D, 212, 213, 214, 215, 216, 217A, 217B, 218, 219, 220A, 220B, 221A, 221B, 222A, 222B, 223, 224, 225A, 225B, 225C, 225D, 225E, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245A, 245B, 245C, 245D, 246, 247, 248, 249A, 249B, 250, 251, 252, 265, 274, 275

Tract: 9502.

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 250, 251, 254, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 327, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 399A, 399B, 399C, 399D, 399E, 428D, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 499

District No. 9

HABERSHAM
WHITE

Tract: 9501.

Block: 101, 157, 159, 160, 161, 162, 163, 164, 165, 166, 170, 171, 172, 173, 174, 175, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 199B, 199C, 199D, 199E, 199F, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 266, 267, 268, 269, 270, 271, 272, 273, 299, 299, 299

Tract: 9502.

Block Group: 1

Block: 247, 248, 249, 252, 253, 255, 325, 326, 328, 329, 349, 350, 351, 352, 353, 354, 355, 356, 357, 401, 402, 403, 404, 405A, 405B, 406A, 406B, 406C, 407, 408A, 408B, 409A, 409B, 410A, 410B, 411, 412, 413, 414, 415, 416, 417A, 417B, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428A, 428B, 428C, 429A, 429B, 430, 436, 485, 486

Block Group: 5

Tract: 9503.

District No. 10

GORDON

District No. 11

CHATTOOGA
FLOYD

Tract: 0002.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 149, 150, 151, 152, 153A, 153B, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 199E, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 299A, 299B, 299C, 299D, 299E, 299F

Block Group: 3

Block Group: 4

Tract: 0003.

Block: 101, 102, 103, 104, 106, 108, 109, 113, 114, 115, 116, 117C, 117D, 128A, 128B, 129, 132, 133B, 134, 135, 199B

Block Group: 3

Tract: 0013.

Block: 215C, 238, 242

Tract: 0014.

Block: 102B, 107, 108, 113, 117, 125, 126, 127, 128, 129, 130, 131, 199D, 199E, 199G

Block Group: 2

Block: 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345A, 345B, 346, 347A, 347B, 348, 349, 350, 351, 352, 353, 354, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K

Block Group: 4

Block Group: 5

Tract: 0020.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125,

Block: 126A, 126B, 126C, 126D, 126E, 126F, 127, 128, 137, 157, 199A, 199B, 199C, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 241, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 273, 274, 292, 293, 294, 295, 296, 297, 299B, 299C

Tract: 0021.98

WALKER

Tract: 0208.

Block: 180

Tract: 0209.01

Block: 208, 209, 210, 211, 212, 213, 214, 218, 220, 221, 222, 223, 224

Block Group: 3

Block: 547, 548, 551, 552, 553, 554, 555, 558, 559, 560, 561, 562

District No. 12

FLOYD

Tract: 0002.

Block: 132, 134, 135, 147B, 147D

Tract: 0003.

Block: 105A, 105B, 107, 110A, 110B, 110C, 110D, 110E, 111A, 111B, 111C, 111D, 112A, 112B, 112C, 112D, 117A, 117B, 117E, 118A, 118B, 119A, 119B, 119C, 120A, 120B, 121A, 121B, 121C, 121D, 121E, 121F, 121G, 121H, 121J, 121K, 121L, 121M, 121N, 121P, 122A, 122B, 122C, 122D, 123A, 123B, 123C, 123D, 124A, 124B, 124C, 124D, 124E, 125A, 125B, 125C, 125D, 125E, 125F, 126A, 126B, 126C, 127A, 127B, 130A, 130B, 131, 133A, 136, 137, 138, 199A

Tract: 0004.

Tract: 0005.

Tract: 0006.

Block: 143, 144, 145, 147, 152, 153, 154, 157A, 201A, 202, 203A, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252A, 253A

Block Group: 3

Block Group: 4

Tract: 0008.

Block: 103, 104, 105, 106, 107, 108, 109, 110A, 110B, 111A, 111B, 111C, 112A, 112B, 112C, 112D, 113, 114, 115, 116, 117, 118A, 118B, 119, 120A, 120B, 120C, 120D, 120E, 120F, 120G, 120H, 120J, 130, 132, 134, 135, 136, 138A, 139A, 139B, 142, 143, 144, 146, 147, 148, 149, 150, 152, 155A, 155B, 201, 202, 203, 204, 205, 207, 208, 209, 210, 211A, 211B, 211E, 212, 213, 215, 218A, 218B, 220, 223A, 223B, 224, 225, 229A, 230, 231, 299

Tract: 0009.

Block: 101A, 101B, 101C, 101D, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 116A, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148A, 149A, 151A, 151B, 151C, 152, 153, 154, 155A, 155B, 156, 210A

Tract: 0010.**Tract: 0011.****Tract: 0012.****Tract: 0013.****Block Group: 1**

Block: 201A, 201B, 201C, 202A, 202B, 202C, 203, 204, 205, 206, 207, 208A, 208B, 208C, 208D, 209A, 209B, 209C, 209D, 210A, 210B, 210C, 211, 212, 213, 214, 215A, 215B, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 239, 240, 241, 243

Tract: 0014.

Block: 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 101J, 101K, 102A, 103, 104, 105, 106, 109A, 109B, 109C, 109D, 109E, 109F, 109G, 110A, 110B, 111A, 111B, 111C, 111D, 111E, 112A, 112B, 112C, 114, 115, 116, 118, 119, 120A, 120B, 120C, 121, 122, 123, 124, 199A, 199B, 199C, 199F, 199H, 301, 302, 303, 304

Tract: 0015.

Block: 101A, 101B, 101C, 101D, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149A, 150A, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165A, 165B, 166A, 166B, 199A, 199B, 199C, 199D, 199E, 199F, 199G

Tract: 0016.**Block Group: 1**

Block: 201, 202, 203, 204, 205, 206A, 206B, 206C, 207, 208, 210, 211A, 211B, 212, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230A, 230B, 230C, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 247, 248, 249, 250

Block Group: 3**Tract: 0017.**

Block: 104A, 105A, 105B, 105C, 105D, 105E, 105F, 105H, 108A, 108B, 108C, 108D, 108E, 109A, 109B, 109C, 109D, 109E, 109F, 110, 115, 116A, 116B, 117A, 117B, 117C, 118, 120A, 120B, 120D, 120E, 120F, 121A, 121B, 122A, 122B, 125

Tract: 0018.

Block: 101A, 101B, 102A, 102B, 103A, 103B, 104C, 105B, 109B, 111B, 112, 114, 115A, 122A, 122B, 123A, 123B, 123C, 125B, 153, 154A, 154B, 154C, 201C, 202B, 202C, 210, 240

Tract: 0019.

Block: 101A, 101B, 101C, 102A, 102B, 102C, 114A, 115A, 115B, 116C, 117, 118, 119

District No. 13

BARTOW

Tract: 9601.

Block: 115, 116, 117, 118, 119, 120, 121, 122, 123, 191, 192, 193, 194, 195, 196, 197,
203, 204, 205, 206, 207, 221, 222, 224, 225, 226, 242, 243, 244, 245, 246, 247,
248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 299A

Tract: 9602.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516,
517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532,
533, 534, 535, 536, 537, 538, 539, 540, 541, 543, 544, 545, 546, 547, 548, 549,
550, 551, 552, 553, 554, 599, 599

Tract: 9603.98

Block Group: 3

Tract: 9604.

Block: 208, 234A, 234B, 301, 302, 303, 304, 305, 306, 307, 308

FLOYD

Tract: 0001.98

Tract: 0002.

Block: 147A, 147C, 148, 172, 199A, 199B, 199C, 199D, 199F, 299G

Tract: 0006.

Block: 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 101J, 101K, 101L, 102,
103A, 103B, 103C, 104A, 104B, 104C, 105A, 105B, 106A, 106B, 107, 108,
109A, 109B, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122,
123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133A, 133B, 134A, 134B,
135A, 135B, 135C, 135D, 136, 137, 138A, 138B, 138C, 138D, 138E, 139, 140,
141, 142, 146, 148A, 148B, 148C, 149A, 149B, 150, 151, 155A, 155B, 156A,
156B, 156C, 157B, 158, 199A, 199B, 199C, 199D, 199E, 201B, 203B, 252B,
253B, 254

Tract: 0007.

Tract: 0008.

Block: 101A, 101B, 102, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 133, 137,
138B, 140, 141, 145, 151, 206, 211C, 211D, 214, 216, 217, 219, 221, 222, 226,
227, 228, 229B, 232, 233

Tract: 0009.

Block: 101E, 102, 115, 116B, 116C, 148B, 149B, 150, 157, 201, 202, 203, 204, 205,
206, 207, 208, 209, 210B

Tract: 0015.

Block: 101E, 102, 149B, 149C, 150B, 199H

Tract: 0016.

Block: 209, 213

Tract: 0017.

Block: 101, 102, 103, 104B, 105G, 106, 107, 111, 112, 113, 114, 119, 120C, 123, 124,
126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 201, 202, 203, 204, 205,
206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221,
222, 223, 224, 225, 226, 227, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238,
239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254,
299, 299

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0018.

Block: 104A, 104B, 105A, 106, 107, 108, 109A, 110, 111A, 113, 115B, 116, 117, 118,
119, 120, 121, 122C, 123D, 124A, 124B, 125A, 126, 127, 128, 129, 130, 131,
132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147,
148, 149, 150, 151, 152, 155, 156, 157, 201A, 201B, 202A, 203, 204, 205, 206,

207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,
224, 225, 226, 227, 228, 229A, 229B, 229C, 230, 231, 232, 233, 234, 235, 236,
237, 238, 239, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253,
254, 255, 256

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Tract: 0019.

Block: 102D, 102E, 102F, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113,
114B, 116A, 116B, 120A, 120B, 121, 122, 124, 126, 127, 129, 130, 131, 132,
133, 134, 138, 139, 199A, 199B, 199C

Tract: 0020.

Block: 109, 110, 111, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142,
143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154A, 154B, 155, 156A,
156B, 156C, 156D, 156E, 156F, 156G, 156H, 158, 159, 160A, 160B, 160C,
160D, 160E, 161A, 161B, 162, 163A, 163B, 163C, 164A, 164B, 164C, 165,
166, 167A, 167B, 168, 169A, 169B, 170, 171, 172, 173, 174, 175, 176A, 176B,
177, 178A, 178B, 179A, 179B, 180A, 180B, 181A, 181B, 182, 183, 184, 185,
186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199D, 199E, 199F,
199G, 199H, 237, 238, 239, 240, 242, 243, 244, 245A, 245B, 246, 247,

Block: 248A, 248B, 248C, 248D, 249A, 249B, 250, 270, 271, 272, 275, 276, 277, 278,
279, 280, 281, 282A, 282B, 283, 284, 285, 286, 287, 288, 289, 290, 291, 299A

Block Group: 3

Tract: 0021.97

District No. 14

BARTOW

Tract: 9601.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 124, 125,
126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141,
142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157,
158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173,
174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189,
190, 201, 202, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
223, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241,
299B

Block Group: 3

Tract: 9603.98

Block: 215, 216, 217, 218, 219, 220, 223, 224, 225, 285, 286, 287, 288, 289, 290

Tract: 9604.

Block Group: 1

Block: 201, 202, 203A, 203B, 203C, 203D, 204, 205A, 205B, 205C, 206A, 206B,
206C, 207, 209, 210, 211, 212A, 212B, 213A, 213B, 213C, 213D, 214A, 214B,
214C, 215, 216, 217A, 217B, 217C, 218A, 218B, 219, 220, 221, 222, 223A,
223B, 224A, 224B, 225A, 225B, 226, 227, 228, 229, 230, 231, 232A, 232B,
233, 235A, 235B, 235C, 236A, 236B, 236C, 236D, 237, 238, 239A, 239B,
239C, 240, 241A, 241B, 241C, 242A, 242B, 242C, 243A, 243B, 243C, 244A,
244B, 244C, 245A, 245B, 245C, 246A, 246B, 247A, 247B, 247C, 248A, 248B,
249, 250A, 250B, 251A, 251B, 252A, 252B, 253A, 253B, 253C, 254A, 254B,
255A, 255B, 256A, 256B, 257A, 257B, 257C, 258A, 258B, 259, 260, 261A,
261B, 262, 263, 299

Tract: 9605.

Block Group: 1

Block Group: 2

Block: 301, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,
317A, 317B, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330,
331, 332, 333, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414,
415, 416, 417A, 417B, 418A, 418B, 419, 420A, 420B, 421A, 421B, 421C, 422,
423

Tract: 9606.

Tract: 9607.

Tract: 9608.

Tract: 9609.

Block Group: 1.com.cn

Block: 201A, 201B, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211A, 211B, 211C, 212, 213, 214A, 214B, 215A, 215B, 215C, 215D, 215E, 215F, 215G, 215H, 216, 217, 218, 219, 220, 221A, 221B, 221C, 221D, 222, 223, 224, 225, 226A, 226B, 227A, 227B, 228, 229, 230, 231, 232, 299A, 299B, 299D, 299E, 299F, 301A, 301B, 301C, 302, 303, 304A, 304B, 305A, 305B, 306A, 306B, 306C, 307A, 307B, 308A, 308B, 308C, 308D, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336A, 336B, 337, 338, 339, 340, 341, 342, 349, 350, 399A, 399B, 399C, 399D, 399E

Tract: 9610.

Block: 199C

District No. 15

CHEROKEE

Tract: 0901.

Block Group: 1

Block Group: 2

Block: 301, 302A, 302B, 303, 304, 305, 306, 307A, 307B, 308A, 308B, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325B, 326A, 326B, 327A, 327B, 328, 329, 330, 331, 332A, 332B, 333, 334A, 334B, 335, 336, 337, 338, 339, 340, 341, 342, 343A, 343B, 344A, 344B, 345A, 345B, 346, 347A, 347B, 347C, 348, 349, 350, 351, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441A, 441B, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470A, 470B, 470C, 471, 472, 473, 474, 475, 476, 477, 480, 481, 482, 483, 499

Tract: 0902.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246A, 246B, 247A, 247B, 248, 249, 250, 251, 252, 253, 254, 255, 299

Block Group: 3

Tract: 0905.

Tract: 0908.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 299

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 517, 518, 519, 601, 602, 603, 604, 610, 611, 701

PICKENS

District No. 16

CHEROKEE

Tract: 0901.

Block: 352, 353, 478, 479

Tract: 0903.

Block: 101A, 101B, 101C, 101D, 101E, 102, 103, 104, 105, 106, 107A, 112A, 115, 116, 117, 118, 119, 120A, 120B, 120C, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 137, 138, 139, 140, 141, 199A, 199B, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 299A, 299B

Tract: 0904.

Tract: 0906.

Tract: 0907.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 501B, 502A, 502B, 502C, 503A, 503B, 503C, 503D, 504A, 504B, 504C,
505, 506, 507, 508, 509, 510, 599A, 599B

Block Group: 6

Tract: 0908.

Block: 208, 209, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 605, 606,
607, 608, 609, 702, 703, 704, 705

Tract: 0909.01

Tract: 0909.02

Tract: 0910.01

Block: 199

District No. 17

CHEROKEE

Tract: 0902.

Block: 256, 257, 258, 259, 260, 261, 262, 263, 264

Tract: 0903.

Block: 107B, 108, 109, 110, 111, 112B, 113, 114, 131, 132, 133, 134, 135, 136, 199C,
215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230,
231, 232, 233, 234, 235, 236, 237, 238, 299C, 299D, 299E, 299F, 299G

Tract: 0907.

Block: 511

Tract: 0908.

Block: 799

Tract: 0909.03

Tract: 0910.01

Block: 101A, 101B, 101C, 102A, 102B, 103, 104A, 104B, 104C, 104D, 105, 106A,
106B, 106C, 107A, 107B, 108, 109A, 109B, 110A, 110B, 110C, 111A, 111B,
112, 113, 114, 199

Block Group: 2

Block Group: 3

Tract: 0910.02

Tract: 0910.03

Tract: 0911.01

Tract: 0911.03

Tract: 0911.98

Tract: 0912.98

District No. 18

HARALSON

PAULDING

Tract: 1201.

Block: 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118,
119, 120, 121, 122, 123, 124, 125, 128, 129, 132, 133, 134, 135, 136, 137, 138,
139, 140, 141, 142, 143, 144, 145, 146, 147, 174, 175, 176, 177, 178, 179, 180,
181, 182, 183, 184A, 184B, 185, 186, 187A, 187B, 188A, 188B, 189, 190A,
190B, 191A, 191B, 192, 193, 194, 195, 196, 197, 199, 199, 199, 206, 207, 208,
209, 210, 211A, 211B, 212A, 212B, 213A, 213B, 214A, 214B, 215A, 215B,
216A, 216B, 216C, 217A, 217B, 218, 219, 220, 221, 222, 223A, 223B, 224A,
224B, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238,
286, 287, 288A, 288B, 289A, 289B, 290A, 290B, 291A, 291B, 292, 293A,
293B, 293C, 294, 295, 296, 297, 299F, 299G, 299H, 299J, 299K, 299L

Tract: 1203.

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311B, 313, 315B, 316B, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329C, 330C, 330D, 331, 340D, 364, 365, 373, 374, 375, 399, 399, 399, 399, 399, 399, 399, 399, 399

Tract: 1204.

Block: 101A, 101B, 102A, 102B, 102C, 103A, 103B, 104, 105, 106, 107, 108, 109, 110A, 110B, 111A, 111B, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224,

Block: 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 256, 257, 258, 259, 260, 299A, 299B, 299C, 305, 306, 307, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 366, 367, 368, 369, 370, 371, 372, 373, 374, 399B, 399D, 399E, 399F, 399G, 399H, 399J

Tract: 1206.98

Block: 325, 326, 327, 328, 339, 340, 344, 345, 346, 347, 348, 349, 350, 351, 399H, 423

POLK

Tract: 9902.

Block: 135, 136, 137, 138, 139

Tract: 9903.

Block Group: 1

Block: 201, 202, 203, 204, 206, 212, 213, 214, 215, 216, 217, 220, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 399A, 399B, 399C, 399D, 399E

Tract: 9904.

Block: 147, 148, 149, 150, 151, 414, 415, 416, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 499, 499, 499, 499, 499, 499, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 599A, 599B, 599C, 599D, 599E, 599F

Tract: 9905.

Block: 520, 521, 523, 524, 525, 623, 624, 625, 638, 640, 642, 643, 644, 645, 646, 647, 648

Tract: 9906.

Block: 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 499D, 499E, 499F, 499G

Tract: 9907.

Block: 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 599K

District No. 19

DAWSON

HALL

Tract: 0002.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,

133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148,
149, 150, 151, 152, 153

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0003.

Tract: 0004.

Block: 201A, 201B, 201C, 202A, 202B, 202C, 202D, 203, 204, 205, 206, 207, 208A,
208B, 208C, 209, 210, 211A, 211B, 212A, 212B, 299A, 299B, 299C, 299D,
299J, 299K

Block Group: 3

Tract: 0005.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210A, 210B, 211, 212, 213, 214,
215A, 215B, 216, 217, 299B, 299C, 299D

Block Group: 3

Tract: 0010.

Block: 402, 403, 404, 405A, 405B, 405C, 410A, 410B, 410C, 410D, 411A, 411B,
411C, 411D, 411E, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423,
424, 425, 426, 427, 428, 429, 430, 499A, 499B, 499C

District No. 20

HALL

Tract: 0001.98

Block Group: 1

Block Group: 2

Block Group: 3

Block: 414, 415, 416, 417, 418, 419, 420, 421, 433, 435, 436, 437, 438, 439, 440, 477,
478, 499A

Tract: 0002.

Block: 199, 199

Tract: 0004.

Block Group: 1

Block: 213, 214, 215, 216, 217, 218, 219A, 219B, 220A, 220B, 220C, 220D, 220E,
221, 222A, 222B, 223, 224, 225A, 225B, 226, 227A, 227B, 227C, 228, 229,
230, 231, 232, 233, 299E, 299F, 299G, 299H, 299L

Tract: 0005.

Block: 299A

Block Group: 4

Block Group: 5

Tract: 0006.

Tract: 0007.

Block: 206, 207, 208, 209, 210, 211, 212A, 212B, 212C, 213, 214, 215, 219, 222

Block Group: 3

Tract: 0008.

Tract: 0009.

Tract: 0010.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401B, 406A, 406B, 407A, 407B, 408, 409A, 409B, 409C, 409D, 409E, 409F,
409G, 409H, 501E, 505A, 505B, 506A, 506B, 507A, 507B

Tract: 0011.

Tract: 0012.

Block Group: 1

Block Group: 2

Block: 301A, 301B, 302, 303, 304, 305A, 305B, 306A, 306B, 307

Tract: 0013.

Block: 101A, 101B, 101C, 101D, 101E, 102A, 102B, 102C, 103A, 103B, 103D, 104, 105A, 105B, 106A, 106B, 107A, 107B, 108, 109, 130

Tract: 0014.

Block: 119A, 119B, 121A, 121B, 122, 127A, 127B, 127C, 128A, 128B, 128C, 128D, 128E, 129A, 129B, 131A, 131B, 132, 133, 134, 135A, 135B, 301A, 301B

District No. 21

GWINNETT

Tract: 0505.03

Block: 103

Tract: 0506.01

Block: 136, 137, 138, 163, 165, 166, 167, 168, 199B, 201, 202, 203A, 203B, 204, 205, 206A, 206B, 207, 227, 228, 229, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252

Block Group: 3

Tract: 0506.02

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309A, 309B, 310A, 310B, 311A, 311B, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 325A, 325B, 326, 327, 328, 329, 330, 331, 332A, 332B, 336, 337, 338, 339, 340A, 340B, 341A, 341B, 342, 343, 344, 415, 416, 417, 418, 419A, 419B, 419C, 420, 421, 422, 423, 424, 425, 426, 427, 428A, 428B

HALL

Tract: 0010.

Block: 501A, 501B, 501C, 501D, 501F, 502A, 502B, 503, 504, 508A, 508B, 508C, 508D, 508E, 508F, 508G, 509A, 509B, 510A, 510B, 511A, 511B, 511C, 511D, 511E, 512A, 512B, 513, 514, 515, 516A, 516B, 599

Block Group: 6

Tract: 0012.

Block: 308A, 308B, 308C, 309, 310A, 310B, 310C, 311A, 311B, 311C, 311D, 311E, 312, 313, 314, 315, 316, 317A, 317B, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331A, 331B, 331C, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 399A, 399B, 399C, 399D, 399E, 399F, 411A, 411B, 411C, 411D, 412, 413, 414, 415, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 499A, 499B

Tract: 0013.

Block: 103C, 110, 111A, 111B, 111C, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127A, 127B, 128, 129, 131A, 131B, 132A, 132B, 132C, 132D, 133

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0014.

Block: 101A, 101B, 102, 103A, 103B, 104A, 104B, 105A, 105B, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118A, 118B, 120A, 120B, 123A, 123B, 124A, 124B, 125A, 125B, 126, 130A, 130B, 136, 137, 138A, 138B, 139, 140, 199

Block Group: 2

Block: 302A, 302B, 303A, 303B, 303C, 304, 305, 306A, 306B, 306C, 307A, 307B, 308A, 308B, 309, 310A, 310B, 311, 312A, 312B, 313, 314, 315A, 315B, 316A, 316B, 317A, 317B

Block Group: 4
 Block Group: 5
 Block Group: 6
 Tract: 0015. libtool.com.cn
 Tract: 0016.

District No. 22

BANKS
 CLARKE

Tract: 0003.
 Block: 107

FRANKLIN

Tract: 9901.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 137,
 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154,
 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170,
 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186,
 187, 188, 189, 190, 191, 192, 193, 199, 199, 252, 282, 283, 284

STEPHENS

District No. 23

FRANKLIN

Tract: 9901.

Block: 132, 133, 134, 135, 136, 138, 201, 202, 203, 204, 205, 206A, 206B, 207A,
 207B, 208, 209A, 209B, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236,
 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 253,
 254, 255, 256, 257A, 257B, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267,
 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279A, 279B, 280, 281,
 285, 286, 287, 288, 299, 299, 299, 299

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9902.

Tract: 9903.

Tract: 9904.

HART

District No. 24

CLARKE

Tract: 0014.01

Block: 111, 112, 113, 114, 115, 117, 118, 144, 199

Tract: 0014.02

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214,
 216

Block Group: 3

Block: 404, 406, 407, 408, 409, 410, 412, 414, 415, 416, 417, 418B, 419B

Block Group: 5

Block Group: 6

Block: 707, 708, 711, 720A, 720B, 722, 723B, 726, 727, 728, 729, 731, 732

Tract: 0015.01

Block Group: 1

Block Group: 5

Tract: 0015.02

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 217, 218, 219, 220, 221, 299

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District No. 25

HALL

Tract: 0001.98

Block: 401, 402, 403, 404, 405, 406, 407A, 407B, 408, 409, 410A, 410B, 410C, 411, 412, 413, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452A, 452B, 453, 454, 455A, 455B, 456, 457A, 457B, 458A, 458B, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 479, 480, 499B, 499C

Tract: 0007.

Block Group: 1

Block: 201, 202, 203, 204, 205, 216, 217, 218, 220, 221, 223, 224

Tract: 0012.

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 416, 417, 418, 442, 443

JACKSON

District No. 26

PAULDING

Tract: 1201.

Block: 101, 102, 103, 104A, 126, 127, 130, 131, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 201, 202, 203, 204, 205, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 299A, 299B, 299C, 299D, 299E

Tract: 1202.

Tract: 1203.

Block Group: 1

Block Group: 2

Block: 311A, 312, 314, 315A, 316A, 317, 318, 319, 329A, 329B, 330A, 330B, 332, 333, 334, 335, 336, 337A, 337B, 337C, 338A, 338B, 338C, 339A, 339B, 340A, 340B, 340C, 341, 342A, 342B, 342C, 343A, 343B, 344A, 344B, 345, 346, 347, 348, 349, 350, 351A, 351B, 352A, 352B, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 366, 367, 368, 369, 370, 371, 372

Block Group: 4

Tract: 1204.

Block: 132, 133, 134, 135, 136, 137, 138, 199A, 201, 202, 203, 204, 254, 255, 301, 302, 303, 304, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 364, 365, 399A, 399C

Tract: 1205.

Tract: 1206.98

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 341, 342, 343, 352, 353, 354, 355, 356, 357, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 401, 402, 403, 405, 406, 407, 408, 409A, 410, 411, 412, 413A, 414A, 414B, 420A, 421A, 424A, 499A, 499B, 499C, 499D, 499E

District No. 27

BARTOW

Tract: 9602.

Block: 542

Tract: 9603.98

Block Group: 1.com.cn

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 221, 222, 226, 227, 228A, 228B, 229, 230A, 230B, 231, 232A, 232B, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243A, 243B, 244, 245, 246, 247, 248, 249, 250A, 251, 252, 253, 254, 255A, 255B, 256, 257A, 257B, 258A, 258B, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 291, 299A, 299B, 299C

Tract: 9604.

Block: 309, 310, 311, 312, 313, 314, 315, 316

Block Group: 4

Block Group: 5

Tract: 9605.

Block: 302, 401

Tract: 9609.

Block: 299C, 321, 322, 323, 324, 343, 344, 345, 346, 347, 348

Tract: 9610.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127A, 127B, 128, 129, 130, 131A, 131B, 132A, 132B, 133, 134, 135, 136, 137, 138, 139, 140A, 140B, 141A, 141B, 141C, 142A, 142B, 143, 144, 145A, 145B, 145C, 146, 147, 148, 149, 150A, 150B, 151A, 151B, 152A, 152B, 152C, 153, 154, 155, 156, 157A, 157B, 158A, 158B, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199B, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 199M

Block Group: 2

POLK

Tract: 9901.

Tract: 9902.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149A, 149B, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9903.

Block: 205, 207, 208, 209A, 209B, 210, 211, 218, 219, 221A, 221B, 221C, 221D, 222A, 222B, 223A, 223B, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234A, 234B, 234C, 234D, 235, 236A, 236B, 237A, 237B, 238, 239A, 239B, 240, 241, 242, 243, 244, 245, 246, 247, 301, 302, 303A, 303B, 304A, 304B

Tract: 9904.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129A, 129B, 130A, 130B, 130C, 131A, 131B, 132, 133, 134A, 134B, 134C, 134D, 134E, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 199A, 199B

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 417, 501

Tract: 9905.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503A, 503B, 503C, 503D, 503E, 504A, 504B, 505, 506A, 506B, 507, 508, 509, 510, 511, 512A, 512B, 513A, 513B, 514, 515A, 515B, 516A, 516B, 517, 518, 519, 522, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 639, 641, 699, 699, 699

Tract: 9906.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 463, 464, 465, 466, 499A, 499B, 499C, 499H, 499J, 499K

Tract: 9907.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 501B, 501C, 501D, 501E, 501F, 502A, 502B, 503A, 503B, 504A, 504B, 505, 506, 507, 508, 509A, 509B, 510A, 510B, 511A, 511B, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522A, 522B, 522C, 523A, 523B, 524A, 524B, 525A, 525B, 525C, 525D, 526A, 526B, 526C, 527, 528A, 528B, 529A, 529B, 530A, 530B, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 599A, 599B, 599C, 599D, 599E, 599F, 599G, 599H, 599J, 599L

District No. 28

FORSYTH

Tract: 1301.

Tract: 1302.

Tract: 1303.

Tract: 1304.

Tract: 1305.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408A, 408B, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 482, 483, 485, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 499A, 499B, 499C

Tract: 1306.

Block: 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 133, 134, 135, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 212, 240, 241, 242

District No. 29

COBB

Tract: 0310.01

Block: 910D, 925A, 926

Tract: 0311.01

Block Group: 2

Block: 301, 304, 305, 306, 307, 308, 309, 310

Tract: 0311.03

Block: 112, 113, 114, 115, 116A, 116B, 117, 119, 120, 121, 128

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0311.05

Block: 103, 104, 105A, 105B, 106, 107A, 107B, 108, 109, 110, 111, 112, 113, 114, 115, 116A, 116B, 116C, 116D, 116E, 116F, 116G, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126A, 126B, 126C, 127, 128A, 128B, 129, 130A, 130B, 130C, 131, 132, 134, 135A, 135B, 135C, 136A, 136B, 136C, 137A, 137B, 138, 139A, 139B, 139C, 199, 199, 602, 603, 604, 605, 606, 607, 608, 609A, 609B, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 621, 622, 623, 627, 699

Tract: 0311.06

Block: 409, 412

Block Group: 5

Tract: 0311.07

Tract: 0311.08

Block: 101, 102B, 102C, 102D, 102E, 102F, 102G, 103A, 103B, 104, 105, 106A, 106B, 107A, 107B, 201A, 201B, 202A, 203, 204A, 204B, 204C, 204D, 205A, 205B, 206, 207, 208, 209A, 210, 211, 212, 213, 214, 215A, 215B, 313A, 314A, 315, 320A, 321A, 401A, 401B, 401C, 402, 405B, 409A, 410, 411A, 411B, 411C, 412

Tract: 0311.09

Block: 101B, 503B

Tract: 0312.02

Block: 319A, 320, 321, 322, 323, 324A, 324B, 325A, 326, 327, 328, 331A, 331B, 399B, 401, 402, 403A, 408A, 413A, 419A, 426, 427, 428, 435A, 436A, 436B, 436C, 437A, 437B, 438A, 438B, 438C, 438D, 438E, 438F, 439A, 439B, 505

Block Group: 6

Tract: 0312.03

Block: 110A, 516A, 517, 518, 519, 520, 521A

Tract: 0312.04

Block: 501A, 501B, 502, 503, 504A, 504B, 504C, 504D, 505, 506A, 506B, 507A, 507B, 508, 513, 514, 515, 516A, 516B, 516C, 516D, 517, 518A, 518B, 519A, 519B, 519C, 520, 521, 528, 529, 530A, 530B, 531A, 531B, 532

Tract: 0313.01

Block: 101B, 155A, 155B, 155C, 156, 210, 214, 215, 216, 217, 218, 233, 234, 235, 901A, 901B, 902, 903, 904, 905A, 905B, 905C, 906, 907, 908, 911, 912, 999

Tract: 0313.02

Block: 401, 404C, 405B, 407, 408A

District No. 30

COBB

Tract: 0303.21

Block Group: 2

Block: 301, 401, 402B, 402C, 404A, 404B, 405A, 405B, 406A, 406B, 407, 408A, 408B, 409, 410, 411, 412, 413

Block Group: 5

Block Group: 6

Block Group: 9

Tract: 0304.01

Block: 919A

Tract: 0304.02

Block: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 216

Block Group: 3

Block Group: 6

Tract: 0304.05

Block Group: 3
 Block: 401B, 401C, 401E, 402A, 402B, 403, 404, 405, 406A, 406B, 407C, 407E, 410
 Block Group: 5
 Block: 601C, 602B. That part of Block 603A lying outside the city limits of
 Marietta, 603C
 Block Group: 7
 Block: 802
 Block Group: 9
 Tract: 0304.06
 Block Group: 6
 Block Group: 7
 Block: 801A, 801B
 Tract: 0311.03
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109A, 109B, 110A, 110B, 110C, 110D,
 110E, 110F, 111, 118, 122
 Tract: 0311.09
 Block: 102, 103, 104A, 104B, 104C, 105A, 105B, 106, 107, 108, 109, 110, 111, 112,
 113, 114, 115A, 115B, 116, 117A, 117B, 118, 119, 120
 Tract: 0312.02
 Block: 301, 302, 303, 305, 309, 310, 399C, 528, 529, 530
 Tract: 0312.03
 Block: 101A, 101B, 102, 103, 104, 105, 106, 107A, 107B, 107C, 108, 109, 110B, 111,
 112, 113, 114, 115, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512,
 513, 514, 515, 516B, 521B, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531,
 532, 533, 534, 599A, 599B
 Tract: 0312.04
 Block Group: 2
 Block: 509, 510, 511, 512, 522, 523, 524, 525, 526, 527

District No. 31

COBB

Tract: 0303.16
 Block: 313, 399, 707, 708
 Block Group: 8
 Block Group: 9
 Tract: 0303.17
 Block: 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626,
 699A, 699B, 699C
 Tract: 0303.18
 Tract: 0303.19
 Tract: 0303.20
 Tract: 0304.01
 Block Group: 1
 Block: 201, 202, 209, 210, 299, 901A, 901B, 902, 903, 904, 905, 906B, 909, 910, 911,
 912, 913, 914, 915, 916, 917, 918, 919B
 Tract: 0304.02
 Block Group: 1
 Block: 201, 212, 213, 214, 215
 Block Group: 9
 Tract: 0304.05
 Block: 407A, 407B, 407D, 407F, 407G, 408, 409
 Tract: 0304.06
 Block: 801C

District No. 32

COBB

Tract: 0302.05

- Block: 918
 Tract: 0302.07
 Block: 104B, 105, 108A, 108B, 109, 113D, 114A, 114B, 115B, 199C
 Tract: 0303.21
 Block: 302A, 302B, 303, 304, 305, 306, 307, 308, 309, 310, 311, 402A, 403A, 403B, 403C, 403D
 Tract: 0304.04
 Tract: 0304.05
 Block Group: 1
 Block Group: 2
 Block: 401A, 401D, 601A, 601B, 602A, That part of Block 603A lying inside the city limits of Marietta, 603B, 801, 803
 Tract: 0304.06
 Block Group: 1
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Tract: 0305.01
 Block: 301A, 306, 307A, 307B, 308A, 308B
 Block Group: 5
 Block: 601A, 601C, 601D, 601E, 602A, 602B, 602C, 602D, 602E, 602F, 602G, 602H, 602J, 602K, 602L, 603, 604A, 604B, 604C, 604D, 604E, 604F, 605A, 605B, 605C, 605D, 606A, 606B, 606C
 Block Group: 7
 Block: 819
 Block Group: 9
 Tract: 0305.02
 Block: 112A, 114A, 114B, 201A, 201B, 201E, 202A, 202B, 202C, 299
 Block Group: 3
 Block Group: 6
 Tract: 0305.03
 Block Group: 1
 Block: 202A, 205A, 205C, 207, 208A, 208B, 209, 210, 211, 212, 213, 214, 215, 216, 302C, 307A, 307B, 307C, 308A, 308B, 309A, 309B, 309C, 309D, 310, 311, 312, 313, 314A, 314B, 315A, 315B, 315C, 316A, 316B, 317, 318A, 318B, 407, 408, 409, 410, 411A, 411B, 411C, 411D, 412A, 412B, 413A, 413B, 414, 415, 416, 417, 418, 419A, 419B, 419C, 502A
 Block Group: 6
 Tract: 0306.
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block: 901A, 901B, 901C, 901D, 902A, 902B, 902C, 902D, 902E, 903, 917A, 917B, 917C, 917D, 917E, 919
 Tract: 0307.
 Tract: 0308.
 Tract: 0309.02
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123B, 124, 202B, 203B, 206B, 206C, 207B, 401, 501, 502, 503, 504, 507, 508, 509, 510
 Block Group: 6
 Tract: 0310.01
 Block: 901, 902, 903, 904, 905, 906, 907A, 907B, 908A, 908B, 909A, 909B, 910A, 910B, 910C, 910E, 910F, 910G, 910H, 910J, 910K, 910L, 910M, 910N, 910P,

911, 912, 913, 914, 915A, 915B, 915C, 915D, 916, 917, 918, 919A, 919B, 920,
921, 922, 923, 924A, 924B, 924C, 925B, 925C, 999

Tract: 0311.08

Block: 102A, 102H, 102J, 202B, 209B, 301, 302, 303B, 305, 306, 307, 309, 310B,
311, 312, 313B, 313C, 314B, 316, 317, 318, 320B, 321B, 322, 399, 401D,
401E, 403, 404A, 404B, 405A, 405C, 406, 407, 408, 409B, 411D

Tract: 0311.09

Block: 101A, 101C, 501, 502, 503A, 504, 505

District No. 33

COBB

Tract: 0311.06

Block: 401, 402, 403, 404, 405, 406, 407, 408, 410, 411, 413, 414, 415, 416, 417, 418,
419, 499, 499

Tract: 0313.01

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115,
116, 117, 118, 119, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213,
219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 231, 299

Block Group: 3

Block Group: 4

Block: 913

Tract: 0313.02

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 117, 199B, 202, 203, 204,
205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
221, 222, 224

Block Group: 3

Tract: 0313.04

Tract: 0313.05

Tract: 0314.03

Block: 106, 107, 108, 109, 110, 111, 112, 113, 114

Tract: 0314.04

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0314.98

Block: 316, 317, 318

Block Group: 4

Block: 508, 510, 511, 513, 517

Tract: 0316.97

District No. 34

COBB

Tract: 0302.03

Block Group: 1

Block Group: 2

Block: 301, 302, 304, 305, 306, 307

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0302.04

Block: 109, 110, 111, 112, 307, 319, 526E, 533, 534A, 534B, 534C, 534D, 535B, 599

Tract: 0302.05

Block: 601, 602, 605, 606, 607, 608, 699C

Block Group: 7

Block Group: 8

Block: 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912A, 912B, 913A, 913B, 913C, 913D, 914A, 914B, 915A, 915B, 916A, 916B, 917A, 917B, 999
 Tract: 0302.06
 Block: ~~236, 239, 240, 242~~, 701, 702, 703, 707, 708, 709, 710, 799
 Tract: 0302.07
 Block: 101A, 101B, 101C, 101D, 101E, 102, 103A, 103B, 103C, 103D, 104A, 106, 107, 110, 111, 112, 113A, 113B, 113C, 113E, 115A, 115C, 115D, 199A, 199B, 199D, 199E, 199F
 Block Group: 2
 Block: 601, 602, 603, 608, 609, 611, 612
 Block Group: 7
 Block: 801A, 801B, 801C, 802A, 802B, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 824, 825, 826, 899A, 899B, 899C, 901, 902, 903, 904, 905, 917, 918, 919, 920, 921, 999C
 Tract: 0306.
 Block: 904, 905
 Tract: 0309.01
 Block: 101B
 Block Group: 3
 Block: 401C, 501B, 502, 503, 601E, 601L, 601M, 603B, 604B, 699B, 701B, 701D
 Tract: 0309.03
 Block: 401B, 401C, 403, 404, 405, 406, 407, 501B, 501C, 501D, 502, 503, 504, 505, 506, 507
 Block Group: 6
 Tract: 0310.02
 Block: 211, 212, 224C, 225B, 226, 227, 228
 Tract: 0315.02
 Block Group: 1

District No. 35

COBB

Tract: 0302.07
 Block: 823A, 823B
 Tract: 0309.01
 Block: 101A
 Block Group: 2
 Block: 401A, 401B, 402, 403, 501A, 601A, 601B, 601C, 601D, 601F, 601G, 601H, 601J, 601K, 602, 603A, 604A, 699A, 701A, 701C, 702, 703A, 703B
 Tract: 0309.02
 Block: 123A, 201, 202A, 203A, 204, 205, 206A, 207A, 208, 209, 210, 211, 212, 213
 Block Group: 3
 Block: 402A, 402B, 402C, 402D, 403, 404, 405, 406, 407, 408, 409, 410, 411, 505, 506
 Block Group: 7
 Tract: 0309.03
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401A, 401D, 402, 501A
 Block Group: 7
 Block Group: 8
 Tract: 0310.01
 Block Group: 1
 Block Group: 2
 Tract: 0310.02
 Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209A, 209B, 210A, 210B, 210C, 213A, 213B, 213C, 213D, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224A, 224B, 225A

Tract: 0310.03

Tract: 0311.01

Block Group: 1

Block: 302, 303, 311, 312, 313, 314, 315

Tract: 0311.05

Block: 101, 102, 601, 620, 624, 625, 699

Tract: 0311.08

Block: 303A, 304, 308, 310A, 319

District No. 36

COBB

Tract: 0302.03

Block: 303, 308, 309, 310, 311, 312, 313, 314, 315, 399, 399, 399

Block Group: 4

Block Group: 5

Tract: 0314.03

Block: 101, 102, 103, 104, 105

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0314.04

Block Group: 1

Block Group: 6

Tract: 0314.98

Block Group: 1

Block Group: 2

Block: 301A, 301B, 301C, 302, 303A, 303B, 303C, 304A, 304B, 304C, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 319, 320, 321, 322, 399, 501, 502, 503, 504, 505, 506A, 506B, 506C, 507, 509, 512, 514, 515A, 515B, 515C, 515D, 515E, 516, 518, 519, 520A, 520B, 521, 522A, 522B, 523A, 523B, 523C, 523D, 523E, 524, 525, 526, 527, 528A, 528B, 528C, 529A, 529B

Block Group: 6

Block Group: 7

Tract: 0315.01

Tract: 0315.02

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Block Group: 9

District No. 37

COBB

Tract: 0303.15

Tract: 0303.16

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 314, 315

Block Group: 4

Block Group: 5
 Block Group: 6
 Block: 701, 702, 703, 704, 705, 706, 709, 710, 711, 712, 799, 799, 799, 799
 Tract: 0303.17
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 699D
 Block Group: 7
 Tract: 0304.01
 Block: 203, 204, 205, 206, 207, 208, 906A, 907A, 907B, 908, 920A, 920B, 920C, 920D, 920E
 Tract: 0305.03
 Block: 201, 202B, 203, 204, 205B, 206, 401, 402A, 402B, 403, 404, 405, 406A, 406B, 499, 499, 501A, 501B, 502B, 502C, 503A, 503B, 503C, 504, 505, 506, 507, 508

District No. 38

COBB

Tract: 0301.98
 Tract: 0302.04
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 199A, 199B, 199C, 199D
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 308, 309, 310, 311, 312, 313A, 313B, 313C, 314A, 314B, 315, 316, 317, 318
 Block Group: 4
 Block: 501A, 501B, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513A, 513B, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526A, 526B, 526C, 526D, 527A, 527B, 527C, 528A, 528B, 529, 530A, 530B, 531A, 531B, 532, 535A
 Tract: 0302.05
 Block: 603A, 603B, 604, 609A, 609B, 610, 611, 612A, 612B, 613, 614, 615, 616, 617, 618, 619A, 619B, 620A, 620B, 621, 622, 623, 699A, 699B
 Tract: 0302.06
 Block Group: 1
 Block: 201A, 201B, 201C, 201D, 202, 203, 204, 205, 206, 207A, 207B, 207C, 207D, 208, 209, 210, 211A, 211B, 211C, 211D, 211E, 212, 213, 214A, 214B, 214C, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231A, 231B, 232, 233A, 233B, 234A, 234B, 235, 237A, 237B, 238, 241
 Block Group: 3
 Block Group: 6
 Block: 704, 705, 706
 Tract: 0302.07
 Block Group: 5
 Block: 604, 605, 606, 607, 610, 906, 907, 908, 909, 910, 911,
 Block: 912, 913, 914, 915, 916, 999A, 999B
 Tract: 0316.98

District No. 39

COBB

Tract: 0303.02
 Tract: 0303.07
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 299
 Block Group: 3

Tract: 0303.09
 Tract: 0303.10
 Block Group: 1
 Block Group: 8
 Tract: 0303.11
 Block: 101, 102, 103, 104, 110, 111, 112, 113, 114, 199B
 Block Group: 8
 Block Group: 9
 Tract: 0303.14
 Block Group: 3

District No. 40

COBB

Tract: 0303.07
 Block: 209, 210, 211, 212, 213, 214, 215, 216, 217
 Tract: 0303.10
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 7
 Tract: 0303.11
 Block: 105, 106, 107, 108, 109, 199A
 Block Group: 3
 Block Group: 4
 Tract: 0303.12
 Tract: 0303.13
 Tract: 0303.14
 Block Group: 1
 Block Group: 2
 Tract: 0305.01
 Block Group: 1
 Block Group: 2
 Block: 301B, 302, 303, 304, 305, 309, 310, 311
 Block Group: 4
 Block: 601B, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814,
 815, 816, 817, 818
 Tract: 0305.02
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112B, 112C, 113, 114C,
 115, 116, 199, 201C, 201D, 203, 204, 205, 206, 207
 Block Group: 4
 Tract: 0305.03
 Block: 301, 302A, 302B, 302D, 303, 304, 305, 306, 399

District No. 41

FULTON

Tract: 0114.03
 Block: 101B
 Tract: 0114.04
 Block: 501A, 601, 602A, 602B, 604, 702A
 Tract: 0114.08
 Block Group: 8
 Tract: 0114.09
 Block Group: 1
 Block Group: 4
 Tract: 0115.
 Block Group: 3
 Block Group: 4

Block: 501, 502, 503C, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515B, 515C, 516C, 516D, 599B, 599C, 601, 602, 603, 604, 605C, 605D, 652C, 654, 699D, 699E, 701B

Block Group: 9

Tract: 0116.01

Block: 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 102A, 102B, 103A, 103B, 104A, 104B, 105A, 105B, 106, 107, 108A, 108B, 108C, 108D, 108E, 108F, 108G, 109A, 109B, 110A, 110B, 110C, 110D, 110H, 110J, 111, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610A, 610C, 610D, 610E, 611A, 611C, 612A, 612B, 613A, 614A, 615A, 615G, 616A, 616D, 617, 618A, 618B, 618C, 618D, 619, 620A, 620B, 620D, 620E, 620F, 621A, 622, 623, 624, 625, 626, 699

Tract: 0116.02

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block: 702, 703, 709A, 709B, 901A, 901B, 901C, 902A, 902B, 903A, 903B, 904, 905, 906, 907A, 907B, 907C, 907D, 908, 909, 910A, 910B, 911A, 911B, 912A, 912B, 913A, 913B, 913C, 913D, 913E, 914A, 914B, 914C, 915, 916A, 916B, 917

Tract: 0116.03

District No. 42

FULTON

Tract: 0114.03

Block: 101A, 102, 103, 104

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Tract: 0114.04

Block Group: 3

Block Group: 4

Block: 501B, 599, 602E, 608, 609, 610, 701, 702B

Tract: 0114.05

Tract: 0114.06

Block Group: 1

Block: 201A, 299A, 299B, 299C

Block Group: 3

Block Group: 4

Block Group: 8

Block: 901, 902, 903, 904, 906, 907, 908, 909

Tract: 0114.07

Tract: 0114.11

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 115, 116, 117A, 119, 120, 199A, 199B, 199C, 199E

Block Group: 2

Block: 301, 302A, 401A, 402A, 501A

Block Group: 6

Tract: 0115.

Block: 503A, 503B, 504, 505A, 505B, 515A, 516A, 516B, 517, 518, 599A, 605A, 605B, 605E, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645A, 645B, 646, 647, 648, 649, 650, 651, 652A, 652B, 653, 699A, 699B, 699C, 701A, 702, 703, 704, 705, 706, 707, 708, 709A, 709B, 709C, 710, 711, 712, 713, 799

Tract: 0116.01

Block: 110E, 110F, 110G, 610B, 611B, 613B, 614B, 615B, 615C, 615D, 615E, 615F, 616B, 616C, 616E, 620C

District No. 43

FULTON

Tract: 0101.03

Block: 701, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 804, 813, 814

Tract: 0101.05

Tract: 0102.03

Tract: 0102.04

Tract: 0102.05

Tract: 0114.06

Block: 201B, 202, 299D, 299E, 299F, 299G, 905, 999

District No. 44

FULTON

Tract: 0101.03

Block: 801

Tract: 0101.06

Tract: 0101.07

Tract: 0101.08

Tract: 0114.04

Block Group: 2

Block: 602C, 602D, 602F, 603, 605, 606, 607

Tract: 0114.08

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0114.09

Block Group: 2

Block Group: 3

Block Group: 5

Block Group: 6

Block Group: 7

Tract: 0114.10

Tract: 0114.11

Block: 114B, 117B, 118, 199D, 302B, 401B, 401C, 401D, 402B, 501B, 501C

Tract: 0116.01

Block: 621B

Block Group: 7

Tract: 0116.02

Block: 701, 704A, 704B, 704C, 705A, 705B, 705C, 706, 707A, 707B, 708A, 708B, 708C, 709C, 709D, 710, 918A, 918B, 918C, 918D, 918E

District No. 45

FULTON

Tract: 0097.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 313, 314, 315, 316, 399,
399

Tract: 0098.

Tract: 0099.

Tract: 0101.01

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 121, 122,
123, 124, 125, 199

Block Group: 2

Tract: 0101.03

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block: 702, 715, 716, 802, 803, 805, 806, 807, 808, 809, 810, 811, 812, 815, 816, 817,
818, 819, 820, 821, 822

Tract: 0102.01

District No. 46

FULTON

Tract: 0004.

Block: 102, 103, 104, 105, 106

Block Group: 2

Block Group: 3

Tract: 0005.

Block Group: 1

Block: 202, 203, 204, 205, 206, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218,
219

Block Group: 3

Tract: 0090.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305A, 306, 307, 308, 309, 310, 311, 312, 313, 315, 316

Tract: 0091.

Block: 101, 104, 105, 106, 107, 108, 109

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0095.

Tract: 0096.

Block Group: 1

Block Group: 2

Block: 301, 302, 304, 305, 306, 307, 308, 309, 310, 311

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0100.

Tract: 0101.01

Block: 115, 116, 117, 118, 119, 120A, 120B, 126

District No. 47

FULTON

Tract: 0001.
 Tract: 0002.
 Tract: 0004. libtool.com.cn
 Block: 101, 199
 Tract: 0005.
 Block: 201, 207
 Tract: 0011.
 Tract: 0012.
 Tract: 0013.
 Tract: 0014.
 Tract: 0015.
 Tract: 0091.
 Block: 102, 103
 Tract: 0092.
 Tract: 0093.
 Tract: 0094.01
 Tract: 0094.02
 Tract: 0096.
 Block: 303

District No. 48

FULTON

Tract: 0010.95
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Tract: 0019.
 Tract: 0020.
 Tract: 0021.
 Tract: 0022.
 Block: 102, 103, 104, 110, 111, 206, 208, 209
 Block Group: 3
 Block: 401, 402, 403, 404A, 405, 406
 Tract: 0027.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134,
 135, 136, 137, 139
 Block Group: 2
 Tract: 0035.
 Block: 107, 114, 119, 122, 123, 124, 125, 127, 128, 129, 130, 131A, 132, 133, 134,
 135, 136, 137, 138, 139, 140, 141, 142
 Block Group: 2
 Tract: 0043.
 Block Group: 1
 Block: 202, 203
 Tract: 0044.
 Tract: 0046.95
 Tract: 0049.95
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 601, 609, 613
 Tract: 0053.
 Block: 401
 Tract: 0055.01

Tract: 0055.02
 Tract: 0056.
 Tract: 0057.
 Tract: 0058.
 Tract: 0063.
 Tract: 0065.

District No. 49

FULTON

Tract: 0006.
 Tract: 0007.
 Tract: 0008.
 Tract: 0010.95
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Tract: 0022.
 Block: 101, 105, 106, 107, 108, 109, 201, 202, 203, 204, 205, 207, 404B
 Block Group: 5
 Tract: 0023.
 Tract: 0024.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207
 Block Group: 3
 Tract: 0025.
 Tract: 0026.
 Tract: 0036.
 Tract: 0037.
 Tract: 0038.
 Tract: 0039.
 Tract: 0040.
 Block: 201, 203, 204, 205, 206, 207, 209, 210, 211, 212, 215
 Tract: 0041.
 Tract: 0042.95
 Tract: 0043.
 Block: 201, 204, 205, 206
 Block Group: 3
 Tract: 0060.
 Block Group: 1
 Block Group: 2
 Block: 301, 302
 Tract: 0062.
 Block Group: 1
 Block: 201
 Tract: 0088.
 Block: 127, 128
 Tract: 0089.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 215, 216, 299B, 401,
 402, 403, 404, 408

District No. 50

FULTON

Tract: 0024.
 Block: 208
 Block Group: 4
 Block Group: 5

Tract: 0040.
 Block Group: 1
 Block: 202, 208, 214
 Block Group: 3
 Block Group: 4
 Tract: 0081.02
 Block Group: 1
 Block: 205, 206, 225, 226
 Tract: 0082.01
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 210, 213, 214, 216, 217, 218, 220, 225,
 226, 227, 231, 233
 Tract: 0083.01
 Tract: 0083.02
 Tract: 0084.
 Tract: 0085.
 Tract: 0086.01
 Block: 302, 303, 304, 305, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414
 Block Group: 5
 Tract: 0087.01
 Block: 101, 114
 Block Group: 3
 Tract: 0088.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 201, 202, 203, 204, 205, 206,
 207, 208, 209, 210, 216, 299
 Tract: 0089.
 Block: 212, 213, 214, 217, 218, 299A
 Block Group: 3
 Block: 405, 406, 407, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422
 Block Group: 5
 Block Group: 6
 Tract: 0090.
 Block: 305B
 Tract: 0097.
 Block: 311

District No. 51

COBB

Tract: 0312.02
 Block: 304, 306, 307, 308, 311, 312, 313, 314, 315, 316, 317, 318, 319B, 325B, 329,
 330, 335, 338, 341, 399A, 403B, 404, 405, 406, 407, 408B, 409, 410, 411, 412,
 413B, 414, 415, 416, 417, 418, 419B, 424, 434, 435B, 441, 442, 501, 502, 503,
 504, 506, 507, 508, 509, 510, 511, 513, 514, 526, 527
 Tract: 0313.02
 Block: 110, 112, 113, 114, 115, 116, 118, 199A, 201, 402, 403, 404A, 404B, 405A,
 406, 408B, 409, 410, 411, 499
 Block Group: 5
 Block Group: 9

FULTON

Tract: 0078.04
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 115, 118, 119, 120, 121,
 122, 123, 124, 125, 126, 129, 137
 Tract: 0081.02
 Block: 201, 202, 203, 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 220, 221,
 222, 223, 224, 227
 Tract: 0082.01
 Block Group: 1

Block: 209, 211, 212, 215, 219, 221, 222, 223, 224, 228, 229, 232
 Tract: 0082.02
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401A, 402A, 402B, 403A, 404, 499A
 Tract: 0086.01
 Block Group: 1
 Block Group: 2
 Block: 301, 306, 307, 308, 309, 310, 311, 312, 313, 402, 403, 415, 416
 Tract: 0086.02
 Tract: 0087.01
 Block: 102, 103, 104, 105, 106, 107, 108, 109, 111, 112
 Tract: 0087.02
 Tract: 0088.
 Block: 211, 212, 213, 214
 Block Group: 3
 Block Group: 4

District No. 52

FULTON

Tract: 0077.01
 Block: 501B, 502, 503B, 504B, 508
 Tract: 0078.02
 Block: 101A, 101B, 102A, 102B, 103, 104, 105, 106A, 106B, 107A, 107B, 108, 109,
 110, 114, 115, 116, 117B, 118A, 118B, 118C, 118D, 119A, 119B, 119C, 120,
 121, 122, 123, 124B, 125, 126, 127, 128, 129B, 199A, 199B, 199C, 199D,
 199E, 199F
 Block Group: 2
 Block Group: 3
 Tract: 0078.03
 Tract: 0078.04
 Block: 111, 113, 114, 116, 117, 127, 128, 131, 132, 133, 134, 135, 141, 142, 143
 Tract: 0079.
 Block: 101, 102, 106, 109, 110, 111, 112, 113, 114, 115, 203, 205, 207, 208, 209, 210,
 211, 213, 214, 215, 216, 217, 299
 Block Group: 3
 Tract: 0082.02
 Block: 401B, 402C, 403B, 499B
 Tract: 0103.01
 Block Group: 6
 Block Group: 7
 Block: 801, 802, 803, 804, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 829, 830,
 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 899, 899, 899, 899
 Tract: 0103.02
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416,
 499A, 499B, 507, 508, 509, 510,
 Block: 511, 512, 513, 518, 519, 520, 521, 522, 599E, 599F, 599G
 Tract: 0104.
 Block: 301, 302, 303, 304, 399, 399
 Tract: 0105.05
 Block: 405A, 405B, 406, 501, 502, 503B, 504B, 505B, 505C, 514B, 601A, 601C,
 601D, 602B, 602C, 603B, 618B
 Tract: 0105.06

Block: 104, 105, 106, 107, 108, 110, 111, 112, 113, 199, 201, 202A, 202B, 202C, 202D, 202E, 203A, 203B, 203C, 203D, 204A, 204B, 205, 206, 207B, 299A, 299B, 299C, 299D, 299E, 299F

Block Group: 3

Block: 401, 402, 403C, 405, 406C, 406D, 406E, 406F, 410, 418, 421, 422, 423, 424, 425, 426, 427, 428, 431, 432, 433, 499, 499, 499, 499, 703A, 703B, 703C, 704, 705, 706, 707A, 707B, 707C, 708, 709, 710B, 711B, 714A, 714B, 715, 716C, 716D, 716E, 716F, 716G, 717, 718A, 718B, 718C, 718D, 719A, 719B, 731, 732, 738, 739, 740A, 740B, 741, 799A, 799B, 799D, 799E

District No. 53

FULTON

Tract: 0076.01

Block: 202, 204, 205, 207, 209, 210, 212, 213, 214

Tract: 0076.02

Block: 204, 205, 206, 207, 208

Block Group: 3

Tract: 0077.01

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 503A, 504A, 505, 506, 507, 599

Tract: 0077.02

Tract: 0078.02

Block: 117A, 124A, 129A

Tract: 0080.

Block: 401, 402, 404B, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506B, 507, 508, 509

Tract: 0103.02

Block: 417, 418, 499C, 501A, 501B, 501C, 501D, 501E, 501F, 501G, 502, 503, 504, 505, 506, 514, 515, 516, 517A, 517B, 599A, 599B, 599C, 599D

Tract: 0105.03

Block: 901B, 903, 904B, 904C, 904D

Tract: 0105.05

Block Group: 1

Block Group: 9

Tract: 0105.06

Block: 101, 102, 103, 109, 199, 199

Tract: 0106.02

Block: 311B, 312B, 313, 314B, 315C, 324B

Tract: 0113.01

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 415, 416, 504, 505, 506, 507, 508, 510, 511

Block Group: 6

Tract: 0113.02

Block: 101, 102, 103, 104, 105, 112, 113, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 311B, 312, 314, 315, 316A, 316B, 317, 399, 401, 402, 403, 404, 405, 408A, 408B, 414, 415, 416, 418, 419, 420, 422, 424, 425, 426, 427, 428A, 428B, 429A, 429B, 430, 431A, 431B, 432A, 432B, 434, 435, 436, 437, 438, 499, 509, 510

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FULTON

Tract: 0060.

Block: 303, 304, 305, 306, 307, 308, 309, 310, 311
Block Group: 4
Tract: 0061.
Tract: 0062.
Block: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211
Block Group: 3
Tract: 0066.01
Tract: 0066.02
Tract: 0074.
Block Group: 2
Tract: 0075.
Block: 101, 102, 103, 104, 105, 106, 111
Block Group: 2
Block Group: 3
Block Group: 4
Block Group: 5
Tract: 0076.01
Block Group: 1
Block: 201, 211
Block Group: 9
Tract: 0076.02
Block Group: 1
Block: 201, 202, 203
Tract: 0079.
Block: 103, 104, 105, 107, 108, 116, 201, 202, 212
Tract: 0080.
Block Group: 1
Block Group: 2
Block Group: 3
Block: 403, 404A, 506A, 510
Block Group: 6
Tract: 0081.01
Tract: 0107.
Block Group: 1
Block: 201, 202, 203, 204, 205, 206, 207, 208, 209A, 210, 211, 212, 213, 214, 215,
216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 229, 230
Block Group: 3
Block: 401, 402A, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415,
416
Tract: 0108.
Block Group: 5
Block: 601B, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612A, 612B, 613, 614,
615, 616A, 616B, 616C, 617, 618, 619A, 619B, 620B, 621, 622B, 624, 626,
627, 628A, 628B, 629, 630, 631, 632, 633, 634, 701, 702, 703, 704, 705, 706,
707, 708, 709, 710, 711, 712, 713, 714, 715C, 716B, 717, 718, 719, 720, 721,
722
Block Group: 8
Tract: 0110.
Block: 114B
Tract: 0111.
Block Group: 1
Block Group: 2
Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 315, 316, 317, 318, 319, 320, 321,
401, 402, 404, 405, 407, 410A
Tract: 0112.01
Block: 108B
Block Group: 2

Block: 303, 304, 305, 306, 307, 309

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Tract: 0105.03

Block: 101A, 108A, 199, 311A, 901A, 902, 904A, 905A, 906A, 906B, 999

Tract: 0106.01

Tract: 0106.02

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 312A, 314A, 315A, 315B, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 325, 326, 327, 328, 329, 399

Block Group: 4

Tract: 0107.

Block: 209B, 402B

Tract: 0108.

Block: 601A, 620A, 622A, 623, 625, 715A, 715B, 716A

Tract: 0109.

Tract: 0110.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0111.

Block: 310, 311, 312A, 312B, 314, 403, 406, 408, 409, 410B, 411, 412, 413, 414, 415, 416, 417, 418, 420, 421

Tract: 0112.01

Block: 101, 102, 103, 104, 105, 106, 107, 108A, 109, 110, 112, 118, 119, 301, 302, 311, 312, 313, 314, 315, 316

Block Group: 4

Tract: 0112.02

Tract: 0113.01

Block: 406, 407, 409, 412, 417, 418, 419, 420, 499, 501, 502, 503, 599

Tract: 0113.02

Block: 106A, 106B, 106C, 106D, 106E, 107, 108, 109, 110, 111, 114, 115, 116, 119, 120

Block Group: 2

Block: 313A, 313B, 406, 407, 409, 410, 411, 412, 413, 417, 501, 502, 503, 504, 505, 506, 507, 508, 511, 512, 514, 517, 519, 520, 521, 522, 523, 524, 525, 528

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FULTON

Tract: 0016.

Tract: 0017.

Tract: 0018.

Tract: 0027.

Block: 118

Tract: 0028.

Tract: 0029.

Tract: 0030.

Tract: 0031.

Tract: 0032.

Tract: 0033.

Tract: 0035.

Block: 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 115, 116, 117, 118,
120, 121, 126, 131B
Tract: 0048.
Tract: 0049.95
Block Group: 4
Block Group: 5
Block: 602, 603, 604, 605, 606, 607, 608, 610, 611, 612
Tract: 0050.
Tract: 0052.
Tract: 0053.
Block Group: 1
Block Group: 2
Block Group: 3
Block: 402, 403, 404, 405, 406, 407, 408, 409, 410, 411
Block Group: 5
Tract: 0064.
Tract: 0067.
Block Group: 1
Block: 401, 402, 403, 404, 406, 407, 408, 409A
Tract: 0068.01
Tract: 0069.
Tract: 0070.
Block: 104, 105

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FULTON

Tract: 0067.
Block Group: 2
Block Group: 3
Block: 405, 409B, 410
Block Group: 5
Block Group: 6
Block Group: 7
Tract: 0068.02
Tract: 0070.
Block: 101, 102, 103, 106, 109
Block Group: 2
Block Group: 3
Block Group: 4
Block Group: 5
Block Group: 6
Block Group: 7
Tract: 0071.
Tract: 0072.
Tract: 0073.
Tract: 0074.
Block Group: 1
Tract: 0075.
Block: 107, 108, 109, 110, 112, 113
Tract: 0108.
Block Group: 1
Block Group: 2
Block Group: 3
Block Group: 4

District No. 58

FULTON

Tract: 0103.01

Block: 805, 806, 807, 808, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 899, 899, 899, 899

Tract: 0104. libtool.com.cn

Block Group: 1

Block Group: 2

Block: 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 399

Block Group: 4

Block Group: 5

Tract: 0105.03

Block: 101B, 102, 103, 104, 105, 106, 108B, 108C, 108D, 109, 110, 114, 115, 116, 117, 118, 120, 121, 122, 123

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311B, 312, 313, 314, 315, 399, 399, 905B, 905C, 906C

Tract: 0105.04

Tract: 0105.05

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 407, 408, 503A, 504A, 505A, 506, 507, 508, 509, 510, 511, 512, 513, 514A, 601B, 602A, 603A, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618A, 619, 620, 621, 622, 623, 624, 625A, 625B, 626, 627, 628, 699, 699

Tract: 0105.06

Block: 207A, 403A, 403B, 403D, 404, 406A, 406B, 407, 408, 409, 411, 412, 413, 414, 415, 416, 417, 419, 420, 429, 430, 434, 435, 436A, 436B, 437, 438, 439A, 439B, 439C, 440, 441, 442A, 442B, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457A, 457B, 457C, 458

Block Group: 6

Block: 701, 702, 710A, 711A, 712, 713, 716A, 716B, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 733, 734, 735, 736, 737, 742, 743, 744, 745, 746, 747, 748, 799C

Block Group: 8

Block Group: 9

District No. 59

DEKALB

Tract: 0212.05

Block Group: 1

Block: 201, 204, 506, 507, 508, 509

Tract: 0212.10

Tract: 0212.11

Tract: 0212.12

Block: 201, 202, 203, 212, 213, 214, 215, 216, 217, 220, 221

Tract: 0213.03

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 202, 203A, 203B, 206A, 206B, 207A, 221, 222, 223

Tract: 0213.04

Block: 101B, 101C, 114, 115, 117A, 117B, 117C, 203, 204, 301, 302,

Block: 303, 304, 305, 306, 307B, 308, 309, 310, 311, 312, 313, 314C, 399, 399, 399,

Tract: 0217.02

Block Group: 1

Block Group: 4

Tract: 0218.08

Tract: 0218.98

District No. 60

DEKALB

Tract: 0211.

Tract: 0212.02

Tract: 0212.05

Block: 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505, 510

Tract: 0212.07

Tract: 0212.08

Block Group: 1

Block Group: 2

Block: 301, 302A, 302B, 303A, 303B, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315A, 316, 317, 318

Tract: 0212.09

Tract: 0212.12

Block: 204, 205, 206, 207, 208, 209, 210, 211, 218, 219, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233

Tract: 0213.01

Block: 101B, 102, 103, 104, 105A, 105B, 106, 123, 124

Tract: 0213.04

Block: 105C, 106B, 228B, 229, 230, 232, 233B

District No. 61

DEKALB

Tract: 0214.01

Tract: 0214.02

Tract: 0214.03

Block: 108, 109, 117B, 118B, 120B, 121B, 122, 123

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307B, 308B, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334

Tract: 0215.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 120, 121, 122, 123, 124, 125, 126, 131, 199

Block Group: 2

Tract: 0216.01

Block: 301, 302, 303, 304, 310, 312, 313, 314, 315, 317, 318, 319, 320, 399

Block Group: 4

Tract: 0216.03

District No. 62

DEKALB

Tract: 0212.04

Tract: 0212.08

Block: 315B

Tract: 0213.01

Block: 101A, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 125

Tract: 0213.02

Tract: 0213.03

Block: 101B, 109, 110, 111, 112, 113A, 113B, 114, 201A, 201B, 204, 205, 206C, 207B, 208, 209, 210, 211, 212A, 212B, 213, 214, 215, 216, 217, 218, 219, 220A, 220B, 224

Tract: 0213.04

Block: 101A, 102, 103, 104, 105A, 105B, 106A, 107, 108, 109, 110, 111, 120, 122, 201, 202, 205, 206, 207, 209, 212, 213, 214, 217, 218, 219, 220, 221, 225, 228A, 233A, 307A, 314A, 314B

Tract: 0214.03

Block: 101, 102, 103, 104, 105, 106, 107, 110, 111, 112, 113, 114, 115, 116, 117A, 118A, 119, 120A, 121A, 307A, 308A

Tract: 0214.04

Tract: 0216.01

Block Group: 1

Block Group: 2

Block: 305, 306, 307, 308, 309, 311, 316

Tract: 0217.02

Block Group: 2

Block Group: 3

Block Group: 5

Block Group: 6

Block Group: 7

Tract: 0217.03

Block: 420

District No. 63

DEKALB

Tract: 0215.

Block: 113

Tract: 0216.02

Tract: 0217.03

Block Group: 1

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 421, 422, 423, 424, 425, 426, 499, 499

Tract: 0217.04

Tract: 0218.05

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 230, 231, 232, 233, 234

Tract: 0218.06

Block: 104, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 132, 133, 134, 135, 136, 306, 307

Tract: 0218.09

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 5

Tract: 0218.10

Tract: 0220.01

Block Group: 1

Block: 401, 402, 405, 408, 409, 410, 411, 412, 413, 414, 415A, 415B, 416, 417, 421, 422, 423, 425

Tract: 0223.01

Block Group: 1

Block: 201, 202, 203, 204, 208, 209, 210, 211, 212, 406, 407, 408, 409, 410, 411, 501, 502A, 503, 504, 505

Tract: 0223.02

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 314

District No. 64

DEKALB

Tract: 0218.05
 Block: 210, 229
 Block Group: 4
 Tract: 0218.06
 Block: 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 129, 130, 131, 137, 138, 139, 199, 301, 302, 303, 304, 305, 308, 399
 Tract: 0218.09
 Block Group: 4
 Tract: 0219.02
 Tract: 0219.03
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119C, 120B, 121, 122, 139B, 142, 143, 144, 149, 150, 199, 199, 199, 199, 199, 201C, 206B, 208B, 208C, 209B, 211B, 213B, 214B, 215B, 220, 229B, 229C, 232B, 247, 325C, 325D, 327B, 328B, 329B, 334, 335, 336B, 337B, 338, 339B, 339C, 339D, 339E, 340B, 340C, 341B, 341C, 344, 345, 346, 347, 348
 Tract: 0219.04
 Tract: 0219.05
 Block Group: 1
 Tract: 0220.04
 Block Group: 1
 Block: 201, 202A
 Tract: 0233.05
 Tract: 0233.06
 Block Group: 3
 Block: 402, 407, 408

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DEKALB

Tract: 0219.03
 Block: 118, 119A, 119B, 120A, 139A, 201A, 201B, 202, 203, 204, 205, 206A, 207, 208A, 209A, 210, 211A, 212, 213A, 214A, 215A, 216, 217, 218, 219, 221, 222, 223, 224, 225, 226, 227, 228, 229A, 232A, 234, 235, 238, 239, 240, 241, 242, 243, 246, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325B, 326, 327A, 328A, 329A, 330, 331, 332, 333, 336A, 337A, 339A, 339F, 340A, 341A, 342A, 342B, 343A, 343B, 349A, 349B, 351, 353
 Tract: 0219.05
 Block Group: 2
 Block Group: 4
 Block Group: 5
 Block Group: 9
 Tract: 0220.02
 Block: 201C, 405B, 406, 407, 408, 409, 410B, 411B, 412B
 Tract: 0220.04
 Block: 202B, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 299
 Tract: 0220.05
 Block: 301, 302
 Block Group: 4
 Tract: 0232.04
 Tract: 0232.05
 Tract: 0233.06
 Block: 401, 403, 404, 405, 406, 499, 499

District No. 66

DEKALB

Tract: 0220.01
 Block: 403, 404, 406, 407, 418, 419, 420, 424, 426, 427, 428, 429, 430, 431, 432

Tract: 0220.02
~~Block: 201A, 201B, 202,~~ 203, 204, 205, 206, 207, 208A, 208B, 208C, 209, 210, 211,
 212, 213, 214A, 214B, 214C, 214D, 214E, 215, 216, 217, 218, 219, 220, 221A,
 221B, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 233, 234,
 235, 236, 240

Block Group: 3
 Block: 401A, 401B, 402, 403A, 403B, 404, 405A, 410A, 411A, 412A, 413, 414, 415,
 416, 417, 418, 419, 426, 499A, 499B

Tract: 0220.05
 Block: 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318,
 319, 320

Tract: 0221.
 Tract: 0222.
 Block Group: 1
 Block Group: 2
 Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516,
 517, 601

Tract: 0223.02
 Block: 310

Tract: 0231.05
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 403, 404, 405B, 406, 407, 408, 411, 412
 Block Group: 5

Tract: 0231.06
 Block: 101, 102, 103, 104
 Block Group: 4
 Block Group: 6

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DEKALB

Tract: 0201.
 Tract: 0202.
 Tract: 0203.
 Tract: 0204.
 Tract: 0206.
 Block: 101

Tract: 0207.
 Block: 214A

Tract: 0215.
 Block: 114, 115, 116, 117, 118, 119, 127, 128, 129, 130, 132, 133

Tract: 0222.
 Block Group: 3
 Block Group: 4
 Block: 518, 602, 603, 604, 605, 606, 607, 608, 609A, 609B, 610A, 610B, 611, 612,
 613, 614

Tract: 0223.01
 Block: 205, 206, 207, 213A, 213B
 Block Group: 3
 Block: 401, 402, 403, 404, 405, 502B, 502C, 506, 508, 509, 510, 511, 512
 Block Group: 6

Tract: 0224.01
 Tract: 0224.02
 Tract: 0224.03

Tract: 0225.
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 505, 601, 602, 604, 605, 606, 608, 609, 610, 611, 612A, 612B, 613, 614
 Block Group: 7
 Tract: 0226.
 Tract: 0229.
 Block: 101
 Tract: 0230.
 Block Group: 1
 Block: 201, 202, 203, 204, 205A, 206, 207, 208, 210A, 299
 Tract: 0231.02
 Block: 101, 102, 103, 104, 105A, 106, 107, 108, 109, 110A, 111, 112, 113A, 114A, 114B, 115A, 116A, 199
 Tract: 0231.05
 Block: 405A, 409, 410

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DEKALB

Tract: 0205.
 Tract: 0206.
 Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113
 Block Group: 2
 Block Group: 3
 Tract: 0207.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214B, 215, 216
 Tract: 0208.
 Block: 201, 202, 203, 204, 205, 214, 215, 501, 502, 503, 504, 505, 506, 508, 509, 510, 512, 514, 515, 516, 518, 519, 521, 522, 523, 524, 525, 526, 527, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538
 Block Group: 6
 Block Group: 7
 Tract: 0209.
 Tract: 0225.
 Block Group: 4
 Block: 502, 503, 507, 508, 509, 510, 513, 603, 607
 Tract: 0227.
 Tract: 0237.

District No. 69

DEKALB

Tract: 0208.
 Block Group: 1
 Block: 206, 207, 208, 209, 210, 211, 212, 213
 Block Group: 3
 Block Group: 4
 Block: 513
 Tract: 0228.
 Tract: 0229.
 Block: 102, 103, 109
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5

Block Group: 6
 Tract: 0230.
 Block: 205B, 205C, 209, 210B
 Tract: 0231.01
 Tract: 0231.02
 Block: 105B, 110B, 113B, 114C, 115B, 116B
 Block Group: 2
 Block Group: 3
 Tract: 0231.03
 Block: 301, 302, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 401, 402, 403, 406, 407, 408
 Tract: 0234.08
 Block: 303, 304, 305
 Tract: 0235.01
 Tract: 0235.02
 Tract: 0236.
 Block: 101, 103, 104, 105, 106, 205, 206, 207, 208, 209, 210, 211

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DEKALB

Tract: 0231.03
 Block Group: 1
 Block Group: 2
 Block: 303, 304, 305, 306, 307, 319, 320, 321, 322, 323, 324, 404, 405, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 422, 424, 425, 426
 Block Group: 5
 Tract: 0231.06
 Block: 105
 Block Group: 2
 Block Group: 3
 Block Group: 5
 Tract: 0232.06
 Tract: 0232.07
 Block: 108A, 108B, 109, 110, 111, 112, 113, 120, 121, 122
 Tract: 0234.08
 Block: 103, 301, 302, 801, 802, 803, 804, 812
 Tract: 0235.03

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DEKALB

Tract: 0232.03
 Tract: 0232.07
 Block: 101, 102, 103, 104, 105, 106, 107, 114, 115, 116, 117, 118, 119, 123
 Block Group: 5
 Tract: 0233.06
 Block: 507, 508, 509A
 Tract: 0233.07
 Tract: 0233.08
 Block Group: 2
 Block Group: 5
 Tract: 0234.07
 Block: 201B, 205, 209, 212, 213, 214, 215, 218, 219, 220, 221, 222, 223, 224, 226, 227, 228, 229, 230, 231, 232, 233, 299A, 299E, 299F
 Block Group: 5

District No. 72

DEKALB

Tract: 0234.03

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 901, 902, 925, 926

Tract: 0234.04

Block: 108, 115, 116, 117, 118, 120, 121, 122, 202, 203, 204, 209, 299A, 299B, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 325, 326, 327, 328, 329, 330, 399, 399, 399

Block Group: 4

Block: 505

Tract: 0236.

Block: 107, 108, 109, 110, 201, 202, 203, 204, 299

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0238.01

Tract: 0238.02

Tract: 0238.03

District No. 73

DEKALB

Tract: 0234.03

Block: 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 920, 921, 923, 924, 999, 999

Tract: 0234.04

Block: 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 132, 133, 140, 201, 205, 206, 207, 208, 210, 211, 212, 213, 214, 215, 216, 217, 299C, 301, 302, 303, 501, 502, 503, 504, 506, 507, 599

Block Group: 9

Tract: 0234.05

Tract: 0234.08

Block: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111

Block Group: 2

Block: 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,

Block: 317, 399

Block Group: 4

Block Group: 5

Block Group: 6

Block Group: 7

Block: 805, 806, 807, 808, 809, 810, 811, 813, 814, 815, 816, 817, 818, 819, 820

Block Group: 9

Tract: 0234.09

Tract: 0239.98

District No. 74

ROCKDALE

Tract: 0601.

Block Group: 2

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 499, 499, 499, 499, 499, 499, 499, 499

Tract: 0602.

Block: 305, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 325, 326, 327, 328, 399, 406, 407, 410, 411, 412, 413, 503, 504, 505, 506, 507, 508, 509, 510, 511, 599

Block Group: 6

Block: 701B, 702, 703, 704, 705, 706, 707, 708, 709, 710, 799, 799

Tract: 0603.02

Block Group: 2

Block: 301B, 302, 303, 304, 305C, 305D, 306, 307, 308, 309

Block Group: 4

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611B, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 699A, 699B, 699C

Tract: 0603.04

Block: 611B, 614B, 614D, 615A, 615B, 616B, 617B, 701C, 702B, 703, 704, 705B, 706, 707, 708, 799

Tract: 0604.01

Tract: 0604.02

District No. 75

DEKALB

Tract: 0233.02

Tract: 0233.03

Tract: 0233.06

Block: 501, 502, 503, 504, 505, 506, 509B, 510, 511

Tract: 0233.08

Block Group: 6

Tract: 0234.07

Block Group: 1

Block: 201A, 202, 203, 204, 206, 207, 208, 210, 211, 216, 217, 225, 234, 235, 299B, 299C, 299D

Block Group: 3

Block Group: 4

ROCKDALE

Tract: 0601.

Block Group: 3

Block: 423, 424

Block Group: 6

Block Group: 7

Tract: 0602.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 314, 320, 321, 401, 402, 403, 404, 405, 408, 409, 501, 502, 701A

Tract: 0603.02

Block: 301A, 305A, 305B, 399A, 399B, 611A

Tract: 0603.03

Tract: 0603.04

Block Group: 1

Block Group: 3

Block Group: 4

Block Group: 5

Block: 601A, 601B, 602, 603, 604, 605, 606, 607A, 607B, 608, 609A, 609B, 610, 611A, 612, 613, 614A, 614C, 616A, 617A, 617C, 618, 619, 620, 699, 701A, 701B, 702A, 705A

District No. 76

GWINNETT

Tract: 0504.14
Tract: 0504.15
Tract: 0504.16
Tract: 0507.06
 Block: 299
Tract: 0507.07
 Block Group: 4
Tract: 0507.08

District No. 77

GWINNETT

Tract: 0504.03
 Block Group: 1
 Block Group: 2
 Block: 905, 906, 907, 908, 909, 910, 957
Tract: 0504.09
 Block Group: 1
Tract: 0504.10
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 402, 403, 499
 Block Group: 5
 Block Group: 6
 Block Group: 7
Tract: 0504.11
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 403A, 403B, 404A, 404B, 405, 407A, 407B, 408, 409, 499, 499
 Block Group: 5
 Block Group: 6
 Block Group: 7
Tract: 0504.12
Tract: 0504.13
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Block: 901, 902, 903, 904, 999, 999

District No. 78

GWINNETT

Tract: 0504.03
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 901, 902, 903, 904, 911, 912, 931, 932, 950, 951, 955, 956, 999
Tract: 0504.06
 Block Group: 1

Block: 201B, 202, 203, 204, 205
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Tract: 0504.07
 Tract: 0504.08
 Tract: 0508.98

District No. 79

GWINNETT

Tract: 0503.04
 Tract: 0503.05
 Tract: 0503.06
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Block: 902
 Tract: 0503.07
 Tract: 0503.08
 Block: 102, 103
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 404, 405, 406, 407, 499, 499, 499
 Tract: 0503.10
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 403, 404, 405, 406, 407, 408, 409, 410, 499A
 Tract: 0503.12
 Tract: 0504.06
 Block: 201A

District No. 80

GWINNETT

Tract: 0502.03
 Tract: 0502.04
 Block: 105, 106, 107, 108, 109A, 109B, 110, 111, 112, 113, 114, 199A, 199B
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 7
 Block Group: 8
 Block Group: 9
 Tract: 0503.06
 Block: 901
 Tract: 0503.08
 Block: 101, 403
 Tract: 0503.09
 Tract: 0503.10
 Block: 401, 402, 411A, 411B, 499B, 499C
 Tract: 0503.11
 Tract: 0503.13

Block: 101, 102
 Block Group: 2
 Tract: 0505.02
 Block: 101A, 101B, 101C, 103, 104, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133,
 134C, 135, 136, 137, 138, 199
 Tract: 0505.03
 Block: 212C, 215B, 216, 299

District No. 81

GWINNETT

Tract: 0503.13
 Block: 103A, 103B, 103C, 103D, 104, 105, 106, 107, 108, 109
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Tract: 0503.14
 Tract: 0504.09
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Tract: 0504.10
 Block: 401
 Tract: 0504.11
 Block: 406
 Tract: 0505.06
 Tract: 0505.07
 Block: 102B, 103, 104, 203, 304, 305, 399

District No. 82

GWINNETT

Tract: 0505.02
 Block: 102, 105, 106, 117, 134A, 134B
 Tract: 0505.03
 Block: 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116C,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148,
 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164,
 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180,
 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 199A, 199B,
 199C, 199D, 199E, 199F, 201, 202, 203, 204, 205A, 205B, 206, 207, 208, 209,
 210, 211, 212A, 212B, 213, 214A, 214B, 215A, 215C, 217A, 217B, 217C,
 217D, 218, 219A, 219B, 219C, 220A, 220B, 221A, 221B, 221C, 221D, 222,
 223, 224, 225A, 225B
 Tract: 0505.05
 Tract: 0505.07
 Block: 101A, 101B, 102A, 201, 202, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303,
 306, 307, 308, 309, 310, 311
 Block Group: 7
 Tract: 0505.08
 Block Group: 2

Block Group: 4
 Tract: 0505.09
 Block Group: 2
 Tract: 0506.01
 Block: 164
 Tract: 0506.02
 Block: 333, 334, 335, 345, 346, 347

District No. 83

GWINNETT

Tract: 0504.13
 Block: 999, 999
 Tract: 0507.06
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 299
 Tract: 0507.07
 Block Group: 3
 Tract: 0507.10
 Tract: 0507.11

District No. 84

GWINNETT

Tract: 0505.08
 Block Group: 1
 Block Group: 3
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Block Group: 8
 Tract: 0505.09
 Block Group: 1
 Block Group: 3
 Block: 402, 403
 Block Group: 5
 Block Group: 6
 Tract: 0507.04
 Tract: 0507.05
 Block: 102A, 102B, 103, 104A, 104B, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 125C, 126, 127, 128, 129, 130, 131A, 131B, 132, 133, 134A, 134B, 134C, 135, 136, 137, 138A, 138B, 138C, 139A, 139B, 140A, 140B, 140C, 141A, 141B, 141C, 149, 160A, 160B, 160C, 161A, 161B, 162A, 162B, 163, 199, 204, 205, 206, 207, 208, 209, 210, 211A, 211B, 212, 213A, 213B, 213C, 214, 215, 216, 217, 218, 219, 220A, 220B, 221A, 221B, 222, 223A, 223B, 224, 226
 Tract: 0507.09
 WALTON
 Tract: 1105.
 Block: 112A, 113A, 113B, 128A, 129A, 130, 131, 132, 135A, 136, 137, 138, 139, 140, 141A, 141B, 176A, 177, 178A, 178B, 179, 180A, 180B, 181A, 181B, 181C, 182, 183A, 199A, 199C, 203A, 204, 205A, 205B, 205C, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228A, 232, 233, 234, 235, 237, 239A, 239B, 239C, 239D, 240A, 240B, 241, 242, 243, 244, 245, 246A, 246B, 246C, 247, 248, 249, 250, 251, 252, 253, 254, 255A, 255B, 256A, 256B, 257A, 257B, 258A, 258C, 259, 314, 315, 317, 319, 320, 321, 322, 325, 342, 344, 345, 502

District No. 85

FORSYTH

Tract: 1305.

Block: 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 484, 486, 497, 499D, 499E

Tract: 1306.

Block: 101, 102, 103, 104, 105, 106, 107, 130, 132, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 299

GWINNETT

Tract: 0501.01

Tract: 0501.02

Tract: 0502.02

Tract: 0502.04

Block: 101, 102, 103, 104

Block Group: 5

Block Group: 6

Tract: 0505.03

Block: 116A, 116B

Tract: 0506.01

Block: 101, 102, 103, 104, 105A, 105B, 105C, 105D, 106, 107A, 107B, 107C, 107D, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 124C, 124D, 125A, 125B, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148A, 148B, 148C, 148D, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 199A, 199C, 199D, 199E, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 230, 231, 253, 254, 299

District No. 86

BARROW

GWINNETT

Tract: 0505.09

Block: 401, 404, 405, 406, 407

Tract: 0506.02

Block: 401, 402, 403, 404A, 404B, 405, 406, 407, 408, 409, 410A, 410B, 410C, 411A, 411B, 411C, 411D, 412, 413, 414A, 414B, 429, 430, 431, 432, 433, 434, 435, 436A, 436B, 436C, 437A, 437B, 437C, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457

Block Group: 5

Tract: 0507.05

Block: 101, 105, 106, 107, 108, 109, 110, 111, 117, 142, 143, 144, 145, 146, 147, 148, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 201, 202, 203

District No. 87

WALTON

Tract: 1101.

Tract: 1102.

Tract: 1103.

Tract: 1104.

Tract: 1105.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112B, 113C, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128B, 128C, 129B, 133, 134, 135B, 141C, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152,

153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165A, 165B, 165C,
 166, 167, 168, 169, 170, 171, 172, 173A, 173B, 174A, 174B, 175, 176B, 183B,
 183C, 184, 199B, 201, 202, 203B, 205D, 228B, 229, 230, 231, 236, 238, 258B,
 299, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 316,
 318, 323, 324, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338,
 339, 340, 341, 343, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357,
 358, 359, 360, 361, 362, 363, 364, 365

Block Group: 4

Block: 501, 503, 504, 505, 599

Tract: 1106.

Tract: 1107.

Tract: 1108.

District No. 88

CLARKE

Tract: 0004.

Block: 203B, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 217, 218, 219, 220, 221,
 222

Tract: 0005.

Block: 105

Tract: 0008.

Block Group: 1

Tract: 0010.

Tract: 0011.

Tract: 0012.

Tract: 0013.02

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,
 317, 318A, 318B, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328A, 328B,
 329

Tract: 0013.98

Block: 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121,
 122, 123, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0015.01

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 0015.02

Block: 214, 215, 216

Block Group: 3

Block Group: 4

Tract: 0016.98

District No. 89

CLARKE

Tract: 0001.

Tract: 0002.

Tract: 0003.

Block: 101, 102A, 102B, 102C, 103A, 103B, 104, 105, 106A, 106B, 108, 109, 112,
 113, 114A, 114B, 115A, 115B, 117A, 117B, 119, 120, 121, 122, 123, 124, 125

Block Group: 2

Block Group: 3

Tract: 0004.

Block Group: 1
 Block: 201, 202, 203A, 204, 205, 206, 207, 208
 Tract: 0005.
 Block: 101, 102, 103, 104
 Tract: 0006.
 Tract: 0007.
 Tract: 0008.
 Block Group: 2
 Tract: 0009.
 Tract: 0013.02
 Block: 330
 Tract: 0013.98
 Block: 101, 102, 103, 104, 106, 201, 202
 Tract: 0014.01
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 116, 119, 120, 121, 122, 123,
 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139,
 140, 141, 142, 143, 145, 146, 199
 Block Group: 2
 Tract: 0014.02
 Block: 217, 218, 219, 299, 401, 402, 403, 405, 411, 413, 418A, 419A, 420, 701, 702,
 703, 704, 705, 706A, 706B, 706C, 709, 710, 712, 713, 714, 715, 716, 717, 718,
 719A, 719B, 723A

District No. 90

ELBERT
 LINCOLN
 WILKES

District No. 91

MORGAN
 NEWTON

Tract: 1002.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210A, 210B, 211A, 211B, 212,
 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228,
 229, 230, 231, 241, 242, 243, 244, 245, 246, 247A, 247B, 248, 249, 250, 251,
 252, 257, 258, 259, 260A, 260B, 261A, 261B, 261C, 262A, 262B, 263A, 263B,
 264A, 264B, 265A, 265B, 265C, 266, 267, 268A, 268B, 269, 270, 271A, 271B,
 272, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L,
 299M, 299N, 299P, 299R, 301A, 301B, 302A, 302B, 303A, 303B, 304A,
 304B, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318,
 319, 320, 321, 322, 323, 324A, 324B, 324C, 325, 326A, 326B, 327, 328, 329,
 330, 331, 332, 333, 334, 335A, 335B, 336A, 336B, 337, 338, 339, 340, 341,
 342, 343, 344, 345, 346, 347, 348, 359, 360, 399A, 399B, 401, 402, 403, 404,
 405, 406, 407, 408A, 408B, 409, 410, 411, 412, 413A, 413B, 414A, 414B, 415,
 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 434, 435,
 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451,
 452, 453, 454, 455, 456, 457, 458, 499A, 499B, 499C, 499D, 499E, 499F,
 499G, 499H
 Tract: 1008.
 Block: 113, 114, 115, 117A, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151,
 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167,
 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183,
 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199A,
 199B, 199C, 199D, 199E, 199F, 199G, 199H

OCONEE

District No. 92

HALL

Tract: 0010.
 Block: 401A

NEWTON

Tract: 1001.

Tract: 1002.

Block: 232, 233, 234, 235, 236, 237, 238, 239, 240, 253, 254, 255, 256, 299T, 299U,
 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 399C, 430, 431, 432, 433,
 499J

Tract: 1003.

Tract: 1004.

Tract: 1005.

Tract: 1006.

Tract: 1007.

Tract: 1008.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 116, 117B, 118,
 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134,
 135, 136, 137, 138, 139, 140, 199J, 199K, 199L, 199M, 199N, 199P, 199R

Tract: 1009.

District No. 93

CLAYTON

Tract: 0401.

Tract: 0402.

Block Group: 1

Block Group: 2

Block: 919, 920

Tract: 0404.05

Block: 106, 107, 108, 206, 207, 227

Tract: 0405.03

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 120, That part
 of Block 123 lying north of an unnamed creek, 301B, 315, 316

Block Group: 4

Tract: 0405.04

Tract: 0405.05

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

That part of Block 601B which lies north of Camp Creek.

District No. 94

CLAYTON

Tract: 0402.

Block: 901, 902, 903, 904, 905, 906, 907, 908A, 908B, 909, 910, 911, 912, 913, 914,
 915, 916, 917, 918, 921, 922, 923, 933, 999, 999

Tract: 0403.01

Tract: 0403.02

Tract: 0403.03

Tract: 0403.04

Tract: 0403.05

Tract: 0404.01

Block: 316, 317, 318, 319, 320, 321, 322, 324, 325, 326, 330, 331, 332, 333, 334, 335,
 336, 337, 401, 402, 403, 404, 405, 417A, 417B, 418A, 418B, 420, 421, 506,
 507A, 509, 510A, 511, 512, 513, 515A, 515B, 515C

Tract: 0404.02

Block Group: 1

Block Group: 2

Block Group: 8

Block: That part of Block 904 which lies west of Tanners Church Rd., 905, 906, 907, 910, 912, 925A, 925B, 925C

Tract: 0404.03

Block: 203, 204, 205, 206B, 206D, 207, 208, 209, 210A, 210B, 213, 215, 219, 225

Tract: 0404.05

Block: 101, 102, 103, 104, 105, 109, 110, 119A, 119B, 120, 121, 122, 123, 124, 126, 127, 128, 129, 199

Tract: 0404.06

Block Group: 1

District No. 95

CLAYTON

Tract: 0404.01

Block Group: 1

Block Group: 2

Block: 301, 302A, 302B, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 323A, 323B, 323C, 338, 419A, 419B, 422A, 422B, 501A, 501B, 501C, 502A, 502B, 502C, 503A, 503B, 503C, 504A, 504B, 504C, 505A, 505B, 507B, 508, 510B, 514A, 514B, 599A, 599B

Block Group: 6

Block Group: 7

Tract: 0404.02

Block Group: 3

Block Group: 4

Block Group: 5

Block: 901, 902, 903, That part of Block 904 which lies east of Tanners Church Road, 908, 909, 911, 913A, 913B, 914A, 914B, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 926A, 926B, 926C, 927, 928, 929, 930, 938, 939, 940, 941, 942, 943,

Block: 945, 946, 949, 950

Tract: 0404.03

Block Group: 1

Block: 201, 202, 206A, 206C, 211, 212A, 212B, 214A, 214B, 214C, 216, 217, 218, 220, 221A, 221B, 222, 223, 224, 226, 227, 228, 229

Block Group: 3

Block Group: 4

Tract: 0406.03

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block: 601, 602, That part of Block 603B which lies east of Jonesboro corporate limits, 604, 605, 606B, 607, 609, 699E, 699F, 699G

Block Group: 7

Block Group: 9

Tract: 0406.04

Block: 301A, 301B, 302, 304, 319, 323, 324

Block Group: 4

Block: 501, 502, 503, 504, 505A, 505B, 506, 507, 508, 509A, 509B, 510, 511, 512, 513, 514, 515, 529, 531A, 531B, 532, 533, 534, 543, 599

Tract: 0406.05

Block: 201, 202, 203A, 203B, That part of Block 205A which lies north of Wilburn Street extended to Rum Creek, 208, 226, 230, 231, 232, 236, 237, 238, 239, 240, 241, 243, 403, 404, 405, 406, 407, 411, 412, 413, 499G

District No. 96

CLAYTON

Tract: 0404.05

Block: 201, 202, 203, 204, 205, 208, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 228

Block Group: 3

Tract: 0404.06

Block Group: 2

Block Group: 9

Tract: 0405.03

Block: 113, 114, 115, 116, 117A, 117B, 118, 119A, 119B, 119C, 119D, 121, 122, That part of Block 123 which lies south of an unnamed creek, 125, 126, 301A, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314A, 314B, 317

Tract: 0405.05

Block Group: 6 except that part of Block 601B lying south of Camp Creek.

Tract: 0405.06

Tract: 0405.07

Block: 101, 102, 103, 104, 105B, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117

Block Group: 3

Tract: 0405.08

Block: That part of Block 501 which lies north of an unnamed creek that runs from Dixboro Drive to the Flint River, 517, 518, 519, 520, 521, 522, 523, 524

Tract: 0406.04

Block: 308C, 308D, 308F, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 520, 522, 523, 524, 525, 528, 535, 536, 537, 538, 539, 540, 541, 542

Block Group: 6

Tract: 0406.07

Block: 109

District No. 97

CLAYTON

Tract: 0405.07

Block: 105A

Block Group: 2

Tract: 0405.08

Block Group: 4

Block: That part of Block 501 which lies south of an unnamed creek that runs from Dixboro Drive to the Flint River, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516

Tract: 0406.03

Block Group: 1

Block: 603A, That part of Block 603B which lies west of the Jonesboro corporate limits, 606A, 608, 610, 699A, 699B, 699C, 699D

Tract: 0406.04

Block Group: 2

Block: 303, 305, 306, 307, 308A, 308B, 308E, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 338A, 338B, 341

Tract: 0406.05

Block: 204, That part of Block 205A which lies south of Wilburn Street extended to Rum Creek, 205B, 206A, 206B, 207A, 207B, 233, 235, 299

Block Group: 3

Block: 401, 402, 408, 409, 410, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 499A, 499B, 499C, 499D, 499E, 499F

Block Group: 5
 Tract: 0406.06
 Tract: 0406.07
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 199, 199,
 199, 199
 Block Group: 2
 Block Group: 3
 Tract: 0406.08

District No. 98

DOUGLAS

Tract: 0801.98
 Tract: 0802.
 Tract: 0803.
 Tract: 0804.
 Block: 110A, 122A
 Tract: 0805.03
 Block Group: 7
 Tract: 0806.01
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210
 Block Group: 3
 Tract: 0806.02
 Block: 101
 Block Group: 2
 Tract: 0807.97
 Tract: 0807.98
 Block Group: 2
 Block: 413B, 413C, 414C, 415, 416, 417, 418, 419, 425

District No. 99

DOUGLAS

Tract: 0804.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110B, 111, 112, 113, 114, 115,
 116, 117, 118, 119, 120, 121, 122B, 123, 124, 125, 126, 127, 128, 129, 130,
 131, 132, 133, 134, 135, 199
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Tract: 0805.01
 Tract: 0805.03
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 8
 Tract: 0805.04
 Tract: 0806.01
 Block: 211, 212, 213, 214, 299
 Block Group: 4
 Block Group: 5
 Block Group: 6
 Tract: 0806.02

Block: 102
 Block Group: 3
 Block Group: 4
 Tract: 0807.98
 Block: 404, 409B, 420B, 421B, 422, 424B, 499F

District No. 100

CARROLL

Tract: 9901.
 Tract: 9902.
 Tract: 9903.
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 312, 313, 314, 315, 316, 317, 318, 319, 337, 338A, 338B, 338C, 339, 340A, 340B, 340C, 341A, 341B, 342A, 342B, 343A, 343B, 344A, 344B, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 363, 364, 399B, 399C
 Tract: 9905.
 Block: 101B, 102, 103, 104B, 105B, 106, 107, 108A, 108C, 108D, 109C, 110
 Tract: 9906.
 Tract: 9907.
 Block: 116, 117, 118, 119, 120, 165, 166, 167, 168, 169, 181A, 183, 184, 196, 197, 199A, 199B, 199C, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 223, 225, 226, 227, 228, 229, 230, 231, 232, 236, 299A, 299C, 299D, 299E
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 606, 607, 608, 609, 610A, 610B, 611, 612, 613, 614, 615, 616, 617, 618A, 618B, 619A, 619B, 619C, 620, 699A
 Tract: 9910.
 Block Group: 1
 Block: 201, 202, 203, 204, 205A, 299A, 301, 302, 303, 304, 305, 306, 307, 308A, 309A, 310A, 311, 399
 Tract: 9911.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225A, 226,
 Block: 227A, 227B, 228A, 229A, 230A, 230D, 230E, 235, 236, 237, 238, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 312, 313, 314A, 315A, 315B, 316A, 316B, 317A, 399

District No. 101

CARROLL

Tract: 9903.
 Block: 310, 311, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 356, 357, 358, 359, 360, 361, 362, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 399A
 Tract: 9904.
 Tract: 9905.
 Block: 101A, 101C, 104A, 105A, 108B, 109A, 109B, 111A, 111B, 111C, 111D, 112, 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126, 127, 128A, 128B, 128C, 129A, 129B, 130A, 130B, 130C, 131A, 131B, 131C, 131D, 131E, 131F, 131G, 131H, 131J, 132, 133, 134, 135, 136, 137A, 137B, 137C, 138, 139A, 139B, 139C, 139D, 140
 Block Group: 2

Block Group: 3
 Block Group: 4
 Block Group: 5
 Block Group: 6

Tract: 9907.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181B, 182, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 199D, 199E, 199F, 199G, 199H, 221, 222, 224, 233, 234, 235, 237, 238, 299B, 601, 602, 603, 604, 605, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 699B, 699C, 699D, 699E, 699F

Tract: 9908.

Tract: 9909.

Tract: 9910.

Block: 205B, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 299B, 299C, 299D, 299E, 308B, 309B, 310B, 310C, 310D, 310E, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338

Tract: 9911.

Block: 128, 225B, 228B, 229B, 230B, 230C, 231, 232, 233, 234, 299A, 299B, 311B, 314B, 317B, 317C

Block Group: 4

Block Group: 5

Tract: 9912.

District No. 102

HARRIS MERIWETHER

Tract: 9704.

Block: 237, 238, 239, 253, 254, 255, 256, 257, 299R, 299T, 299U, 299V, 299W

Tract: 9705.

Tract: 9706.

Block Group: 1

Block Group: 2

Block: 301, 302, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K

MUSCOGEE

Tract: 0101.03

Block Group: 1

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 399, 399, 399, 399, 399, 399, 399, 399

Tract: 0101.04

Block: 101, 102, 103, 104, 199C, 199D

Tract: 0102.02

Block: 101, 104, 106, 111, 117, 119, 120, 121, 122, 147, 148, 150, 152, 199, 199, 199, 199, 301, 318

District No. 103 www.libtool.com.cn

COWETA

Tract: 1701.

Block: 111B, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186A, 186B, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 199C, 199D, 199E, 199F, 199G

Block Group: 2 except those parts of Blocks 256 and 258 which lie northeast of the Georgia Power Transmission line.

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, That part of Blocks 357, 358 and 359 which lie northeast of the Georgia Power transmission line, 360, 361, 368, 369, 370, 371, 372, 373, 374, 382, 383, 384, 395, 396, 397, 399A, 399E, 399F, 399G, 399H, 399J, 399K

Tract: 1702.

Tract: 1703.

Block: 165, 166, 167, 168B, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262A, 262B, 263, 264, 265, 266, 267, 268, 269A, 269B, 270, 271, 272, 273, 274, 275, 299A, 299B, 299C, 299D, 308, 309, 310, 311, 317, 318, 319, 323, 324, 325, 326, 327, 328, 329A, 329B, 329C, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339A, 339B, 340, 341, 342, 343, 344A, 344B, 344C, 345, 346, 347A, 347B, 348A, 348B, 348C, 349, 350, 351, 352, 353, 354, 355A, 355B, 356, 357A, 357B, 358A, 358B, 359, 360, 361A, 361B, 362A, 362B, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381A, 381B, 399A, 403, 404, 405, 406, 407, 408, 409A, 409B, 409C, 410A, 410B, 410C, 411, 412A, 412B, 413, 414, 415, 416, 417A, 417B, 417C, 418, 419, 420, 421, 422, 423, 424, 425, 426, 431, 432, 433, 434, 435, 436, 499A,

Block: 499D

Block Group: 5

Tract: 1704.

Block: 346, 349, 399L

Tract: 1706.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block: 609A, 610A, 610B

Tract: 1707.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, That part of Blocks 227, 230, 232 and 233 which lies northeast of the Georgia Power Transmission Line, 231, 234, 299A, 299B, 299C

Block Group: 3

Block Group: 4

Block Group: 5

HEARD

District No. 104COWETA www.libtool.com.cn

Tract: 1701.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111A, 124, 125, 126, 164, 165, 166, 168, 197, 199A, 199B

Tract: 1703.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 168A, 169, 170, 185, 186, 199, 199, 199, 199, 199, 199, 199, 199, 199, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 299E, 299F, 299G, 301, 302, 303, 304, 305, 306, 307, 313, 314, 315, 316, 320, 321, 322, 399B, 399C

Tract: 1704.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 316, 317, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 399A, 399B, 399C, 399D, 399E

Tract: 1705.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131A, 131B, 132, 133A, 133B, 134, 135, 136, 137, 138, 140A, 141, 142, 143, 144, 145A, 145B, 146A, 146B, 146C, 153A, 154, 155A, 156, 157, 158, 159, 160, 171, 172, 173, 174, 175, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H

Tract: 1706.

Block: 601, 602, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 664, 665, 666, 667A, 667B, 668, 669, 670, 671, 672, 673, 699A, 699B, 699C

FAYETTE

Tract: 1401.01, except that part of Block 210C outside the corporate limits of Fayetteville as of January 1, 1994.

Tract: 1401.02

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,

Block: 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, That part of Block 224B outside the corporate limits of Fayetteville as of January 1, 1994, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 299A, 299B, 299C, 299D, 299E

Block Group: 3

Tract: 1402.01

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 311B, 312, 313, 314A, 314B, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324B, 325, 326, 327B, 399, 399, 399

Block Group: 4

Tract: 1402.02

Block: 301, 302B, 303, 304B, 305B, 305C, 305D, 307, 308, 399, 399, 401, 402, 403B, 403C, 406, 407, 499B, 501B, 502B, 502C, 502D, 504, 505, 506B, 508B, 599B

Tract: 1404.01

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210C, 211B, 211C, 212B, 214, 215B, 216, 217, 218, 219, 220, 221, 222, 223B, 224, 225, 226, 227B, 228B, 229B, 229C, 236, 237, 238, 239, 240B, 299B, 299C

Block Group: 5

Tract: 1404.02

Block: 101, 102, 103, 104, 105, 106, 107, 108A, 108B, 109A, That part of Block 109B lying outside the corporate limits of Fayetteville as of Jan. 1, 1994, 110, 111A, 111B, 112, 113A, 113B, 114, 115, 116, 117, 118A, 118B, 118C, 118D, 118E, 119, 120, 121, 122, 123C, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137B, 137C, 138B, 139, 140, 141B, 142, 143, 199C, 199D, 199E, 199F

Block Group: 2

District No. 105

FAYETTE

Tract 1404.01

That part of Block 210C lying within the corporate limits of Fayetteville as of January 1, 1994.

Tract: 1401.02

Block: That part of Blocks 109B and 224B lying within the corporate limits of Fayetteville as of January 1, 1994, 224A

Tract: 1402.01

Block: 324A, 327A

Tract: 1402.02

Block: 302A, 304A, 305A, 306, 403A, 403D, 404, 405, 408, 409, 410, 411, 412, 413, 499A, 499C, 501A, 502A, 503, 506A, 507, 508A, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527A, 527B, 528, 529, 530, 531, 532, 533, 534, 535A, 535B, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552A, 552B, 552C, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 599A

Tract: 1403.01

Tract: 1403.02

Tract: 1404.01

Block: 210A, 210B, 211A, 212A, 213, 215A, 223A, 223C, 223D, 227A, 228A, 229A, 230, 231, 232, 233, 234, 235, 240A, 241, 242, 299A

Block Group: 3

Block Group: 4

Tract: 1404.02

Block: 123A, 123B, 123D, 124, 137A, 138A, 141A, 199A, 199B

Block Group: 3

Block Group: 4

Tract: 1405.01

Tract: 1405.02

District No. 106

COWETA

Tract: 1703.

Block: 312, 401, 402, 409D, 427, 428, 429, 430, 499B, 499C

Tract: 1704.

Block: 315, 318, 321, 336, 337, 341, 342, 343, 344, 345, 347, 348, 350, 351, 352, 353, 354, 399F, 399G, 399H, 399J, 399K

Tract: 1705.

Block: 139A, 139B, 140B, 140C, 147A, 147B, 148, 149, 150, 151, 152, 153B, 153C, 155B, 155C, 161A, 161B, 162, 163A, 163B, 164A, 164B, 165, 166, 167, 168, 169, 170, 199J, 199K, 199L, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 1706.

Block: 603, 604, 605, 606, 607, 608, 609B, 610C, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 699D, 699E, 699F

Tract: 1708.

Block: 201, 202, 203, 204, 205, 224, 225, 226, 227, 228, 229, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 296, 297, 299J, 299K

SPALDING

Tract: 1601.

Tract: 1603.

Block Group: 1

Tract: 1604.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110A, 111, 112, 113A, 114, 115, 116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 166, 167, 168, 201A

Tract: 1605.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123C, 124, 125, 128, 129B, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147B, 148B, 149, 150A, 150B, 151A, 151B, 152A, 152B, 153A, 153B, 154, 155, 156, 157, 158, 159, 160A, 160B, 161A, 161B, 162B, 162C, 163B, 164, 173A, 173B, 174A, 174B, 174C, 175, 176, 177A, 177B, 178, 179, 199A, 199C, 199D, 199E, 199F, 199G

Tract: 1606.

Tract: 1607.

Tract: 1608.

Block: 235, 236, 237, 239, 240, 241, 245, 246, 247, 248, 249, 250

Block Group: 3

Block: 430, 445, 446, 447, 448, 449, 450, 451, 452, 453

Tract: 1609.

Block: 423, 424, 425, 426, 427, 428, 434, 435, 436, 437, 504, 505, 506

Tract: 1611.

Block Group: 1

Block: 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218A, 219, 220, 221, 222, 223, 224, 225,

Block: 227

Tract: 1612.

Block: 101, 102, 103, 104, 105, 106, 107, 119B, 120, 121, 122, 123B, 199, 199

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312B, 313, 314, 315, 316, 317, 318, 319, 320, 321A, 321B, 322, 323, 324, 325, 326, 327, 328, 329, 330, 399, 401, 402, 403, 404, 405A, 405B, 406A, 406B, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428B, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 499, 499, 499, 499, 499, 499, 499

District No. 107

HENRY

Tract: 0701.03

Block Group: 5

Tract: 0703.01

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 307, 308, 309

Block Group: 4

Tract: 0704.98

Block: 113, 114, 115, 116, 117, 118, 119, 120, 121, 144, 145, 146, 147, 148, 150, 151, 199D, 323, 324, 325, 326, 327, 328, 329, 330, 331, 345, 399C

Tract: 0705.

SPALDING

Tract: 1602.

Tract: 1603.

Block Group: 2

Tract: 1604.

Block: 110B, 113B, 119, 120A, 120B, 121, 122, 123A, 123B, 124, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160A, 160B, 161, 162A, 162B, 163A, 163B, 164A, 164B, 164C, 165, 169, 170, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248A, 248B, 249, 250, 251A, 251B, 252, 253, 254

Block Group: 3

Block Group: 4

Tract: 1605.

Block: 123A, 123B, 126, 127A, 127B, 129A, 147A, 148A, 162A, 163A, 165, 166, 167, 168, 169, 170, 171, 172, 199B

Tract: 1608.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 238, 242, 243, 244, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421A, 421B, 422, 423, 424, 425, 426, 427, 428, 429, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444

Tract: 1609.

Block Group: 1

Block Group: 2

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411,

Block: 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 429, 430, 431, 432, 433, 438, 439, 440, 441, 501, 502, 503, 507A, 507B, 507C, 508A, 508B, 509A, 509B, 510A, 510B, 511A, 511B, 512, 513, 514, 515, 516A, 516B, 517, 518A, 518B, 519

Tract: 1610.

Tract: 1611.

Block: 201, 202A, 202B, 203, 218B, 226, 228, 229A, 229B, 229C, 229D, 230, 231, 232, 233, 234, 235A, 235B, 235C, 236, 237, 238, 239, 240, 241, 299A, 299B, 299C

Tract: 1612.

Block: 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119A, 123A, 124A, 124B, 125, 126, 312A, 428A

District No. 108

HENRY

Tract: 0701.02

Tract: 0701.03

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4
 Tract: 0701.98
 Tract: 0702.01
 Tract: 0702.02
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209A, 209B, 210, 211, 212, 213, 214, 215, 216, 217A, 217B, 218, 219, 220, 221, 222, 223, 224, 225, 227, 299A, 299B, 299C, 299D, 299E
 Tract: 0702.03
 Block Group: 1
 Block: 226, 227, 261, 262, 263, 264
 Tract: 0703.01
 Block: 304, 305, 306
 Tract: 0703.02
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, That part of Block 320 lying north of Long Branch extended to Interstate 75, 401, 402, 403A, 403B, 404A, 404B, 404C, 404D, That part of Block 405 lying east of Russell Road extended to Tomlinson Street, 406, 407A, 409A, 409B, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443A, 444, 445, 446A, 446B, 447

District No. 109BUTTS
HENRY

Tract: 0702.02
 Block: 226
 Tract: 0702.03
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 299A, 299B, 299C, 299D, 299E
 Tract: 0703.02
 Block: 308, 309A, 309B, That part of Block 320 lying south of Long Branch extended to Interstate 75, 321, 322, 323, 324, 325, 326A, 326B, 327, 328, 329, 330, That part of Block 405 lying west of Russell Road extended to Tomlinson Street, 407B, 408A, 408B, 408C, 443B, 448, 449, 450, 499, 499
 Block Group: 5
 Block Group: 6
 Tract: 0704.02
 Tract: 0704.98
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 122, 123A, 123B, 124A, 124B, 124C, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 149, 199A, 199B, 199C
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314A, 314B, 315A, 315B, 316, 317A, 317B, 318A, 318B, 319, 320, 321A, 321B, 322, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 346, 347, 348A, 349A, 351A, 399A, 399B

LAMAR

Tract: 9701.
 Block Group: 1
 Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356A, 356B, 357A, 357B, 358, 359, 360, 361, 362, 363, 364, 365A, 365B, 366A, 366B, 377A, 377B, 378, 379A, 379B, 399C, 399D, 399E, 399F, 399G

Tract: 9702.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 144A, 144C, 145A, 145B, 145C, 145D, 145E, 146, 147A, 147B, 148A, 148B, 148C, 149, 150, 151, 152, 153, 154, 155A, 155C, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 171, 172, 173, 174, 175, 176, 199A, 199B, 199C, 199D, 199E, 199F

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412A, 412B, 413A, 413B, 414, 415, 416, 417A, 417B, 417C, 418A, 418B, 418C, 425, 426, 427, 502A, 503A, 504A, 505, 507, 508

Tract: 9703.

Block: 101A, 101B, 102, 103A, 103B, 104A, 104B, 104C, 107, 108A, 108B, 109, 110, 111A, 111B, 112A, 112B, 113, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122, 199

Block Group: 2

Block: 306A, 307A, 308, 309, 310, 311, 312A, 312B, 313, 314A, 314B, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325B, 326A, 326B, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 430A, 430B, 431, 432, 433A, 433B, 434A, 434B, 435A, 435B, 436A, 436B, 436C, 436D, 499A

District No. 110

JASPER

JONES

Tract: 0301.01

Tract: 0301.02

Block: 111, 113, 114, 115, 116, 117, 118, 119, 124, 125, 204, 205, 206, 208, 209, 225, 226, 227

Tract: 0302.

Block: 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 175, 176, 177, 178, 179, 180, 181, 182, 183, 199A, 199B,

Block: 199C, 199D, 199E, 199F

Block Group: 2

Block: 301, 307, 308, 309, 311, 312, 313, 399, 399

Tract: 0303.

Block: 301, 302, 304, 307, 308, 311, 314B, 316B, 316C, 317B, 327, 328, 341, 343, 347, 377, 378, 379, 399E, 399F, 399H, 399J

LAMAR

Tract: 9701.

Block: 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 380A, 380B, 381A, 381B, 382, 383, 384, 385, 386, 387, 399A, 399B

Tract: 9702.

Block: 143, 144B, 155B, 167, 168, 169, 170, 177, 178, 179, 180, 181, 182, 199G, 419, 420, 421, 422, 423, 424, 499, 499, 501, 502B, 503B, 504B, 506, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574,

599A, 599B, 599C, 599D, 599E, 599F, 599G, 599H, 599I, 599J, 599K, 599L, 599M, 599N, 599P, 599Q, 599R, 599S, 599T, 599U, 599V, 599W, 599X, 599Y

Tract: 9703. www.libtool.com.cn

Block: 105, 106, 199, 301, 302, 303, 304, 305, 306B, 307B, 338, 339, 399, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430C, 437, 438, 439, 440A, 440B, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467A, 467B, 468, 469, 470, 471, 472, 473, 474A, 474B, 475, 476, 499B, 499C, 499D, 499E, 499F, 499G

MONROE

District No. 111

GREENE
OGLETHORPE
PUTNAM

District No. 112

COLUMBIA

Tract: 0303.01

Block Group: 1

Block: 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 221, 222, 231, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 271, 272, 273, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299R, 299T

Tract: 0303.02

Tract: 0304.

Tract: 0305.01

Tract: 0305.02

Block: 407, 408, 409, 410, 411, 412, 413, 414, 415A, 415B, 416, 417A, 417B, 418A, 418B, 419, 420, 421, 422, 423, 424A, 424B, 425, 426, 427, 428A, 428B, 429, 430A, 430B, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454A, 454B, 455, 456, 457, 458, 459, 460, 461, 462A, 462B, 463, 464, 465, 466, 467, 468, 469, 470, 471A, 471B, 472A, 472B, 473, 474, 475, 476, 477, 478, 499

Block Group: 5

MCDUFFIE

Tract: 9501.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299A, 299B, 299C, 299D, 299E, 299F, 299G

Tract: 9502.

Block: 101, 102, 103, 104, 105, 201, 202, 203, 204, 205, 206, 207, 208B, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 230, 231, 232, 233, 234, 301, 302, 303, 304, 305B, 316B, 317, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 399, 399

Tract: 9503.

Block: 238

Tract: 9504.

Block: 250, 501, 502, 503, 504, 547, 595, 596, 597

Tract: 9505.

Block Group: 1

Block: 203, 204, 205, 250, 251, 252, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267,
268, 269, 270, 281, 282, 283, 299C, 299E, 299F, 299H

Block Group: 3

Block Group: 4

District No. 113

COLUMBIA

Tract: 0301.01

Tract: 0301.02

Tract: 0301.03

Tract: 0302.01

Tract: 0302.02

Tract: 0302.03

Tract: 0303.01

Block: 201, 202, 203, 204, 205, 206, 207, 208, 219, 220, 223, 224, 225, 226, 227, 228,
229, 230, 232, 233, 234, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258,
259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 274, 275, 296, 297,
299A, 299B, 299C, 299D, 299E, 299N, 299P, 299U, 299V, 299W, 299X

Tract: 0305.02

Block: 401, 402, 403, 404, 405, 406, 479, 480

Tract: 0306.03

PROVIDED, HOWEVER, that District 113 shall not include any portion of the City of Augusta located in Columbia County.

District No. 114

RICHMOND

Tract: 0001.

Block: 515, 516C, 518, 519, 520, 521, 525

Tract: 0016.

Block: 203, 204, 207B, 207C, 208B, 213B, 221, 222, 223, 226B, 227B

Block Group: 3

Block: 501, 502, 515, 516, 517

Tract: 0101.02

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 119, 120,
121

Block Group: 3

Block Group: 4

Block Group: 9

Tract: 0101.04

Tract: 0101.05

Tract: 0102.01

Tract: 0102.03

Tract: 0102.04

Tract: 0108.

Block: 901C, 902, 903, 904, 905, 908, 909, 910

PROVIDED, HOWEVER, that District 114 shall include, in addition to the above-described territory any portion of the City of Augusta located in Columbia County.

District No. 115

RICHMOND

Tract: 0001.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 9502.

Block: 106, 107, 108A, 108B, 109A, 109B, 110A, 110B, 111, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199E, 199F, 199G, 204A, 205, 206A, 206B, 207A, 207B, 207C, 208A, 208B, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223A, 223B, 224, 225, 226, 227, 228, 229A, 229B, 230, 231, 232A, 232B, 232C, 233, 234, 235, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 270, 271, 273, 274, 275, 276, 277, 278A, 278B, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299A

Tract: 9503.

Tract: 9504.

Tract: 9505.

Tract: 9506.

Tract: 9507.

Tract: 9508.

RICHMOND

Tract: 0105.04

Block: 927, 928, 929, 930, 935, 936, 937, 938, 939, 941, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 999C, 999D

Tract: 0105.05

Block: 815

Tract: 0107.03

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 149, 151, 152, 153, 154, 155, 199, 199

Tract: 0107.04

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 155, 156, 157, 158, 159, 160, 161, 162, 163, 199, 199

Tract: 0108.

Block: 901A, 901B, 901D, 901E, 901F, 901G, 901H, 901J, 906, 907, 911,

Block: 912, 999A, 999B, 999C, 999D, 999E, 999F, 999G, 999H, 999J, 999K, 999L, 999M, 999N, 999P, 999R, 999U, 999V, 999W, 999X

Tract: 0109.01

Block: 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 237, 238, 239, 240, 299, 299, 299

District No. 117

RICHMOND

Tract: 0012.

Block: 209, 210, 211, 212, 213, 214, 215

Block Group: 3

Block: 407, 408, 409, 410, 411, 503

Tract: 0013.

Block: 205B, 217B, 225B

Tract: 0103.

Tract: 0104.

Block: 101B, 102B, 103B, 104A, 104B, 105B, 107A, 107B, 108A, 108B, 110, 111, 112A, 112B, 114B, 115B

Block Group: 2

Block Group: 3

Block Group: 4
 Block Group: 5
 Block Group: 6
 Block Group: 7
 Tract: 0105.04
 Block: 910, 912, 913, 914, 931, 934, 942, 943, 944, 945, 999B
 Tract: 0105.05
 Block Group: 4
 Block Group: 5
 Block: 603, 702, 703, 704, 705, 707, 708, 709, 710, 711, 712, 713, 715, 718, 719, 720,
 721, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 816,
 817, 818
 Block Group: 9
 Tract: 0105.07
 Tract: 0106.
 Block: 402, 403, 404, 405, 406, 407B, 408, 409, 410, 411, 412, 413, 414, 415, 416,
 417, 419, 420
 Tract: 0107.03
 Block: 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142,
 143, 144, 145, 146, 147, 148, 150
 Tract: 0107.04
 Block: 101, 148, 149, 150, 151, 152, 153, 154

District No. 118

RICHMOND

Tract: 0006.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 202, 203,
 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 217, 218, 219, 220, 221
 Block Group: 3
 Block: 403, 404, 405, 406, 407, 408, 409, 410, 411, 504, 505, 508, 509, 510, 511, 513,
 514, 515, 516, 517
 Tract: 0007.
 Block: 112, 113, 114, 115, 117, 118, 125, 126, 128, 129
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Tract: 0009.
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Block: 601, 603, 604, 605, 611
 Tract: 0010.
 Block: 105A, 119, 120, 121
 Tract: 0013.
 Block: 102, 103, 104, 105, 205A, 209, 217A, 218, 219, 220, 221
 Block Group: 3
 Tract: 0014.
 Tract: 0015.
 Tract: 0104.
 Block: 101A, 102A, 103A, 105A, 114A, 115A
 Tract: 0105.05
 Block Group: 2
 Block Group: 3
 Block: 601, 602, 701, 706, 714, 716, 717, 722, 723
 Tract: 0105.06

Tract: 0105.08

Block Group: 1

Block: 701, 702, 703, 704, 705, 706, 707, 711

Tract: 0105.09

Block: 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 828, 829, 830, 831, 832, 833, 835

Tract: 0105.10

Block Group: 1

Block Group: 9

Tract: 0105.11

Block: 201, 313, 314, 315, 316, 317, 318, 319, 320, 327, 328

Block Group: 9

Tract: 0106.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 407A, 418

Block Group: 5

Block Group: 6

Block: 901, 902A, 902B, 902C, 902D, 903, 904, 905, 906A, 906B, 907, 908, 909, 910, 911, 912A, 912B, 912C, 913, 914, 915A, 915B, 915C, 916, 917, 918, 919, 920A, 920B, 921A, 921B, 922A, 922B, 922C, 922D, 923A, 923B, 923C, 923D, 924A, 924B, 925, 926, 927, 928, 933, 935, 936A, 937, 938, 939, 940, 944A, 944B, 948A, 966, 967, 968, 969A, 969B, 970, 971, 972, 999A, 999B, 999C, 999D, 999E

Tract: 0107.05

Block: 101, 102, 103, 105, 106, 107, 108, 109

District No. 119

BURKE

Tract: 9501.

Block: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 117, 118, 119, 120, 199B, 199B, 199B, 199B, 199B, 199B, 199B, 199B

Block Group: 2

Tract: 9502.

Block: 101, 102, 103, 104, 105, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 199B, 199C, 199D, 201, 202, 203, 204B, 236, 237, 238, 239, 240, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 272, 299B

RICHMOND

Tract: 0105.08

Block: 708, 709, 710, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721

Tract: 0105.09

Block Group: 7

Block: 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 834, 836, 837

Tract: 0105.10

Block Group: 2

Block Group: 4

Block Group: 5

Tract: 0105.11

Block: 202, 203, 204, 214, 215, 216, 217, 218, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 321, 322, 323, 324, 325, 326, 399

Block Group: 4

Tract: 0106.

Block: 929A, 929B, 930A, 930B, 931, 932, 934, 936B, 941, 942, 943, 945, 946, 947, 948B, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 973, 999F, 999G, 999H, 999J, 999K, 999L

Tract: 0107.04
 Block: 131
 Tract: 0107.05
 Block: 104
 Block Group: 2
 Tract: 0107.06
 Tract: 0108.
 Block: 999T
 Tract: 0109.01
 Block Group: 1
 Block: 201, 202, 203, 204, 227, 228, 229, 230A, 230B, 231, 232, 233, 234, 235, 236
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Tract: 0109.02

District No. 120

BALDWIN

Tract: 9701.
 Block: 101, 102, 103, 104, 105, 106, 107D, 107E, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125B, 127B, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185B, 199D, 199D, 199E, 199F, 199G, 199H
 Block Group: 2
 Block Group: 3
 Tract: 9702.
 Block: 342B, 399C, 524, 599
 Tract: 9707.
 Block: 126

GLASCOCK

HANCOCK

MCDUFFIE

Tract: 9501.
 Block: 280, 281, 282, 283, 284, 285
 Tract: 9502.
 Block: 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117A, 117B, 118, 119A, 119B, 119C, 120A, 120B, 121A, 121B, 121C, 122A, 122B, 122C, 122D, 123A, 123B, 124A, 124B, 124C, 125A, 125B, 125C, 126A, 126B, 126C, 127A, 127B, 127C, 128, 129A, 129B, 130A, 130B, 208A, 211, 224, 225, 226, 227, 228, 229, 305A, 306, 307, 308, 309, 310A, 310B, 311A, 311B, 311C, 311D, 312, 313A, 313B, 313C, 313D, 314A, 314B, 315, 316A, 318, 319A, 319B, 320, 321, 322
 Block Group: 4
 Block Group: 5
 Tract: 9503.
 Block Group: 1
 Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 239A, 239B, 240, 241, 242A, 242B, 243A, 243B, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256A, 256B, 257A, 257B, 258, 259, 260A, 260B, 261A, 261B, 299, 299, 299
 Block Group: 3
 Tract: 9504.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215A, 215B, 216, 217, 218A, 218B, 219A, 219B, 220A, 220B, 221, 222, 223, 224,

225, 226, 227, 228, 229, 230, 231, 232, 233, 234A, 234B, 234C, 235, 236, 237, 238, 239A, 239B, 239C, 240, 241A, 241B, 242A, 242B, 243, 244, 245, 246, 247, 248, 249, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 299A, 299B

Block Group: 3

Block Group: 4

Block: 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 599A, 599B, 599C, 599D

Tract: 9505.

Block: 201, 202, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 253, 254, 255, 256, 257, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 299A, 299B, 299D, 299G, 299J

TALIAFERRO
WARREN

District No. 121

JEFFERSON
WASHINGTON

District No. 122

BALDWIN

Tract: 9701.

Block: 107B, 125A, 126, 127A, 185A, 199B

Tract: 9702.

Block Group: 1

Block Group: 2

Block: 301A, 301B, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312A, 312B, 313, 314, 315, 316, 317, 318, 319A, 319B, 319C, 319D, 320A, 320B, 321A, 321B, 321C, 322, 323A, 323B, 323C, 324, 325A, 325B, 326, 327A, 327B, 328A, 328B, 329A, 329B, 330A, 330B, 330C, 330D, 331, 332A, 332B, 333, 334, 335, 336A, 336B, 337, 338, 339, 340, 341, 342A, 399A, 399B, 399D

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523

Tract: 9703.

Tract: 9704.

Tract: 9705.

Tract: 9706.

Tract: 9707.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140A, 140B

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9708.

District No. 123

JONES

Tract: 0301.02

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 120, 121, 122, 123, 201,
202, 203, 207, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222,
223, 224, 228, 229, 230, 299A, 299B

Block Group: 8

Block Group: 9

Tract: 0302.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 133, 134, 135, 136, 137, 138, 139, 140,
141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 174, 184, 185,
186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199G, 199H, 199J,
199K, 199L, 199M, 199N, 199P, 302, 303, 304, 305, 306, 310

Tract: 0303.

Block Group: 1

Block Group: 2

Block: 303, 305, 306, 309, 310, 312, 313A, 313B, 314A, 315, 316A, 317A, 318A,
318B, 319, 320, 321, 322, 323, 324, 325, 326, 329, 330, 331, 332, 333, 334,
335, 336, 337, 338, 339, 340, 342, 344, 345, 346, 348, 349, 350, 351, 352, 353,
354, 355, 356, 357, 358A, 358B, 358C, 359A, 359B, 360A, 360B, 361, 362A,
362B, 363A, 363B, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375,
376, 399A, 399B, 399C, 399D, 399G, 399K, 399L, 399M, 399N, 399P

Block Group: 4

Block Group: 5

TWIGGS

WILKINSON

District No. 124

BIBB

Tract: 0102.

Block: 101

Tract: 0105.

Block: 105, 106, 107, 108, 109, 110, 111, 112

Block Group: 2

Block: 311, 312, 313

Tract: 0106.

Block Group: 1

Block: 201, 202, 203, 204, 205, 208, 209, 210, 211, 212, 215, 216, 217

Block Group: 3

Block: 402, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418,
419

Tract: 0107.

Tract: 0108.

Block: 102, 103, 104, 106, 107, 108, 109, 110, 112, 114, 115, 116, 117, 118, 119, 120,
121

Block Group: 2

Block Group: 3

Tract: 0110.

Block Group: 1

Block Group: 2

Block: 303, 304, 315, 316, 408, 409, 410, 411, 412, 413, 414, 415

Block Group: 5

Tract: 0111.

Tract: 0112.

Tract: 0113.

Tract: 0114.

Tract: 0115.

Tract: 0117.01

Tract: 0117.02

Tract: 0127.

Block: 201, 202, 205, 206, 207, 208, 209, 210, 211, 212, 213, 221A, 222, 223
 Block Group: 3
 Tract: 0128.
 Tract: 0130. www.libtool.com.cn
 Block: 201A, 201B, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230,
 231A, 231B, 232A, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244,
 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260,
 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 274A, 274B, 276A,
 277A, 292, 293, 294, 295, 296, 297, 299A
 Tract: 0133.02
 Block: 101, 102, 103, 104, 105, 106, 107, 199
 Block Group: 2
 Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416,
 417, 418, 419
 Tract: 0137.97

District No. 125

BIBB

Tract: 0121.
 Block: 102A, 102C, 102D, 102E, 103, 207D, 208, 209, 210C, 211, 212, 213B, 223B
 Tract: 0122.
 Block: 226
 Tract: 0129.
 Tract: 0130.
 Block Group: 1
 Block: 201C, 202, 231C, 232B, 273A, 273B, 274C, 275, 276B, 277B, 278A, 278B,
 279A, 279B, 279C, 280, 281A, 281B, 281C, 282, 283A, 283B, 284, 285, 286,
 287, 288, 289, 290, 291, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J
 Tract: 0131.01
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block: 501, 502C, 503, 504A, 504B, 504C, 504D, 504E, 504F, 504G, 504H, 505, 506,
 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 599A, 599B
 Tract: 0131.02
 Block Group: 4
 Tract: 0132.01
 Block: 101B, 110B, 111, 112, 113, 114, 115B, 116, 117, 118B, 119B, 119C, 120B,
 121C, 121D, 121E, 123, 124, 199, 199, 201B, 202, 203, 204, 205, 206A, 206B,
 207A, 207B, 208A, 208B, 209, 210, 211A, 211B, 212A, 212B, 299
 Tract: 0132.02
 Block: 102B, 102D, 103A, 103B, 113A, 113B, 113C, 113D, 114A, 114B
 Tract: 0133.01
 Tract: 0133.02
 Block: 108, 109
 Block Group: 3
 Block: 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435,
 436, 437
 Tract: 0134.97
 Block: 101, 102, 103, 104, 105, 106, 107, 108B, 115, 116, 117, 118, 119, 120, 121,
 122, 123, 199, 199, 199, 199, 199, 199, 206D, 207, 208A, 208B, 209A, 209B, 210A,
 210B, 211, 212, 213, 214, 215, 216A, 216B, 217A, 217B, 218, 219, 220, 304B,
 305, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 399,
 399, 399
 Block Group: 4

Tract: 0135.01
 Tract: 0135.02
 Tract: 0136.01
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 301, 302, 308, 399D, 399E, 401, 402, 403, 404,
 405, 406, 407, 408, 409, 410, 411, 412, 413
 Tract: 0136.02
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 408, 409, 410, 411, 412, 413, 501, 502, 503, 510, 511, 512

District No. 126

BIBB

Tract: 0102.
 Block: 115
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Tract: 0103.
 Block: 202, 203, 204
 Tract: 0110.
 Block: 301A, 301B, 301C, 302, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 317,
 318, 319, 399A, 399B, 401, 402, 403, 404, 405, 406, 407, 419, 420
 Block Group: 6
 Tract: 0118.
 Tract: 0119.
 Tract: 0120.
 Tract: 0121.
 Block: 101, 102B, 201, 202, 203, 204, 205, 206, 207A, 207B, 207C, 210A, 210B,
 213A, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223A, 224, 225, 226, 227,
 228, 229, 230, 231, 232, 233, 234
 Block Group: 3
 Block Group: 4
 Block Group: 5
 Tract: 0122.
 Block Group: 1
 Block: 201, 202, 203, 204, 205, 206, 207, 208A, 208B, 209, 210, 211, 212, 213, 214,
 215, 216, 217, 218, 219, 220, 221, 222A, 222B, 223A, 223B, 224, 225A, 225B,
 225C, 227, 228A, 228B, 228C, 228D, 229, 230, 231, 232, 233, 234, 235, 236,
 237, 238, 239, 299, 299, 299
 Tract: 0123.
 Block: 301
 Block Group: 4
 Block Group: 5
 Tract: 0124.
 Block Group: 1
 Block Group: 2
 Tract: 0134.97
 Block: 108A, 109, 110, 111, 112, 113, 114, 201, 202, 203, 204, 205A, 205B, 206A,
 206B, 206C, 206E, 206F, 221, 222, 301, 302B, 303B, 306, 307
 Tract: 0134.98
 Tract: 0137.98

District No. 127

BIBB

Tract: 0101.

Tract: 0102.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114

Tract: 0103.

Block Group: 1.com.cn

Block: 201, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240

Tract: 0104.

Tract: 0105.

Block: 101, 102, 103, 104, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 314, 315, 316

Tract: 0106.

Block: 206, 207, 213, 214, 401, 403

Tract: 0108.

Block: 111

Tract: 0123.

Block Group: 1

Block Group: 2

Block: 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320

Tract: 0124.

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0125.

Tract: 0126.

Tract: 0127.

Block Group: 1

Block: 203, 204, 214, 215, 216, 217, 218, 219, 220, 221B

Tract: 0131.01

Block: 502A, 502B

Tract: 0131.02

Block Group: 1

Block Group: 2

Block Group: 3

Tract: 0132.01

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110A, 115A, 118A, 119A, 120A, 121A, 121B, 122, 201A

Block Group: 3

Block Group: 4

Tract: 0132.02

Block: 101, 102A, 102C, 104, 105, 106, 107, 108, 109, 110, 111, 112, 199

Block Group: 2

Block Group: 3

District No. 128

BIBB

Tract: 0136.01

Block: 207, 208, 209, 210, 211, 212, 213, 214, 299, 299, 299, 299, 299, 299, 299, 303, 304, 305, 306, 307, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 399A, 399B, 399C, 399F, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 499

Tract: 0136.02

Block: 401, 402, 403, 404, 405, 406, 407, 414, 499, 499, 499, 499, 504, 505, 506, 507, 508, 509, 513, 514, 515, 516, 517, 599

Block Group: 6

CRAWFORD
HOUSTON

Tract: 0201.01

Block: 101, 102B, 102C, 103, 104, 105A, 105B, 106A, 106B, 107, 108A, 108B, 112B, 117, 118A, 118B, 201C, 202, 203, 204, 205, 206B, 401, 402

Tract: 0201.02

Tract: 0201.03

Tract: 0203.

Block Group: 1

Block: 201, 301

Tract: 0204.

Block: 101A, 101B, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113

PEACH

Tract: 0401.

Tract: 0402.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111,

Block: 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 201, 202, 217, 218, 219, 234, 235, 253, 254, 255, 256, 257A, 257B, That part of Block 258 which lies east of the boundary line for GMD 1813 and GMD 1816, 259

Tract: 0403.01

Block: 101, That part of Block 102 which lies northeast of Mossy Creek, 113, 114, 115, 116, 117, 118, 119, 120A, 120B, 121A, 121B, 123, 124A, 124B, 125, 126A, 126B, 134, 136, 137, 138, 139, 140A, 140B, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167A, 167B, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197

Block Group: 2

Block Group: 3

Tract: 0403.02

Block: 101, 102, 103A, 103B, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 133, 134, 135, 136, 137A, 137B, 138A, 138B, 139A, 139B, 142, 143A, 143B, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 199, 199, 199

District No. 129PIKE
UPSONDistrict No. 130

COWETA

Tract: 1701.

Block: That part of Blocks 256, 258, 357, 358 and 359 which lies southwest of the Georgia Power Transmission line, 362, 363, 364, 365, 366, 367, 375, 376, 377, 378, 379, 380, 381, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 399B, 399C, 399D

Tract: 1705.

Block: 246

Tract: 1707.

Block: 228, 229, That part of Blocks 227, 230, 232 and 233 which lies southwest of the Georgia Power transmission line, 235, 236, 237

Tract: 1708.

Block Group: 1

Block: 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 230, 231, 232, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264A, 264B, 265, 266, 267A, 267B,

268, 269, 270A, 270B, 271, 272, 273, 274A, 274B, 275, 276, 277, 278, 279,
280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294,
295A, 295B, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H

Block Group: 3

Block Group: 4

TROUP

Tract: 9601.

Tract: 9602.

Tract: 9603.

Tract: 9604.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416,
417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 434, 435

Tract: 9605.

Tract: 9606.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113, 114A,
114B, 115, 116A, 116B, 117A, 117B, 118, 119A, 119B, 120, 121, 122, 123,
124, 125, 126, 127, 134, 135, 136, 137, 138, 141, 143, 144, 158, 159, 160, 161,
162, 163, 199D, 199E, 199F, 201B, 214B, 215B

Tract: 9609.

Block: 203C, 203D, 204, 205B, 313B, 314A, 314B

Block Group: 4

Block: 513D, 515, 516, 517, 518A, 518B, 519, 520, 521, 522, 523, 540, 561B, 564B,
599A

Block Group: 6

Block Group: 7

Tract: 9610.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 133, 134,
135, 136, 137, 139, 144, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,
212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227,
228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 246,
247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 266, 290,
291, 299C, 299D, 299E

Tract: 9611.

Block: 101, 104

District No. 131

MERIWETHER

Tract: 9701.

Tract: 9702.

Tract: 9703.

Tract: 9704.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216,
217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232,
233, 234, 235, 236, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251,
252, 258, 259A, 259B, 260A, 260B, 261A, 261B, 261C, 262A, 262B, 263, 264,
265, 266, 267, 268, 269, 270, 299A, 299B, 299C, 299D, 299E, 299F, 299G,
299H, 299J, 299K, 299L, 299M, 299N, 299P

Block Group: 3

Tract: 9706.

Block: 303, 304, 305, 306, 307, 308, 309, 310, 311, 321, 399L

TROUP

Tract: 9604.

Block: 429, 430, 431, 432, 433

Tract: 9606.

Block: 128, 129, 130, 131, 132, 133, 139, 140, 142, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 199A, 199B, 199C, 201A, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 215A, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 299

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9607.

Tract: 9608.

Tract: 9609.

Block Group: 1

Block: 201, 202, 203A, 203B, 205A, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 313C, 315, 316, 317, 318, 319, 320, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513A, 513B,

Block: 513C, 514, 524A, 524B, 524C, 525, 526A, 526B, 527, 528, 529A, 529B, 530A, 530B, 530C, 530D, 531, 532, 533A, 533B, 534, 535, 536, 537, 538, 539, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561A, 562, 563, 564A, 565, 566, 567, 599B, 599C

Tract: 9610.

Block: 101, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 138, 140, 141, 142, 143, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 199A, 199B, 243, 244, 245, 261A, 261B, 262, 263, 264, 265, 267, 268, 269, 270, 271, 272A, 272B, 273A, 273B, 273C, 274, 275A, 275B, 276A, 276B, 277A, 277B, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 292, 293, 299A, 299B

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 9611.

Block: 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 199, 199, 199, 199, 199, 199

Block Group: 2

Tract: 9612.98

District No. 132

MUSCOGEE

Tract: 0002.

Tract: 0003.

Tract: 0004.

Tract: 0005.

Tract: 0006.

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 118, 119, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218

Tract: 0009.

Block Group: 1

Tract: 0011.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317

Tract: 0016.

Block: 102, 103, 104, 105, 106, 109, 110, 301, 302, 303, 306, 307, 308, 309, 401, 402, 403, 407, 408, 411, 413, 414, 499

Tract: 0102.01

Tract: 0102.02
 Block: 102, 103, 105, 107, 108, 109, 110, 112, 113, 123, 124, 125, 126, 127, 128, 129,
 131, 133, 134, 135, 137, 139, 140, 141, 142, 144, 145, 149, 151, 153, 199, 199
 Block Group 2.com.cn
 Block: 302, 303, 304, 305, 306, 308, 309, 310, 311, 312, 313, 314, 315, 316, 319
 Tract: 0103.01
 Tract: 0103.02
 Tract: 0104.01
 Tract: 0104.02
 Block Group: 1
 Block: 201, 202, 203, 204, 231, 901, 902, 904, 905, 906, 907,
 Block: 908, 909, 910, 911, 914, 999
 Tract: 0110.

District No. 133

MUSCOGEE

Tract: 0021.
 Block: 102, 103, 104, 105, 122, 123, 214, 215, 216, 217, 218, 219, 220, 223
 Tract: 0101.02
 Tract: 0101.03
 Block: 328
 Tract: 0105.
 Block: 104, 106, 109, 202, 203, 206, 207, 208, 209, 210, 212, 216, 217, 218, 219, 223,
 301, 302, 303, 305, 306, 307, 316, 317
 Tract: 0106.04
 Tract: 0106.05
 Tract: 0106.06
 Tract: 0107.01
 Tract: 0107.02
 Block: 101, 104, 105, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 118, 119,
 122, 123, 125, 126, 127, 128, 129, 130, 132, 134, 135, 136, 137, 201, 202, 221,
 222, 223, 224, 225, 226, 228
 Tract: 0108.
 Block: 901F, 901G, 901H, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 999C,
 999D, 999E

TALBOT

District No. 134

MUSCOGEE

Tract: 0028.
 Block: 401, 402, 403, 404, 407, 408
 Tract: 0029.01
 Block: 212, 213, 214, 215, 216, 217, 218, 219, 220, 227, 229
 Tract: 0029.02
 Tract: 0031.
 Block: 101, 105, 106, 107, 110, 111, 202, 203, 206, 207, 208, 209
 Tract: 0032.
 Tract: 0033.
 Tract: 0034.
 Tract: 0107.02
 Block: 102, 103, 121, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
 216, 217, 218, 219, 220, 227, 229, 230
 Tract: 0107.03
 Tract: 0108.
 Block: 901A, 901B, 901C, 901D, 901E, 901J, 999A, 999B
 Tract: 0109.
 Block: 901

District No. 135

MUSCOGEE

- Tract: 0001.
 Block: 101, 102, 103, 221, 223
- Tract: 0006.
 Block: 101, 102, 113, 114, 115, 116, 117, 201, 202
- Tract: 0008.
- Tract: 0009.
 Block Group: 2
 Block Group: 3
- Tract: 0010.
- Tract: 0011.
 Block: 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 126, 127
 Block Group: 2
 Block: 301, 302, 303, 304, 318, 319, 320, 321, 322
- Tract: 0012.
- Tract: 0013.
- Tract: 0014.
- Tract: 0015.
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416,
 417, 419, 420, 421, 422, 423, 424, 425, 426, 427, 432, 433
- Tract: 0016.
 Block: 101, 108, 111, 113, 123
 Block Group: 2
 Block: 304, 305, 310, 311, 312, 313, 404, 405, 406, 409, 410, 412
 Block Group: 5
 Block Group: 6
- Tract: 0018.
- Tract: 0019.
- Tract: 0023.
- Tract: 0101.03
 Block: 329, 330, 331, 332
- Tract: 0101.04
 Block: 105, 106, 107, 108, 109, 110, 111, 112, 199A, 199B
- Tract: 0104.02
 Block: 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
 221, 222, 223, 230, 299, 903
- Tract: 0105.
 Block: 101, 102, 103, 105, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 140,
 199A, 199B, 199C, 199D, 199E, 304, 308, 309, 310, 311, 312, 313, 314, 315,
 318
 Block Group: 4

District No. 136

MUSCOGEE

- Tract: 0001.
 Block: 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
 120, 121, 122, 123, 124, 125, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210,
 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 222, 299
- Tract: 0015.
 Block: 418, 428, 429, 430, 431, 434, 435, 436, 437, 438
- Tract: 0020.

Tract: 0021.

Block: 101, 108, 109, 110, 111, 112, 113, 115, 116, 117, 119, 120, 201, 202, 203, 204,
205, 206, 207, 208, 209, 210,

~~Block: 211, 212, 213, 221~~

Tract: 0022.

Tract: 0024.

Tract: 0025.

Tract: 0026.

Tract: 0027.

Tract: 0028.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 405, 406

Block Group: 5

Block Group: 6

Block Group: 7

Block Group: 8

Tract: 0029.01

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 221, 222, 223, 224, 225

Tract: 0030.

Tract: 0031.

Block: 102, 103, 104, 108, 109, 112, 113, 201, 204, 205, 210, 211, 212, 213

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 9

Tract: 0105.

Block: 213, 214, 215, 220, 221, 222

Tract: 0106.02

Tract: 0109.

Block Group: 1

Block: 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 999

District No. 137

MARION

Tract: 9801.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216,
217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232,
233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248,
249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264,
265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279,
280A, 280B, 281, 282, 283, 285, 289, 290, 291, 292, 293, 294, 295, 296, 297,
299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H

Block Group: 3

Tract: 9802.

Block: 158, 214, 215, 218, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 328,
329, 330, 331, 332, 333, 334, 335, 336, 341, 399D

SCHLEY

SUMTER

District No. 138

CRISP

DOOLY

Tract: 9701.

Block Group: 1

Block: 201A, 201B, 202A, 202B, 203, 204, 205, 206, 207, 208, 223, 224, 225, 226, 227, 228A, 228B, 228C, 229A, 229B, 230A, 230B, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257A, 257B, 258, 259A, 259B, 260, 261, 262, 263, 264, 273, 274, 275, 276, 277, 278, 279A, 279B, 280A, 280B, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299B, 301, 302A, 302B, 303A, 303B, 304A, 304B, 305, 306, 307, 308, 309, 310, 311, 317, 318, 319, 320, 325, 326, 327, 328, 329, 330A, 330B, 331A, 331B, 332A, 332B, 333, 334A, 334B, 335A, 335B, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362A, 362B, 363, 364, 365, 366, 367A, 367B, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383A, 383B, 384A, 384B, 385, 386, 387A, 387B, 388, 389A, 389B, 390, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399E, 399F, 399G, 399H

Tract: 9703.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 220, 301, 302, 303, 304, 305, 306, 307, 312, 399K, 399R, 501, 502, 503, 504, 505, 506, 507, 508, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 557, 561

HOUSTON

Tract: 0211.02

Block: 314, 315, 316

Tract: 0211.03

Block: 304

Block Group: 4

Tract: 0214.

Block: 501, 502, 503, 504, 505, 506, That part of Block 508 which lies northeast of Mossy Creek, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 599A, 599B

Tract: 0215.02

Block: That part of Block 101 which lies southwest of Indian Creek, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143A, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299, 299, 299, 299

PULASKI

District No. 139

HOUSTON

Tract: 0201.01

- Block: 102A, 109A, 109B, 110, 111A, 111B, 112A, 113, 114, 115, 116, 201A, 201B, 206A, 207A, 207B, 207C, 207D, 207E, 208A, 208B, 208C, 209, 210A, 210B, 210C, 211, 212A, 212B, 212C, 213A, 213B, 214A, 214B, 215A, 215B, 216A, 216B, 217, 218A, 218B, 218C, 218D, 218E, 219A, 219B, 219C, 219D, 220, 221, 222A, 222B, 223, 224A, 224B, 225, 226
- Block Group: 3
- Block: 403, 404, 405, 406A, 406B, 406C, 407A, 407B, 407C, 408A, 408B, 408C, 409, 410, 411A, 411B, 412
- Tract: 0202.
- Tract: 0203.
- Block: 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315
- Block Group: 4
- Tract: 0204.
- Block: 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127
- Block Group: 2
- Block Group: 9
- Tract: 0205.
- Block Group: 1
- Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 226, 229, 230, 231, 232
- Tract: 0207.
- Block: 410, 411, 419, 420, 421
- Tract: 0209.
- Tract: 0210.
- Tract: 0211.01
- Block: 111A, 111B, 111C, 111D, 111E, 112A, 112B, 112C, 112D, 113A, 199A, 199B
- Block Group: 2
- Block Group: 3
- Block Group: 4
- Tract: 0211.02
- Block: 201, 202, 203, 204, 205, 206, 207, 213, 214

District No. 140

DOOLY

- Tract: 9701.
- Block: 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 265, 266, 267, 268, 269, 270, 271, 272, 299A, 312, 313, 314, 315, 316, 321, 322, 323, 324, 399D
- Tract: 9702.
- Tract: 9703.
- Block: 166, 167, 168, 169, 170, 218, 219, 221A, 221B, 222A, 222B, 223, 224A, 224B, 225, 226A, 226B, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 308, 309, 310, 311, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341A, 341B, 342, 343A, 343B, 344A, 344B, 345A, 345B, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C,
- Block: 399D, 399E, 399F, 399G, 399H, 399J, 399L, 399M, 399N, 399P
- Block Group: 4
- Block: 509, 510, 511, 512, 513, 514, 515A, 515B, 516, 517, 518, 519, 520, 521, 522, 523A, 523B, 524A, 524B, 525, 526, 527, 528, 529, 530, 531, 532, 556, 558, 559, 560, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572A, 572B, 573,

574, 575, 576, 577, 578A, 578B, 579, 580A, 580B, 581, 582, 583, 584, 585,
586, 587, 588, 589, 599

MACON

PEACH www.libtool.com.cn

Tract: 0402.

Block: 125, 126, 127, 128, 129A, 129B, 130, 131, 132, 133, 134, 135, 136, 137A,
137B, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151,
152, 153A, 153B, 154, 155, 156, 157A, 157B, 158, 159, 175, 176, 203, 204,
205, 206, 207A, 207B, 208, 209, 210, 211A, 211B, 212, 213, 214, 215, 216,
220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 236, 237,
238, 239, 240, 241A, 241B, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251,
252, That part of Block 258 which lies west of the boundary line for GMD
1813 and GMD 1816, 260, 261, 262, 263, 264, 299, 299, 299

Tract: 0403.01

Block: That part of Block 102 which lies southwest of Mossy Creek, 103, 104, 105,
106, 107, 108, 109, 110, 111, 112, 122, 127A, 127B, 128, 129, 130, 131A,
131B, 132A, 132B, 133, 135, 199, 199

Tract: 0403.02

Block: 129, 130, 131, 132, 140A, 140B, 141

Tract: 0404.

TAYLOR

District No. 141

HOUSTON

Tract: 0205.

Block: 217, 218, 219, 220, 221, 222, 223, 224, 225, 227A, 227B, 228, 233, 234, 235,
236, 237, 238, 239, 240A, 240B, 241A, 241B, 242, 243, 244, 245, 246

Tract: 0206.

Tract: 0207.

Block Group: 1

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 412, 413, 414, 415, 416, 417, 418

Tract: 0208.

Tract: 0211.01

Block: 101A, 101B, 102A, 102B, 103A, 103B, 104A, 104B, 105A, 105B, 105C, 105D,
106, 107, 108A, 108B, 108C, 108D, 108E, 109, 110, 113B, 114A, 114B, 115A,
115B

Tract: 0211.02

Block Group: 1

Block: 208, 209, 210, 211, 212, 215, 216, 217, 218, 219, 301, 302, 303, 304, 305, 306,
307, 308, 309, 310, 311, 312, 313, 317

Tract: 0211.03

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317,
318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333,
334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 399

Tract: 0212.

Tract: 0213.

Tract: 0214.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 507, That part of Block 508 which lies southwest of Mossy Creek, 509, 525,
526, 527, 528, 529, 530, 599C, 599D

Tract: 0215.01

Tract: 0215.02

Block: That part of Block 101 which lies northeast of Indian Creek, 143B, 144,
145, 254, 255, 267, 268

District No. 142

BLECKLEY

DODGE

LAURENS

Tract: 9507.

Block: 294, 295

Tract: 9511.

Block: 150, 151, 152, 154, 155, 156, 157, 158, 178, 199A

Block Group: 2

Tract: 9512.

Tract: 9513.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 118,
119, 120A, 120B, 121, 122, 123, 124, 125, 126A, 126B, 127A, 127B, 128, 129,
130, 131, 132, 133, 134, 135, 136, 137, 138, 139A, 139B, 140A, 140B, 140C,
141, 142, 143, 144, 145, 146, 147, 148A, 148B, 149, 150, 151, 152A, 152B,
153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168,
169, 170, 171, 172, 173A, 173B, 174A, 174B, 175, 176, 177, 178, 179, 180,
181, 199A, 199B, 199C

Block Group: 2

TELFAIR

Tract: 9501.

Block: 101A, 101B, 101C, 101E, 102, 103, 104, 105A, 105B, 106A, 106B, 107, 108,
109, 110, 111, 112, 113, 114A, 114B, 115A, 115B, 116, 117, 118, 119, 120,
121, 122, 123, 124, 125, 126A, 126B, 127A, 127B, 128, 129, 130, 131A, 131B,
131C, 132A, 132B, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144,
145, 146, 147, 148, 149, 150, 151, 152A, 152B, 152C, 153, 154, 155, 156A,
156B, 156C, 156D, 157, 158A, 159

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505A, 505B, 506, 507, 508, 509, 510, 511, 512, 513, 514,
515, 516, 517, 518, 519, 520A, 520B, 520C, 521A, 521B, 522A, 522B, 523,
524, 525, 526, 527, 528, 529A, 529B, 530, 534A, 534B, 536, 537, 538, 539,
540, 541, 542, 543, 544A, 544B, 545A, 545B, 545C, 546, 550A, 553, 554, 555,
556, 557, 599A, 599H

Tract: 9502.

Block: 109A, 110A, 113A, 120A, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,
132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144A, 145, 146A,
199A

District No. 143

LAURENS

Tract: 9501.

Tract: 9502.

Tract: 9503.

Tract: 9504.

Tract: 9505.

Tract: 9506.

Tract: 9507.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216,
217A, 217B, 218A, 218B, 219, 220, 221, 222, 223, 224, 225, 226, 227A, 227B,

228, 229, 230, 231A, 231B, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241,
 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257,
 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273,
 www.274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289,
 290, 291, 292, 293, 296, 299, 299, 299, 299, 299, 299, 299, 299, 299, 299,
 299, 299

Tract: 9508.

Tract: 9509.

Tract: 9510.

Tract: 9511.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148,
 149, 153, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172,
 173, 174, 175, 176, 177, 179, 180, 181, 199B

Tract: 9513.

Block: 116, 117, 199D

Tract: 9514.98

District No. 144

EMANUEL
 JOHNSON
 TREUTLEN

District No. 145

BULLOCH

Tract: 9901.

Block Group: 2

Block Group: 3

Tract: 9903.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130B, 131,
 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143B, 144B, 145, 146,
 147, 148, 149, 150, 151, 152, 199A, 199B, 199C, 199D, 199E, 199F, 199G,
 199H, 199J, 199K, 199L, 199M, 199N, 199P

Block Group: 2

Block Group: 3

Block Group: 4

Tract: 9904.

Block: 303B, 308A, 308B, 309, 310, 311, 399, 399, 411B, 426B, 426C, 429B, 430,
 431, 432, 433A, 433B, 434, 435, 436, 437, 438, 499B, 499C, 515B, 516, 521B,
 522B, 523, 524B, 525B, 526B, 528, 529, 530, 531, 532, 533, 534, 535, 536,
 537, 538, 599, 599, 603C, 608B, 610B, 611, 612, 613, 614, 615, 616, 617, 618,
 619, 620, 621, 622, 623, 624, 699B, 699C, 699D

Tract: 9905.

Block: 503B, 504B, 522B, 523, 524, 525, 526, 527, 528, 529, 599, 599

Tract: 9906.

Block Group: 4

Block: 645

Tract: 9907.

Tract: 9908.

Tract: 9909.

CANDLER
 JENKINS

District No. 146

BULLOCH

Tract: 9901.

Block Group: 1

Tract: 9902.

Tract: 9903. libtool.com.cn

Block: 130A, 143A, 144A

Tract: 9904.

Block Group: 1

Block Group: 2

Block: 301, 302, 303A, 304, 305, 306, 307, 312, 313, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411A, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426A, 427, 428, 429A, 499A, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515A, 517, 518, 519, 520, 521A, 522A, 524A, 525A, 526A, 527, 601, 602, 603A, 603B, 604, 605, 606, 607, 608A, 609, 610A, 699A

Tract: 9905.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501A, 501B, 502, 503A, 504A, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522A

Tract: 9906.

Block Group: 1

Block Group: 2

Block Group: 3

Block Group: 5

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 699, 699, 699, 699, 699, 699, 699, 699

SCREVEN

District No. 147

BRYAN

Tract: 9201.

Tract: 9202., except that part of Block 901E which lies south of Georgia State Highway 144.

Tract: 9203.

Block: 101, 102A, 102B, 103A, 103B, 104A, 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 114B, 115A, 115B, 115C, 116, 117, 118, 119A, 119B, 120A, 120B, 121, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134A, 134B, 135A, 137, 138A, 138B, 139, 140A, 140B, 141, 142, 143, 144, 145, 146, 147, 148, 160A, 164, 165, 166, 167, 174, 176, 177, 189, 199A, 199D, 232, 233A

EFFINGHAM

District No. 148

CHATHAM

Tract: 0003.

Block Group: 3

Tract: 0010.

Tract: 0011.

Tract: 0020.

Tract: 0021.

Tract: 0022.

Tract: 0026.

Block: 101, 102, 103, 104, 105, 107
 Tract: 0027.
 Block: 101, 102, 103, 104
 Block Group: 2
 Block Group: 4
 Tract: 0036.01
 Block: 102A, 102B, 103, 108, 109, 115, 116, 120
 Block Group: 2
 Block Group: 3
 Block: 401A, 401B, 402, 403, 404B, 499
 Tract: 0036.02
 Tract: 0037.
 Tract: 0038.
 Block Group: 1
 Block: 201A, 201B, 202, 203A, 204A, 204B, 205, 206, 207, 208
 Block Group: 3
 Tract: 0039.
 Block Group: 2
 Block Group: 3
 Block: 404, 405, 406A, 406B, 407A, 407B, 408, 409, 410A, 410B, 411
 Tract: 0101.01
 Block Group: 1
 Block Group: 2
 Block: 304A, 304B, 305A, 305B, 306, 307, 308, 309, 310, 311, 312, 313, 314A, 314C,
 321A, 321D, 322, 323, 324, 325, 326, 327, 328, 329A, 329B, 399A
 Tract: 0101.02
 Block Group: 1
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313A, 314, 315A,
 401, 403A, 499A
 Tract: 0102.
 Block Group: 1
 Block: 201, 204, 210
 Tract: 0106.05
 Block: 106A
 Tract: 0111.01
 Block: 501A, 501B, 502, 503, 504, 505, 506, 507, 599A, 599G

District No. 149

CHATHAM

Tract: 0001.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132,
 133, 134, 135, 136, 137, 138, 139, 140
 Tract: 0003.
 Block Group: 1
 Block Group: 2
 Tract: 0006.01
 Tract: 0008.
 Tract: 0009.
 Tract: 0012.
 Tract: 0013.
 Tract: 0015.
 Tract: 0017.
 Tract: 0018.
 Tract: 0019.
 Tract: 0023.

Tract: 0024.
 Block: 107, 108, 109, 120, 201, 213, 214, 221, 232, 233, 242

Tract: 0032.
 Tract: 0033.01
 Tract: 0033.02
 Tract: 0040.02
 Block Group: 3
 Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 524, 525, 526, 527, 528

Tract: 0043.
 Block: 101A, 101B, 102A, 102B, 103A, 103B, 104, 105, 199

Tract: 0045.
 Block Group: 1
 Block: 201, 203, 204, 206A, 206B, 211, 212, 213, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 401B, 413B, 414B

Tract: 0105.01
 Block: 201, 212B, 213, 229, 230, 231
 Block Group: 3
 Block: 401, 402, 403, 404, 405, 406, 407, 408, 499B

Tract: 0105.02
 Block: 101A, 101B, 102, 103, 104, 105, 106, 109, 110, 111, 112, 113, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212

Tract: 0106.01
 Block: 620B

Tract: 0106.04
 Block: 101A, 101B, 102A, 102B, 103A, 103B, 104A, 104B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114A, 114B, 115, 116, 117, 118, 119A, 119B, 120A, 120B, 121A, 121B, 122A, 122B, 123, 124A, 124B, 125, 126A, 126B, 127A, 127B, 127C, 128, 129A, 129B, 130, 131A, 131B, 132, 133, 134, 135A, 135B, 136, 137, 138, 139, 140, 141, 142B, 143B, 144, 145, 146, 147B, 150, 151, 152, 153, 154, 155

Tract: 0106.05
 Block: 102A, 146A, 146B, 151A, 152A, 154A, 155, 156, 157, 158, 159, 160, 161, 169A, 170A, 171A, 172A, 199A
 Block Group: 9

District No. 150

CHATHAM

Tract: 0001.
 Block: 199

Tract: 0101.01
 Block: 399B

Tract: 0105.01
 Block Group: 1
 Block: 202, 203A, 203B, 204A, 204B, 205A, 205B, 206, 207A, 207B, 208, 209, 210, 211A, 211B, 212A, 214, 215, 216, 217, 218, 219A, 219B, 220, 221A, 221B, 222A, 222B, 222C, 223, 224, 225, 226, 227A, 227B, 228A, 228B, 409, 410, 411, 412, 413, 499A
 Block Group: 5

Tract: 0105.02
 Block: 107A, 107B, 108, 199, 213

Tract: 0106.01
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block Group: 5

Block: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616,
617, 618, 619A, 619B, 620A
Tract: 0106.03
Tract: 0106.04
Block: 142A, 143A, 147A, 148, 149
Tract: 0106.05
Block: 101, 102B, 103, 104, 105, 106B, 107, 108, 109, 110, 111, 112, 113, 114, 115,
116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,
132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146C,
147, 148, 149, 150, 151B, 152B, 153, 154B, 162, 163, 164, 165, 166, 167, 168,
169B, 170B, 171B, 172B, 173, 174, 175, 199B, 199C, 199D, 199E, 199F,
199G, 199H, 199J, 199K, 199L, 199M
Tract: 0106.99
Tract: 0107.98
Tract: 0108.04
Tract: 0108.06
Tract: 0108.07
Tract: 0108.97
Tract: 0108.98
Tract: 0109.01
Block: 308, 309, 399A, 399B
Tract: 0109.02
Block: 107, 108, 110, 114, 115, 116, 199T, 199U
Tract: 0112.98

District No. 151

CHATHAM

Tract: 0024.
Block: 101, 102, 103, 104, 105, 106, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
121, 122, 123, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 215, 216,
217, 218, 219, 220, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 234, 235,
236, 237, 238, 239, 240, 241
Tract: 0025.
Tract: 0026.
Block: 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122,
123, 124, 125, 126, 127, 128
Block Group: 2
Tract: 0027.
Block: 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120,
121, 122, 123
Block Group: 3
Tract: 0028.
Tract: 0029.
Tract: 0030.
Tract: 0034.
Tract: 0035.01
Tract: 0035.02
Tract: 0039.
Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
117, 118, 119, 120, 121, 122, 123, 124, 125
Tract: 0040.01
Block Group: 1
Block Group: 2
Block Group: 3
Block Group: 4
Tract: 0043.
Block: 106

Tract: 0044.

Tract: 0045.

Block: 202, 205, 207, 208, 209, 210, 214A, 214B, 214C, 225, 226, 227, 228, 229, 230,

www.legis.state.nc.us 231, 232, 233, 234, 235

Block Group: 3

Block: 401A, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413A, 414A

District No. 152

CHATHAM

Tract: 0039.

Block: 126, 127, 128, 129, 401, 402, 403, 412A

Tract: 0040.01

Block Group: 5

Tract: 0040.02

Block: 101, 102, 103, 104A, 105, 106A, 106B, 107, 108, 109, 110, 111, 112A, 112B,
113, 114, 115, 116A, 116B, 117A, 117B, 118A, 199

Block Group: 2

Block Group: 4

Block: 514, 515, 516, 517, 518, 519, 520, 521, 522, 523

Tract: 0042.02

Tract: 0042.03

Tract: 0042.05

Tract: 0042.06

Tract: 0102.

Block: 312A, 312B, 313A, 313B

Tract: 0109.01

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307

Tract: 0109.02

Block: 101A, 101B, 101C, 101D, 102, 103, 104, 105, 106, 109, 111, 112, 113, 117,
118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133,
134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 199A, 199B, 199C,
199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 199M, 199N, 199P, 199R

District No. 153

CHATHAM

Tract: 0036.01

Block: 101, 104, 105, 106, 107, 110, 111, 112, 113, 114, 117, 118, 119, 404A, 405,
406, 407, 408, 409

Tract: 0038.

Block: 203B

Tract: 0039.

Block: 412B

Tract: 0040.02

Block: 104B, 118B

Tract: 0041.

Tract: 0101.01

Block: 301, 302, 303, 314B, 315, 316, 317, 318A, 318B, 319, 320, 321B, 321C, 399C

Tract: 0101.02

Block: 313B, 315B, 402, 403B, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413,
499B, 499C

Tract: 0102.

Block: 202, 203, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 309,
310, 311, 312C, 312D, 313C, 314, 315, 316

Tract: 0110.02

Tract: 0110.03

Tract: 0110.04
 Tract: 0111.01
 Block Group: 1
 Block Group: 2
 Block Group: 3
 Block Group: 4
 Block: 508, 509, 510, 511, 512, 513, 514, 599B, 599C, 599D, 599E, 599F
 Tract: 0111.02
 Tract: 0111.03
 Tract: 0111.99

District No. 154

BRYAN

Tract: 9202.
 That portion of Block 901E which lies south of Georgia State Highway 144.
 Tract: 9203.
 Block: 122, 135B, 136, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160B, 161, 162, 163, 168, 169, 170, 171, 172, 173, 175, 178, 179, 180, 181A, 181B, 182, 183, 184, 185, 186, 187, 188, 190, 191, 192, 193, 194, 195, 196, 197, 199B, 199C, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 233B, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M

EVANS

LIBERTY

Tract: 0101.
 Block: That part of Block 901D which lies east of Hero Road, north of Inquist Road and northwest of Harmon Road, That part of Block 901E lying south of Lorraine, That part of Block 901G which lies north and east of Georgia State Highway 144 and Georgia State Highway 119, 901H, That part of Block 901J which lies south of Tank Trail on Fort Stewart Military Reservation, 901K, 902, 903, 904, 905, 999A, 999B, 999C, 999D

TATTNALL

District No. 155

MONTGOMERY

TOOMBS

WHEELER

District No. 156

BEN HILL

IRWIN

TIFT

Tract: 9901.
 Block: 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 160, 161, 162, 199A, 199B, 199C, 199D, 199E, 199F, 199G
 Tract: 9904.
 Block: 101, 102, 103, 104, 105D, 106, 107, 108, 109, 122, 129, 130, 199A, 199B, 401C, 402, 403, 408B, 409, 410, 411, 413B,
 Block: 414B, 415, 416, 417B, 533B
 Tract: 9905.
 Tract: 9906.

Block: 147A, 147B, 169, 170, 171, 172, 173, 174, 175, 176A, 176B, 177, 178, 218A, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 299, 299, 330A, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345

Block Group: 4

Tract: 9903.

Block: 101, 102, 103, 104, 105, 106, 107A, 126A, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142A, 143A, 145, 155, 156, 157, 158, 159, 201, 202, 203, 204A, 204B, 205, 206, 207, 208, 209, 210, 211, 212A, 212B, 213, 214, 215, 217, 218, 219, 220, 221, 222, 223, 224, 225, 252, 253, 254

Tract: 9904.

Block: 101, 102, 103, 104, 105A, 105B, 105C, 105D, 106A, 106B, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122A, 122B, 123, 124, 125, 126A, 126B, 127A, 127B, 131, 132, 135, 136, 137, 146A, 169, 170, 171, 199A, 199B, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216A, 217, 299A, 301, 302, 303, 304, 305A, 306, 307, 308, 309, 310, 311A, 311B, 312A, 313, 314

QUITMAN
RANDOLPH
STEWART

District No. 159

CHATTAHOOCHEE

Tract: 0202.

Block: 901A, 901B, 901C, 901D, 901E, 901F, 902, 903, 904, 920, 921, 999A, 999B, 999C, 999D, 999E, 999F, 999G, 999H, 999I, 999J, 999K, 999L, 999M, 999N, 999P, 999Q, 999R, 999S, 999T, 999U, 999V, 999W, 999X, 999Y

LEE

Tract: 0202.

Tract: 0203.

Block: 148, 149, 150, 199E

Block Group: 2

Block Group: 3

Block: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, That part of Blocks 421B, 431B and 434B lying outside the corporate limits of Leesburg as defined, amended and set forth in Ga. Laws 1995, pg. 4129, 423, 425, 426, 427, 428, 429, 430, 432, 433, 435, 436, 437, That part of Blocks 485B and 505B lying outside the corporate limits of Leesburg as defined, amended and set forth in Georgia Laws 1995, pg. 4129, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499B, 499C, 499D, 499E, 499F, 499G, 499H, 499J, 499K, 499L, 499M, 499N, 499P, 499Q, 499R, 499S, 499T, 499W, 499X, 499Y, 511B, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 548, 549, 599A, 599B, 599C, 599D, 599E, 599F

MARION

Tract: 9801.

Block: 284, 286, 287, 288

Tract: 9802.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143A, 143B, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155A, 155B, 156, 157, 159, 160, 161, 162A, 162B, 163, 164A, 164B, 165, 166, 167, 168, 169, 170, 171, 172, 173, 199A, 199B, 199C, 199D, 199E, 199F, 201, 202A, 202B, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 217, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228,

Block: 229, 230, 231, 232, 233, 234, 235A, 235B, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 299, 299, 299, 299, 299, 312A, 312B, 313, 314, 315A, 315B, 315C, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 325, 326, 327, 337, 338, 339, 340, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 399A, 399B, 399C

TERRELL
WEBSTER

District No. 160

DECATUR

Tract: 9701.

Tract: 9702.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 191, 196, 197, 199B, 199C, 199D, 199E, 201A, 201B, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222A, 222B, 223A, 223B, 224, 225A, 225B, 226A, 226B, 227, 228, 229A, 229B, 230, 231, 232, 233, 234, 235, 264, 265, 299A, 299A, 299A, 299A

Tract: 9703.

Block: 101, 102, 141, 142, 143, 283, 299D, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336

Tract: 9704.

Tract: 9705.

Block: 101, 102, 103, 199H

EARLY

Tract: 9901.98

Block: 145C, 146, 147, 180, 187, 188, 189, 190, 191, 192, 193, 194, 199P, 199R, 199T

Block Group: 2

Tract: 9902.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146A, 146B, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 179, 180, 181, 182, 199, 199, 199, 199, 199, 199, 199, 199, 199, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218B, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330B, 331, 399A, 399B, 399C

Tract: 9903.

Block: 107B, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126B, 142B, 143B, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 199, 199, 216, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270,

Block: 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H

Tract: 9904.

Block: 126C, 126D, 127C, 128, 129, 130, 133, 134, 138, 139, 140, 141, 142, 143, 144, 145, 146B, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 199C, 216B, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 299B, 299C, 299D, 299E, 299F, 299G, 305B, 312B, 315A, 315B, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 399A, 399B, 399C

Tract: 9905.

Tract: 9906.98

GRADY

Tract: 9501.

Tract: 9502.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 135, 136, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K

Tract: 9503.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 128A, 129A, 129B, 129C, 130, 131A, 131B, 132, 133, 134, 135A, 135B, 136A, 136B, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 199A, 199B, 199C, 199D

Tract: 9504.

Block Group: 1

Block: 203, 204, 205, 206, 207, 208, 209, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231A, 231B, 231C, 232A, 232B, 233, 236, 239, 240, 241, 242A, 242B, 242C, 243, 244, 245, 299D, 299E, 299F, 299G, 299H, 301C, 302, 303B, 322B

MILLER

SEMINOLE

District No. 161

BAKER

Tract: 9601.

Block Group: 1

Block: 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213A, 213B, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234A, 234B, 235A, 235B, 236, 237A, 237B, 238, 239, 240, 241, 242, 243A, 243C, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 267, 269, 270, 273, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299R

Tract: 9602.98

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 151, 153, 154, 155, 156, 157, 158, 159, 160, 161, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K, 199L, 199M

DOUGHERTY

Tract: 0003.

Block: 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 199B, 199C, 201, 206, 207, 208

Tract: 0008.

Tract: 0009.

Block Group: 1

Block: 310, 311

Tract: 0010.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 217

Tract: 0011.

Tract: 0012.

Tract: 0013.

Block: 101B

Tract: 0014.02 www.botool.com.cn

Block: 207, 208, 209, 210, 212, 213, 215, 216, 217, 222, 223, 224, 225, 227, 228, 229, 230, 231, 232, 233

Tract: 0015.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 316, 319, 322, 323, 324, 325, 326, 327

Tract: 0104.03

Block Group: 2

Tract: 0105.

Tract: 0106.01

Block: 118, 126

Block Group: 2

Tract: 0106.02

Tract: 0109.

Block: 101, 102, 103, 104B, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126

Block Group: 2

Block Group: 3

Tract: 0110.

Block: 105, 106, 107, 108, 109, 110, 111, 112, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 208, 209, 211, 212, 213, 214, 215, 216, 217, 227, 228, 230, 231, 232, 233, 234, 235, 236, 299

District No. 162

DOUGHERTY

Tract: 0001.

Block: 101A, 102, 103A, 107A, 108A, 109, 110, 111, 112, 113, 114, 115

Block Group: 2

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 0002.

Tract: 0013.

Block: 101A, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 199A, 199B

Tract: 0014.01

Tract: 0014.02

Block Group: 1

Block: 214, 218, 219, 221, 235

Tract: 0015.

Block: 119, 120, 121

Block Group: 2

Block: 313, 314, 315, 320, 321

Tract: 0101.

Block: 128A, 129A, 130A, 132, 133, 208A

Tract: 0103.01

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 199C

Tract: 0103.02

Tract: 0106.01
 Block: 107, 108, 109, 110, 111, 112, 114, 115, 119, 120, 121, 122, 123, 124, 125, 127, 128, 199, 199
 Tract: 0107.
 Tract: 0108.
 Tract: 0109.
 Block: 104A, 105
 Tract: 0110.
 Block: 101, 102, 103, 104, 113, 114, 201, 202, 203, 204, 205, 206, 207, 210, 218, 219, 220, 221, 222, 223, 224, 225, 226, 229, 237, 238, 239, 240
 Tract: 0111.

District No. 163

DOUGHERTY

Tract: 0001.
 Block: 101B, 101C, 103B, 104, 105, 106, 107B, 108B, 108C
 Tract: 0003.
 Block: 101, 102, 103, 104, 105, 106, 107, 110, 124, 126, 131, 199A, 202, 203, 204, 205, 209, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225
 Block Group: 3
 Tract: 0004.
 Tract: 0005.
 Tract: 0006.
 Tract: 0007.
 Tract: 0009.
 Block Group: 2
 Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 312, 313, 314, 315, 316, 317
 Tract: 0010.
 Block: 214, 215
 Tract: 0101.
 Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128B, 129B, 130B, 131, 134, 199, 199, 199, 199, 199, 199, 201, 202, 203, 204, 205, 206, 207, 208B, 208C, 209, 210, 211, 212, 213, 214, 215, 216
 Tract: 0102.
 Tract: 0103.01
 Block: 101A, 101B, 102, 199A, 199B
 Tract: 0104.01
 Tract: 0104.02
 Tract: 0104.03
 Block Group: 1

WORTH

Tract: 9501.
 Block: 283, 284, 287, 288, 289, 290, 291, 292, 293, 294, 299A, 299A, 299A, 299A, 299A, 299A, 299A, 299A, 299A, 299A
 Tract: 9502.
 Block: 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 299, 299, 299, 299, 299, 299, 299, 299, 299, 299
 Tract: 9504.
 Block: 257, 258, 261
 Tract: 9505.
 Block: 114, 115, 116, 117, 118, 119, 120, 121, 122, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 199, 199, 236, 237, 238, 239, 240, 295, 296, 297
 Tract: 9506.
 Block Group: 1

Block: 201, 202, 203, 204, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 249, 252, 253, 254, 255, 256, 257, 258, 271, 272, 273, 274, 275, 299C, 299C, 299C, 299C, 299C, 299C, 299C, 299C, 299C, 299C

District No. 164 www.libtool.com.cn

COLQUITT

Tract: 9702.

Block: 108, 109A, 109B, 110, 111A, 111B, 112A, 112B, 113A, 113B, 114, 115, 116, 117, 118, 119A, 119B, 120, 121, 122, 123, 124A, 124B, 125A, 125B, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158A, 158B, 172, 173, 174, 175, 199A, 199B, 199C, 199D, 201, 202, 203, 204, 205A, 205B, 205C, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215A, 215B, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230A, 230B, 231A, 231B, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 293, 294, 295, 296, 297, 299A, 299A, 299A, 299A, 299A, 299A, 299A, 299A, 299A, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299B, 299C, 299C, 299C, 299C, 299C

Tract: 9703.

Block: 201, 202, 203A, 203B, 204, 205, 206, 207, 208A, 208B, 209, 210, 211, 212A, 212B, 212C, 213A, 213B, 214, 215B, 217, 218, 219, 220, 221, 222, 223, 224, 225A, 225B, 226A, 226B, 299, 299, 299

Block Group: 3

Block Group: 4

Block Group: 5

Block Group: 6

Tract: 9706.

Block: 108D, 108E, 108F, 126B, 139B, 140, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 245, 246, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 302C, 303, 306B, 306C, 307B, 308B, 309, 310, 311, 312, 313, 314B, 315B, 319, 320, 321, 322B, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L, 399M, 399N, 399P

Tract: 9707.

Block: 121B, 131B, 135, 136, 137, 138, 139, 140, 401, 402B, 403B,

Block: 404B, 406B, 415, 416, 417, 418, 419B, 420, 421, 422, 423, 424, 425, 426, 501B, 504, 506, 507, 508, 509B, 510B, 510C, 511B, 511C, 512B, 513D, 516B, 517B, 517C, 518B, 520B, 520C, 521B, 522B, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 538B, 539, 540, 541, 542, 543, 544, 545, 546, 599A, 599B, 599C, 599D, 599E, 599F, 626B

Tract: 9708.

Block: 101, 102, 103, 104, 105, 106, 107, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 204, 205, 206, 207, 208, 209, 210

Tract: 9709.

Block Group: 1

Block Group: 2

Block: 301A, 301B, 301C, 302, 303, 304, 305, 306, 307, 308A, 308B, 309, 310, 311, 312, 313, 314A, 314B, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325A, 325C, 326, 327, 328, 329, 330, 399A, 399B, 399C, 399D, 399E, 399F, 399G,

399H, 399J, 399K, 399L, 399M, 399N, 399P, 399R, 399T, 399U, 399V, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418C, 418D, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 499A, 499B, 499C, 499D, 499E, 499F, 499G, 499H, 499J, 499K, 499L, 499M, 499N, 499P, 499Q, 499R, 499T, 499U, 499V, 499W, 499X, 499Y

MITCHELL

District No. 165

COLQUITT

Tract: 9701.

Tract: 9702.

Block: 101, 102, 103, 104, 105, 106, 107, 158C, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 176, 177, 178, 199E, 199F, 199G, 289, 290, 291, 292

Tract: 9703.

Block Group: 1

Tract: 9704.

Block: 101, 102, 103, 104, 105, 106, 107B, 108C, 108D, 109B, 109C, 110B, 128, 129, 130, 131, 132, 133, 134, 135, 136B, 137, 138B, 199, 199, 199, 199, 201C, 202, 203B, 235B, 236B, 237C, 299B, 301, 302, 303, 304, 305, 306, 307, 308, 318, 319, 323, 324, 399E

Tract: 9705.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126, 127, 128, 129, 130, 131, 132, 133A, 133B, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145A, 145B, 146A, 146B, 147, 148, 149A, 149B, 150, 151, 152, 155, 156, 157A, 157B, 158, 159A, 159B, 160, 161, 162A, 162B, 163, 164, 165, 166, 167, 168, 169, 172, 199G, 199H, 199J, 199K, 199L, 199M, 199N, 199P, 199R, 199T, 199U, 199V, 199W

TIFT

Tract: 9901.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 137, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 199H, 199I, 199J, 199K, 199L, 199M, 199N, 199P, 199Q, 199R, 199S, 199T, 199U, 199V, 199W, 199X, 199Y

Block Group: 2

Tract: 9902.

Tract: 9903.

Tract: 9904.

Block: 105A, 105B, 105C, 110A, 110B, 111A, 111B, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 123, 124, 125, 126, 127, 128

Block Group: 2

Block Group: 3

Block: 401A, 401B, 404, 405, 406, 407, 408A, 412, 413A, 414A, 417A, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533A, 534, 535, 536, 537, 538

Block Group: 6

Tract: 9906.

Block: 101A, 102A, 103A, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117A, 118, 119, 120A, 121, 130A, 131A, 132, 133, 134, 135, 136, 137, 138A, 139A, 140A, 140B, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156A, 156B, 157, 158, 159, 160, 161, 162, 163, 164A,

164B, 165A, 165B, 166A, 166B, 167A, 167B, 168, 169, 170, 171A, 171B,
 201A, 201B, 202A, 203, 204, 205, 209A, 210, 218A, 218B, 219, 220A, 220B,
 221A, 221B, 225A, 225C, 225D, 229, 230A, 230B, 232A, 232B, 302, 303, 308,
 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329,
 330, 331, 332, 333, 334

Block Group: 4

Tract: 9907.

Tract: 9908.

Tract: 9909.

Block Group: 1

Block: 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225,
 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241,
 242, 243, 244, 245, 246, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L,
 299M, 299N, 299P, 299R, 299T

Block Group: 3

District No. 166

**BERRIEN
 COLQUITT**

Tract: 9703.

Block: 215A, 216

Tract: 9704.

Block: 107A, 108A, 108B, 109A, 110A, 111, 112, 113, 114, 115, 116, 117, 118, 119,
 120, 121, 122, 123, 124, 125, 126, 127, 136A, 138A, 139, 140, 141, 142, 143,
 201A, 201B, 203A, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231,
 232, 233, 234, 235A, 236A, 237A, 237B, 238, 239, 240, 241, 242, 243, 244,
 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260,
 261, 262, 263, 264, 265, 299A, 309, 310, 311, 312, 313, 314, 315, 316, 317,
 320, 321, 322, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335A, 335B,
 336, 337, 338, 339, 340, 341, 342, 399A, 399B, 399C, 399D

Tract: 9705.

Block: 153, 154, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184,
 199A, 199B, 199C, 199D, 199E, 199F

Block Group: 2

Tract: 9706.

Block: 101, 102A, 102B, 103, 104A, 104B, 104C, 105A, 105B, 106A, 106B, 107,
 108A, 108B, 108C, 109, 110, 111, 112, 113, 114, 115, 116A, 116B, 117, 118,
 119, 120, 121, 122, 123, 124, 125, 126A, 127, 128, 129, 130, 131, 132, 133,
 134, 135, 136,

Block: 137, 138, 139A, 141, 142, 143, 144, 145, 146, 147, 199A, 199B, 199C, 199D,
 199E, 201, 202, 225, 227, 228, 243, 244, 299A, 301, 302A, 302B, 304, 305,
 306A, 307A, 308A, 314A, 315A, 316, 317, 318, 322A, 399A

Tract: 9707.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,
 117, 118, 119, 120, 121A, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131A,
 132, 133, 134

Block Group: 2

Block Group: 3

Block: 402A, 403A, 404A, 405, 406A, 407, 408, 409, 410, 411, 412, 413, 414, 419A,
 427, 428, 429, 430, 431, 432, 433, 434, 435, 501A, 502, 503, 505, 509A, 510A,
 511A, 512A, 513A, 513B, 513C, 514, 515, 516A, 517A, 518A, 519, 520A,
 521A, 522A, 537, 538A, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611,
 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622A, 622B, 622C, 623A,
 623B, 623C, 624, 625A, 625B, 626A, 627, 628, 629, 630

Tract: 9708.

Seaboard Coastline Railroad, 382B, 383, 384, 385, 391, 392, 393A, 393B, 394A, 394B, 395, 396, 397, 399B, 399C, 413A, 441, 442, 443, 444, 446, 447, 448, 449, 450, 451, 452, 462, 463, 464, 465A, 465B, 466, 467, 468, 469A, 471A, 472, 479C, 480, 481

Tract: 9902.

Block: 102, 103, 104, 105, 106, 107, 108, 109, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199B, 199C, 199D, 199E, 199F

Block Group: 2

PIERCE

District No. 170

APPLING

JEFF DAVIS

TELFAR

Tract: 9501.

Block: 101D, 158B, 160, 161, 162A, 162B, 163, 164, 165, 166, 167, 168, 169, 170, 171, 199A, 199B, 531, 532, 533, 534C, 535, 547, 548, 549, 550B, 551, 552, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 599B, 599C, 599D, 599E, 599F, 599G

Block Group: 6

Tract: 9502.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109B, 110B, 111, 112, 113B, 114, 115, 116, 117, 118, 119, 120B, 121, 144B, 146B, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 199B, 199C

Block Group: 2

Tract: 9503.

Tract: 9504.

WAYNE

Tract: 9701.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 156, 157, 158, 159, 160, 161, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 199E, 199F, 199G, 199H

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 343, 344, 362, 363, 364, 365, 366, 367, 368, 369, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L, 399M, 399N, 399P, 399R, 399T, 420

Tract: 9702.

Block: 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 199

Block Group: 2

Block: 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315

Tract: 9704.

Block: 110, 111, 112, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 161, 162, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 192, 193, 199H, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293

District No. 171

LIBERTY

Tract: 0101.

All that part of the Fort Stewart Military Reservation located within Liberty County and not contained in Districts 154 and 172.

LONG

WAYNE

Tract: 9701.

Block: 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 190, 191, 192, 193, 194, 195, 196, 197, 199A, 199B, 199C, 199D, 341, 342, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 399A, 399B, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415A, 415B, 416, 417, 418, 419, 421, 422, 423A, 423B, 424A, 424B, 425A, 425B, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450A, 450B, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484A, 484B, 485A, 485B, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499, 499, 499, 499, 499, 499, 499, 499

Tract: 9702.

Block: 101, 102, 103, 104, 105, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146A, 146B, 147, 148, 149, 150, 151, 152, 153, 154, 155, 301, 302, 316, 317, 318, 319, 320, 321, 322, 323, 324

Block Group: 4

Block Group: 5

Tract: 9703.

Tract: 9704.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 157, 158, 159, 160, 163, 164, 165, 166, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 194, 195, 196, 197, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199J, 199K, 201, 202, 203, 204, 205, 206, 207, 208, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236A, 236B, 237A, 237B, 238, 239A, 239B, 240A, 240B, 241, 242, 243, 244,

Block: 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266A, 266B, 267A, 267B, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 299

Block Group: 3

Tract: 9705.

Tract: 9706.

District No. 172

LIBERTY

Tract: 0101.

That part of Block 901B located upon the Ft. Stewart Military Reservation and bounded by West Sixth Street, Georgia State Highway 119, Hero Road, Tilton Avenue, Utility Street and General Stewart Way.

Tract: 0102.

Tract: 0103.

Tract: 0104.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330A, 330B, 331, 332, 333, 334, 335A, 335B, 335C, 336, 337, 338, 339A, 339B, 340, 341, 342, 343, 344, 345A, 345B, 345C, 346, 347A, 347B, 348A, 348B, 348C, 348D,

349, 350, 351A, 351B, 352, 353A, 353B, 354, 355, 356, 357A, 357B, 357C, 357D, 358A, 358B, 359A, 359B, 360, 361, 362, 363, 364, 373, 374, 383A, 383B, 383C, 384A, 384B, 385, 387A, 387B, 387C, 387D, 388A, 388B, 389, 390A, 390B, 391A, 391B, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C

Tract: 0105.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 137, 141, 142, 143, 201, 202, 203, 204, 205, 206, 207, 208, 209D, 209E, 209F, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243A, 243B, 243C, 244, 245, 246, 247, 248A, 248B, 248C, 249, 250, 251, 252, 270, 271, 272, 273B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L, 299M, 299N, 299P, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 324C, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 362, 363, 365, 378, 379, 380, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399N, 399P, 399R, 399T, 399U, 399V, 399W

Block Group: 4

Tract: 0106.

Block: 149, 167, 201, 238, 239, 240, 241, 242, 243, 244, 245, 246, 258, 259, 260, 261, 299B, 299C, 299L, 299M

District No. 173

GLYNN

Tract: 0004.

Block: 123, 236, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 379, 380, 381, 391, 392, 393, 394, 395, 396, 397, 399A, 399B, 399C, 399D, 399E, 410, 420, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 540, 541, 542, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 599, 623, 625, 699H

Tract: 0005.

Block: 106A, 106B, 107A, 107B, 108, 109, 110, 111, 112A, 112B, 113A, 113B, 113C, 117, 118A, 118B, 118C, 118D, 119A, 119B, 119C, 120A, 120B, 121, 122A, 122B, 123, 124, 125A, 125B, 126, 127, 128, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0006.

Block: 202, 203, 209, 210

Block Group: 3

Block: 502, 503, 504, 505, 506, 507, 508, 510A, 531, 532, 533, 534, 535, 542, 543A, 599, 599

Block Group: 6

Tract: 0007.

Block: 105A, 105B, 106, 107, 108, 109, 110A, 110B, 110C, 110D, 111, 112A, 112B, 112C, 113, 114, 115, 116, 117, 118, 119A, 119B, 119C, 120, 121, 122, 123, 124, 125, 126, 127, 128, 199A

Block Group: 2

Block: 301, 302A, 302B, 303A, 303B, 304A, 304B, 305, 306, 307, 308A, 308B, 309, 310A, 310B, 311A, 311B, 311C, 312, 313, 319, 320, 321, 322, 323, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 401, 402, 403, 404, 405, 406, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 433, 434, 435, 439, 440, 441, 442, 443, 444, 499

Block Group: 5

Block: 701, 702, 703, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 751, 752

Block Group: 8

Tract: 0008.

Block Group: 1

Block: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239A, 239B, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251

Block Group: 3

Block Group: 4

Block Group: 5

Tract: 0009.

LIBERTY

Tract: 0104.

Block: 365, 366, 367, 368, 369, 370, 371, 372, 375, 376, 377, 378, 379, 380, 381, 382, 386, 399D, 399E

Tract: 0105.

Block: 136, 138A, 138B, 139, 140, 144, 145, 146, 147, 148, 149, 150A, 150B, 151, 152, 153, 154, 155, 209A, 209B, 209C, 210, 253, 254, 255, 256, 257, 258A, 258B, 259, 260, 261, 262, 263A, 263B, 264A, 264B, 265, 266, 267, 268A, 268B, 269, 273A, 299A, 299B, 360, 361, 364, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 399L, 399M

Tract: 0106.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113A, 113B, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137A, 137B, 138, 139, 140, 141, 142, 143, 144, 145, 146A, 146B, 147, 148, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162A, 162B, 163A, 163B, 164, 165A, 165B, 166, 168A, 168B, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182,

Block: 183, 184A, 184B, 185A, 185B, 186, 187, 188, 189, 190, 199, 202A, 202B, 203A, 203B, 204, 205, 206, 207A, 207B, 208, 209, 210, 211, 212, 213, 214A, 214B, 215A, 215B, 215C, 216, 217, 218A, 218B, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228A, 228B, 229A, 229B, 230, 231, 232A, 232B, 232C, 233A, 233B, 234, 235A, 235B, 236A, 236B, 237, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 299A, 299D, 299E, 299F, 299G, 299H, 299J, 299K

MCINTOSH

District No. 174

GLYNN

Tract: 0001.

Tract: 0001.99

Tract: 0002.

Tract: 0003.

Tract: 0004.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 199A, 199B, 199C, 199D, 199E, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228A, 228B, 229, 230, 231, 232, 233, 234, 235, 237, 238, 239, 240, 241, 242, 243,

244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259,
 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275,
 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291,
 www.292, 299, 299, 320, 371, 372, 373, 374, 375, 376, 377, 378, 382, 383, 384, 385,
 386, 387, 388, 389, 390, 399F, 401, 402, 403, 404, 405, 406, 407, 408, 409,
 411, 412, 413, 414, 415, 416, 417, 418, 419, 421, 422, 423, 424, 425, 426, 427,
 428, 429, 430, 431, 432, 433, 434, 499, 537, 538, 539, 543, 544, 601, 602, 603,
 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619,
 620, 621, 622, 624, 626, 627, 628, 699A, 699B, 699C, 699D, 699E, 699F.
 699G

Tract: 0005.

Block: 101, 102, 103, 104, 105A, 105B, 114A, 114B, 114C, 115, 116A, 116B, 116C,
 116D, 201

Block Group: 6

Block Group: 7

Block Group: 8

Block Group: 9

Tract: 0006.

Block Group: 1

Block: 201, 204, 205, 206, 207, 208, 211, 212

Block Group: 4

Block: 501, 509, 510B, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522,
 523, 524, 525, 526, 527, 528, 529, 530, 536, 537, 538, 539, 540, 541, 543B,
 544

Tract: 0007.

Block: 101, 102, 103, 104, 199B, 314A, 314B, 315A, 315B, 316, 317, 318, 324, 325,
 326, 327, 328, 329, 330, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 427,
 428, 429, 430, 431, 432, 436, 437, 438

Block Group: 6

Block: 704, 731, 732, 743, 744, 745, 746, 747, 748, 749, 750, 753, 754, 755A, 755B,
 756A, 756B, 757, 758, 759

Tract: 0008.

Block: 216

Tract: 0010.

District No. 175

CAMDEN

CHARLTON

Tract: 9901.

Block: 149, 150, 152A, 152B, 152C, 152D, 152E, 153, 154, 155, 162, 163, 164, 165,
 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180A,
 180B, 180C, 181A, 181B, 181C, 182A, 182B, 183, 184, 185, 186, 187, 188,
 189, 190, 191A, 191B, 191C, 192A, 192B, 193A, 193B, 194A, 194B, 195,
 196A, 196B, 196C, 197, 199, 199, 199, 199, 199, 199, 199, 199, 222A, 222B,
 222C, 222D, 222E, 223A, 223B, 224, 225, 226, 227, 228, 229, 230, 231, 232,
 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248,
 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264,
 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 283, 284, 285,
 286, 287A, 287B, 287C, 287D, 287E, 287F, 288, 301, 302, 303A, 303B, 304,
 305A, 305B, 305C, 306A, 306B, 306C, 306D, 307A, 307B, 308, 309, 310,
 311A, 311B, 311C, 312, 313, 314, 315, 316, 317, 318A, 318B, 319, 320, 321,
 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337,
 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353,
 354, 355, 356, 357, 358A, 358B, 359, 360, 361, 362, 363, 364, 365, 366, 367,
 368, 369A, 369B, 370, 371A, 371B, 372, 373, 374, 375, 376A, 376B, 376C,
 376D, 376E, 377, 378, 379, 386, 387, 388, 389, 390, 399A, 401, 402, 403, 404,
 405, 406, 407, 408, 409, 410, 411, 412, 413B, 414, 415, 416, 417, 418, 419,

420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435,
436, 437, 438, 439, 440, 445, 453, 454, 455, 456, 457, 458, 459, 460, 461,
469B, 470, 471B, 473, 474, 475, 476, 477, 478, 482, 483, 484, 485, 486, 487,
488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499

Tract: 9902.

Block: 101, 110, 111, 112, 115, 116, 199G, 199H

District No. 176

CLINCH

COOK

Tract: 9802.

Block: 246, 247B, 248

Tract: 9803.

Block: 331, 332, 341, 343, 344, 345, 346, 347, 348, 349, 399C, 501, 502, 503, 504B,
508A, 508C, 509A, 509B, 523, 524, 599, 599, 599, 599

Tract: 9804.

Block: 121, 122, 136B, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149,
150, 151, 152, 153, 154, 158, 159B, 160, 161, 162, 202, 203, 205, 206, 207,
208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223,
224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239,
240, 241, 242, 243, 244, 245, 246, 247, 248, 249A, 249B, 250, 251, 252, 253,
254A, 254B, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267,
268, 269, 270, 271, 272, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H,
299J, 299K, 299L, 299M, 299N, 299P, 299R, 299T, 299U, 299V, 299W,
299X, 299Y

Block Group: 3

LANIER

LOWNDES

Tract: 0101.

Block Group: 1

Block: 201A, 201B, 201C, 202, 203, 204, 205, 206A, 206B, 207, 208, 209, 210, 211,
212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227,
228, 229, 230, 231, 232, 233A, 233B, 233C, 234, 235, 236, 237, 238, 239,

Block: 240, 241, 242A, 242B, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253,
254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269,
270, 271, 272, 273, 274A, 274B, 275, 276, 282, 286, 294, 295, 296, 297A,
297B, 299A, 299B, 299C, 299E, 299F, 299G, 299H, 301, 302, 303, 304, 399C,
399D

Tract: 0102.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,
317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332,
333, 334, 335, 336, 337, 338, 339, 340, 341, 388, 389, 390, 391, 399A, 399B,
399C, 399D, 399E, 399F, 399G, 401, 402, 403, 404, 405, 406, 407, 408, 409,
410, 411, 412, 413, 414, 415, 467, 468, 469, 470, 471, 472, 499A, 499B, 499C

Tract: 0104.

Block: 101A, 101B, 102A, 102B, 103A, 103B, 104, 105, 106, 107, 108, 109, 110, 111,
112, 113, 114, 115, 116, 117A, 117B, 118, 119, 120, 121, 122A, 122B, 122C,
123A, 123B, 124A, 124B, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169,
170, 199B, 208, 209, 210, 211, 212, 213, 235, 236, 237, 238, 239, 240, 241,
242, 243, 244

Tract: 0105.

Block: 101, 102, 129

Tract: 0106.

Block Group: 1

Block: 201, 202, 205, 206, 207, 208, 209, 210, 211A, 211B, 213, 214, 215, 216, 217, 218, 219, 220, 221A, 221B, 221C, 221D, 222, 223, 224, 225, 226, 227, 228

Block Group: 3

Block Group: 4

Tract: 0107.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314, 315, 316, 317, 318, 322, 328, 329

Tract: 0108.

Block: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113B, 114, 131, 132, 133, 134, 199B, 201, 202A, 202B, 202C, 203, 204B, 207, 401B, 434B, 436B

District No. 177

LOWNDES

Tract: 0101.

Block: 277, 278, 279, 280, 281, 283, 284, 285, 287, 288, 289, 290, 291, 292, 293, 299D, 305A, 305B, 305C, 305D, 305E, 305F, 305G, 305H, 305J, 305K, 305L, 305M, 306, 307, 308, 399A, 399B

Tract: 0103.

Block Group: 1

Block: 201A, 201B, 201C, 201D, 201E, 201F, 201G, 201H, 201J, 201K, 201L, 201M, 202, 203A, 203B, 204A, 204B, 205, 206A, 206B, 206C, 206D, 206E, 206F, 206G, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219A, 219B, 220A, 220B, 220C, 220D, 220E, 220F, 220G, 221A, 221B, 221C, 221D, 221E, 222A, 222B, 222C, 222D, 222E, 223A, 223B, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234A, 235, 236, 237, 238, 239, 240, 241A, 241B, 241C, 241D, 242, 243, 244, 245, 246, 247, 248A, 248B, 249, 250, 251, 252, 253A, 253B, 253C, 253D, 254A, 254B, 254C, 255, 256A, 256B, 257A, 257B, 257C, 257D, 299A, 299B, 299C, 299D, 299E, 299F, 299G, 299H, 299J, 299K, 299L

Tract: 0104.

Block: 125A, 125B, 125C, 126, 127, 128, 129, 130, 131A, 131B, 132A,

Block: 132B, 132C, 133, 134A, 134B, 135A, 135B, 136A, 136B, 137, 138A, 138B, 139A, 139B, 140A, 140B, 141, 142A, 142B, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 199A, 201, 202, 203, 204, 205, 206, 207, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234

Tract: 0105.

Block: 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 132, 133, 134, 135

Tract: 0106.

Block: 203, 204, 212, 299, 299

Tract: 0108.

Block: 113A, 116A, 117A, 117B, 118A, 118B, 119A, 119B, 120A, 120B, 120C, 121A, 121B, 121C, 122, 123, 124, 125, 126A, 126B, 127A, 127B, 128A, 128B, 129A, 129B, 130A, 130B, 204A, 204C, 204D, 205, 206A, 206B, 206C, 206D, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219

Block Group: 3

Block: 401A, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434A, 435, 436A, 437A, 437B, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529A, 529B, 529C, 529D, 530, 531, 532A, 532B, 533A, 533B, 534A, 534B, 535A, 535B, 536, 537, 538, 539, 540, 541, 542, 543A, 543B, 544

Tract: 0109.

Tract: 0110.

Tract: 0111.

Tract: 0112.

Block: 101A, 102, 103, 105A, 105B, 105D, 106A, 106C, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123A, 123B, 123C, 124A, 124B, 124C, 124D, 125A, 125B, 125C, 126, 127, 128, 129, 130A, 130B, 130C, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 199

Block Group: 2

Block Group: 3

Tract: 0113.

Tract: 0114.

Block: 101A, 101B, 102, 103A, 103B, 104A, 104B, 104C, 105A, 105B, 106A, 106B, 107A, 107B, 108A, 108B, 109A, 109B, 110, 111, 112, 113, 114, 115A, 115B, 115C, 115D, 116A, 116B, 116C, 117, 199A, 199B, 301, 302, 303, 305A, 305C, 306B, 338A, 338B, 338C, 339A, 339B, 339C, 401A, 401B, 401C

District No. 178

BROOKS

ECHOLS

LOWNDES

Tract: 0102.

Block: 342, 343, 344A, 344B, 344C, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 399H, 399J, 399K, 399L, 399M, 399N, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488,

Block: 489, 490, 491, 492, 493, 494, 495, 496, 497, 499D, 499E, 499F, 499G, 499H, 499J, 499K, 499L, 499M, 499N, 499P, 499R, 499T, 499U, 499V, 499W

Tract: 0103.

Block: 234B

Tract: 0107.

Block: 310, 319, 320, 321, 323, 324, 325, 326, 327, 399

Tract: 0108.

Block: 115A, 115B, 116B, 135, 136, 137, 199A, 199C, 545, 546A, 546B, 547, 548, 549A, 549B, 549C, 549D, 550A, 550B, 551, 599

Tract: 0112.

Block: 104, 105C, 106B

Tract: 0114.

Block: 118, 119, 120, 121, 122A, 122B, 123A, 123B, 124A, 124B

Block Group: 2

Block: 304A, 304B, 304C, 305B, 305D, 306A, 306C, 307, 308, 309A, 309B, 309C, 310A, 310B, 311, 312, 313, 314, 315, 316A, 316B, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 340, 399A, 399B, 399C, 399D, 399E, 402A, 402B, 403A, 403B, 403C, 403D, 403E, 403F, 404, 405A, 405B, 405C, 405D, 405E, 405F, 406, 407A, 407B, 408, 409A, 409B, 410, 411, 412, 413A, 413B, 413C, 414A, 414B, 415A, 415B, 416, 417A, 417B, 417C, 418, 419, 420A, 420B, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440A, 440B, 441, 442, 443, 444, 445, 446, 447, 499, 499, 499, 499

Block Group: 5

Block Group: 6

Tract: 0115.

Tract: 0116.98

326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341,
342, 343, 344, 345, 346, 347, 348, 349, 350, 351

Block Group: 4

Tract: 9505. libtool.com.cn

Tract: 9506.

THOMAS

Tract: 9608.

Block Group: 1

Block: 512A, 512B, 513A, 513B, 514A, 514B, 515, 516, 517, 518A, 518B, 519A,
519B, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529A, 529B, 530, 531, 532,
533, 534, 535A, 535B, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546,
547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562,
563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 599A, 599B, 599C,
599D, 599E, 599F, 599G, 599H

Tract: 9610.

Block: 304A, 304B, 304C, 304D, 304E, 305A, 305B, 306, 307A, 307B, 307C, 308,
309A, 309B, 310A, 310B, 310C, 310D, 310E, 310F, 311A, 311B, 311C, 311D,
311E, 312, 313, 314, 315, 316, 325, 326, 327, 328A, 328B, 329, 330, 331, 332,
333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348,
349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364,
365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380,
381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396,
397, 399A, 399B, 399C, 399D, 399E, 399F, 399G, 399H, 399J, 399K, 399L,
399M, 399N, 399P, 399R, 399T

District No. 180

THOMAS

Tract: 9601.

Tract: 9602.

Tract: 9603.

Tract: 9604.

Tract: 9605.

Tract: 9606.

Tract: 9607.

Tract: 9608.

Block Group: 2

Block Group: 3

Block Group: 4

Block: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511

Tract: 9609.

Tract: 9610.

Block Group: 1

Block Group: 2

Block: 301, 302, 303, 317, 318, 319, 320, 321, 322, 323, 324, 399U, 399V

Tract: 9611.

The following amendment was read:

Representatives Bunn of the 74th and Ladd of the 59th moves to amend the Floor substitute to HB 7EX by striking Section 1 thereof and inserting in its place the following:

"SECTION 1.

Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, is amended by striking the description of the 180 representative districts immediately following the second sentence of subsection (a) thereof and inserting in its place the description of the 180 representative districts

attached to this Act and made a part hereof and further identified as: 'Operator: state Client: house Plan: hb7exaph.'"

By striking the description of representative districts 74 and 75 contained in the attachment to the floor substitute to HB 7EX and inserting in their respective places the description of representative districts 74 and 75 attached to this amendment and made a part hereof.

District No. 74

DEKALB

Tract:0233.03

Block: 201B,202B,205B,208 ,211C,212 ,213 ,214 ,307B,308 ,309B

Tract:0233.08

Block Group:6

Tract:0234.07

Block Group:1

Block: 201A,202 ,203 ,204 ,206 ,207 ,208 ,210 ,211 ,216 ,217 , 225 ,234 ,235 ,299B,299C,299D

Block Group:3

Block Group:4

ROCKDALE

Tract:0602.

Block: 305 ,311 ,312 ,313 ,315 ,316 ,317 ,318 ,319 ,322 ,323 , 324 ,325 ,326 ,327 ,328 ,399

Block Group:4

Block Group:5

Block Group:6

Block Group:7

Tract:0603.02

Block: 301A,305A,305B,399A,399B,611A,660

Tract:0603.03

Block: 113A,118A,118B,118C,118D,119A,199A,401A,402 ,403 ,502A, 503 ,504 ,505 ,506 ,507 ,508 ,509 ,510 ,511 ,599A,702A

Tract:0603.04

Block: 102C,106A,107 ,108 ,109 ,110 ,111 ,112 ,113A,199 ,401A, 402 ,403A,404 ,405 ,406 ,407A,503B,507 ,508 ,509 ,510A, 511 ,512 ,513 ,514 ,515 ,516 ,517 ,518 ,519 ,520 ,521 , 522 ,523 ,524 ,525A,526 ,527 ,528A,529 ,530 ,601A,601B, 602 ,603 ,604 ,605 ,606 ,607A,607B,608 ,609A,609B,610 , 611A,612 ,613 ,614A,614C,615A,616A,617A,617B,617C,618 , 619 ,620 ,699 ,701A,701B,702A,705A

Tract:0604.01

Tract:0604.02

District No. 75

DEKALB

Tract:0233.02

Tract:0233.03

Block Group:1

Block: 201A,202A,203 ,204 ,205A,206 ,207 ,209 ,210A,210B,211A, 211B,215A,215B,216 ,217 ,218 ,219 ,301 ,302 ,303 ,304 , 305 ,306 ,307A,309A,310A,310B,311 ,312 ,313 ,314 ,315A, 315B,316 ,317 ,318A,318B,319A,319B,320A,320B,321 ,322 , 323

Block Group:4

Block Group:5

Tract:0233.06

Block: 501 ,502 ,503 ,504 ,505 ,506 ,509B,510 ,511

ROCKDALE

Tract:0601.

Tract:0602.

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,304 ,306 ,307 ,308 ,309 ,310 ,314 ,320 , 321

Tract:0603.02

Block Group:2

Block: 301B,302 ,303 ,304 ,305C,305D,306 ,307 ,308 ,309

Block Group:4

Block: 601 ,602 ,603 ,604 ,605 ,606 ,607 ,608 ,609 ,610 ,611B, 612 ,613 ,614 ,615 ,616 ,617 ,618 ,619 ,620 ,621 ,622 , 623 ,624 ,625 ,626 ,627 ,628 ,629 ,630 ,631 ,632 ,633 , 634 ,635 ,636 ,637 ,638 ,639 ,640 ,641 ,642 ,643 ,644 , 645 ,646 ,647 ,648 ,649 ,650 ,651 ,652 ,653 ,654 ,655 , 656 ,657 ,658 ,659 ,661 ,662 ,663 ,664 ,665 ,666 ,667 , 668 ,669 ,670 ,671 ,672 ,673 ,674 ,675 ,676 ,677 ,678 , 679 ,680 ,681 ,682 ,683 ,684 ,699A,699B,699C

Tract:0603.03

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113B,113C,113D,114 ,115 ,116A,116B,117 ,118E,119B, 199B

Block Group:2

Block Group:3

Block: 401B,401C,401D,501A,501B,501C,502B,599B

Block Group:6

Block: 701A,701B,702B

Tract:0603.04

Block: 101 ,102A,102B,102D,103 ,104 ,105 ,106B,113B,114 ,115 , 116

Block Group:3

Block: 401B,403B,407B,501 ,502 ,503A,504 ,505 ,506 ,510B,525B, 528B,531 ,611B,614B,614D,615B,616B,701C,702B,703 ,704 , 705B,706 ,707 ,708 ,799

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

Y Ashe	N Connell	Y Hembree	N McClinton	Shaw
N Bailey	N Cox	N Henson	N McKinney	N Sherrill
N Baker	Y Crawford	N Holland	Y Mills	Y Shipp
Y Bannister	Y Crews	N Holmes	N Mobley, B	N Simpson
N Barfoot	Y Culbreth	N Howard	N Mobley, J	N Sinkfield
N Bargeron	N Cummings	N Hudson	N Mosley	N Skipper
Barnard	N Davis, G	N Hugley	Y Mueller	N Smith, C
N Barnes	Y Davis, M	Y Irvin	N O'Neal	Y Smith, C.W
N Bates	Y Day	James	N Orrock	N Smith, L
N Benefield	Y DeLoach, B	Y Jamieson	N Parham	N Smith, P
N Birdsong	Y DeLoach, G	N Jenkins	N Parrish	N Smith, T
N Bordeaux	Y Dix	Y Johnson, G	Y Parsons	Y Smith, V
N Bostick	E Dixon, H	Y Johnson, J	N Pelote	Y Smith, W
Y Breedlove	N Dixon, S	Y Johnston	N Perry	N Smyre
Y Brooks, D	N Dobbs	N Jones	Y Pinholster	Y Snelling
N Brooks, T	Y Ehrhart	E Joyce	N Polak	N Snow
N Brown, G	N Epps	Y Kaye	Porter	N Stallings
Y Brown, J	Y Evans	N Kinnamon	Y Poston	N Stancil, F
Y Brush	Y Falls	Y Klein	N Powell	Y Stancil, S
N Buck	Y Felton	Y Ladd	N Purcell, A	N Stanley, L
N Buckner	N Floyd	Y Lakly	N Purcell, B	N Stanley, P
Y Bunn	N Godbee	N Lane	N Randall	N Stephenson
Y Burkhalter	N Golden	Y Lawrence	N Randolph	N Streat
N Byrd	Y Goodwin	N Lee	N Ray	N Taylor
Y Campbell	N Greene	N Lewis	N Reaves	N Teague
Y Canty	Y Grindley	Y Lifsey	N Reichert	E Teper
N Carter	N Hanner	N Lord	Y Roberts	N Thomas
N Chambless	Y Harbin	N Lucas	N Rogers	N Tillman
N Channell	Y Harris	Y Maddox	N Royal	Y Titus
N Childers	N Hart	Y Mann	Y Sanders	Y Towery
Y Coker	N Heard	N Martin	Y Sauder	Y Trense
Y Coleman, B	Heckstall	N McBee	N Scoggins	N Turnquest
N Coleman, T	N Hegstrom	N McCall	N Shanahan	N Twiggs

N Walker, L	N Watson	N Whitaker	Y Williams, B	Y Woods
Y Walker, R.L	N Watts	N White	Y Williams, J	Y Yates
Wall	Y Westmoreland	Y Wiles	Y Williams, R	Murphy, Spkr

On the adoption of the amendment, the ayes were 67, nays 103.

The amendment was lost.

The following amendment was read:

Representatives Mills of the 21st and Smith of the 19th move to amend the Floor substitute to HB 7EX by striking Section 1 thereof and inserting in its place the following:

“SECTION 1.

Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, is amended by striking the description of the 180 representative districts immediately following the second sentence of subsection (a) thereof and inserting in its place the description of the 180 representative districts attached to this Act and made a part hereof and further identified as: ‘Operator: state Client: house Plan: hb7exaph.’”

By striking the description of representative districts 19, 20, 21, and 25 contained in the attachment to the floor substitute to HB 7EX and inserting in their respective places the description of representative districts 19, 20, 21, and 25 attached to this amendment and made a part hereof.

District No. 19

DAWSON
HALL

Tract:0002.

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116 ,117 ,118 ,119 ,120 ,121 ,122 , 123 ,124 ,125 ,126 ,127 ,128 ,129 ,130 ,131 ,132 ,133 , 134 ,135 ,136 ,137 ,138 ,139 ,140 ,141 ,142 ,143 ,144 , 145 ,146 ,147 ,148 ,149 ,150 ,151 ,152 ,153

Block Group:2
Block Group:3
Block Group:4
Block Group:5
Block Group:6
Block Group:7
Block Group:8

Tract:0003.

Tract:0004.

Block: 201A,201B,201C,202A,202B,202C,202D,203 ,204 ,205 ,206 , 207 ,208A,208B,208C,209 ,210 ,211A,211B,212A,212B, 299A, 299B, 299C, 299D, 299J, 299K

Block Group:3

Tract:0005.

Block Group:1
Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210A,210B, 211 ,212 ,213 ,214 ,215A,215B,216 ,217, 299B, 299C, 299D

Block Group:3

Tract:0010.

Block: 402 ,403 ,404 ,405A, 405B, 405C, 410A, 410B, 410C, 410D, 411A, 411B, 411C, 411D, 411E, 412 ,413 ,414 ,415 ,416 ,417 ,418 , 419 ,420 ,421 ,422 ,423 ,424 ,425 ,426 ,427 ,428 ,429 , 430, 499A, 499B, 499C

District No. 20

HALL

Tract:0001.98

Block Group:1

Block Group:2

Block Group:3

Block: 414 ,415 ,416 ,417 ,418 ,419 ,420 ,421 ,433 ,435 ,436 , 437 ,438 ,439 ,440 ,477 ,478, 499A

Tract:0002.

Block: 199, 199

Tract:0004.

Block Group:1

Block: 213 ,214 ,215 ,216 ,217 ,218 ,219A,219B,220A,220B,220C, 220D,220E,221 ,222A,222B,223 ,224 ,225A,225B,226 ,227A, 227B,227C,228 ,229 ,230 ,231 ,232 ,233, 299E, 299F. 299G, 299H, 299L

Tract:0005.

Block: 299A

Block Group:4

Block Group:5

Tract:0006.

Tract:0007.

Block: 206 ,207 ,208 ,209 ,210 ,211 ,212A,212B,212C,213 ,214 , 215 ,219 ,222

Block Group:3

Tract:0008.

Tract:0009.

Tract:0010.

Block Group:1

Block Group:2

Block Group:3

Block: 401B, 406A, 406B, 407A, 407B, 408 ,409A, 409B, 409C, 409D, 409E, 409F, 409G, 409H, 501A, 501B, 501C, 501D, 501F, 502A, 502B, 503 , 504 ,505A, 505B, 506A, 506B, 507A, 507B, 508A, 508B, 508C, 508D, 508E, 508F, 508G, 509A, 509B, 510A, 510B, 511A, 511B, 511C, 511D, 511E, 512A, 512B, 513 ,514 ,515 ,516A, 516B, 599

Block Group:6

Tract:0011.

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212A,212B,214A,214B,215A,215B,216A,216B

Block Group:3

Block: 401A,401B,401C,401D,402A,402B,403A,403B,404 ,405 ,406 , 407A,407B,407C,407D,408 ,409A,409B,410A,410B,411A,411B, 412A,412B,413A,413B,415A,415B,416A,416B,417 ,418 ,419 , 420 ,421 ,422 ,423A,423B,424 ,425A,425B,426A,426B,427A, 427B,428 ,429 ,430 ,431A,431B,501A,501B,501C,501D,501E, 501F,502A,502B,502C,503A,503B,503C,504A,504B

Tract:0012.

Block Group:1

Block: 201 ,202 ,203

Tract:0014.

Block: 102 ,103A,103B,104A,104B,120A,120B,123A,123B,125A,125B, 126

District No. 21

HALL

Tract:0001.98

Block: 401 ,402 ,403 ,404 ,405 ,406 ,407A,407B,408 ,409 ,410A, 410B,410C,411 ,412 ,413 ,422 ,423 ,424 ,425 ,426 ,427 , 428 ,429 ,430 ,431 ,432 ,434 ,441 ,442 ,443 ,444 ,445 , 446 ,447 ,448 ,449 ,450 ,451 ,452A,452B,453 ,454 ,455A,

455B,456 ,457A,457B,458A,458B,459 ,460 ,461 ,462 ,463 , 464 ,465 ,466 ,467 ,468 ,469 ,470 ,471 ,472 ,473 ,474 , 475 ,476 ,479 ,480, 499B, 499C

Tract:0007.

Block Group:1.com.cn

Block: 201 ,202 ,203 ,204 ,205 ,216 ,217 ,218 ,220 ,221 ,223 , 224

Tract:0010.

Block: 501E

Tract:0011.

Block: 213A,213B,213C,213D,213E,217A,217B,414A,414B,414C,505A, 505B,506A,506B,506C,507A,507B,508 ,509A,509B,510 ,511A, 511B,511C,512 ,513A,513B,513C,514 ,515A,515B,516A,516B, 516C,517A,517B,518 ,519 ,520 ,521 ,522 ,523 ,524 ,525 , 526 ,527 ,528 ,529 ,530 ,531 ,532 ,533A,533B,534 ,535 , 536 ,537 ,538 ,539

Tract:0012.

Block: 204A,204B,205 ,206 ,207A,207B,208A,208B,209 ,210A,210B, 211 ,212 ,213 ,214A,214B,215 ,216 ,217 ,218 ,219A,219B, 219C,220A,220B,221 ,222A,222B,223A,223B,224A,224B,225 , 226 ,227 ,228 ,229A,229B,229C,229D,230 ,231A,231B,231C, 232A,232B,233A,233B,234A,234B,234C

Block Group:3

Block Group:4

Tract:0013.

Tract:0014.

Block: 101A,101B,105A,105B,106 ,107 ,108 ,109 ,110 ,111 ,112 , 113 ,114 ,115 ,116 ,117 ,118A,118B,119A,119B,121A,121B, 122 ,124A,124B,127A,127B,127C,128A,128B,128C,128D,128E, 129A,129B,130A,130B,131A,131B,132 ,133 ,134 ,135A,135B, 136 ,137 ,138A,138B,139 ,140, 199

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Tract:0015.

Tract:0016.

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,118 ,119 ,120 , 121 ,122 ,123 ,124 ,125 ,126 ,127 ,128 ,129 ,130 ,131 , 132 ,134 ,135 ,136 ,137 ,138, 199, 199

Block Group:2

Block Group:3

District No. 25

GWINNETT

Tract:0505.03

Block: 103

Tract:0506.01

Block: 136 ,137 ,138 ,163 ,165 ,166 ,167 ,168 , 199B, 201 ,202 ,203A, 203B,204 ,205 ,206A,206B,207 ,227 ,228 ,229 ,232 ,233 , 234 ,235 ,236 ,237 ,238 ,239 ,240 ,241 ,242 ,243 ,244 , 245 ,246 ,247 ,248 ,249 ,250 ,251 ,252

Block Group:3

Tract:0506.02

Block: 301 ,302 ,303 ,304 ,305 ,306 ,307 ,308 ,309A,309B,310A, 310B,311A,311B,312 ,313 ,314 ,315 ,316 ,317 ,318 ,319 , 320 ,321 ,322 ,323 ,324A,324B,325A,325B,326 ,327 ,328 , 329 ,330 ,331 ,332A,332B,336 ,337 ,338 ,339 ,340A,340B, 341A,341B,342 ,343 ,344 ,415 ,416 ,417 ,418 ,419A,419B, 419C,420 ,421 ,422 ,423 ,424 ,425 ,426 ,427 ,428A,428B

HALL

Tract:0016.

Block: 109 ,110 ,111 ,112 ,113 ,114 ,115 ,116 ,117 ,133
JACKSON

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

Y Ashe	Y Crews	N Hugley	N Parham	Y Smith, W
N Bailey	Y Culbreth	Y Irvin	N Parrish	N Smyre
N Baker	N Cummings	James	Y Parsons	Y Snelling
Y Bannister	N Davis, G	Y Jamieson	N Pelote	N Snow
N Barfoot	Y Davis, M	N Jenkins	N Perry	N Stallings
N Bargerone	Y Day	Y Johnson, G	Y Pinholster	N Stancil, F
Y Barnard	Y DeLoach, B	Johnson, J	N Polak	Y Stancil, S
N Barnes	Y DeLoach, G	Y Johnston	Porter	N Stanley, L
N Bates	Y Dix	N Jones	Y Poston	N Stanley, P
N Benefield	E Dixon, H	E Joyce	N Powell	N Stephenson
N Birdsong	N Dixon, S	Y Kaye	N Purcell, A	N Streat
N Bordeaux	Dobbs	N Kinnamon	N Purcell, B	N Taylor
N Bostick	Y Ehrhart	Y Klein	N Randall	N Teague
Y Breedlove	N Epps	Y Ladd	N Randolph	E Teper
Y Brooks, D	Y Evans	Y Lakly	N Ray	N Thomas
N Brooks, T	Y Falls	N Lane	N Reaves	N Tillman
N Brown, G	Y Felton	Y Lawrence	N Reichert	Y Titus
Y Brown, J	N Floyd	N Lee	N Roberts	Y Towerly
Y Brush	N Godbee	N Lewis	N Rogers	Y Trense
N Buck	N Golden	Y Lifsey	N Royal	N Turnquest
N Buckner	Y Goodwin	N Lord	Y Sanders	N Twiggs
Y Bunn	N Greene	N Lucas	Y Sauder	N Walker, L
Y Burkhalter	Y Grindley	Y Maddox	N Scoggins	Y Walker, R.L
N Byrd	N Hanner	Y Mann	N Shanahan	Wall
Y Campbell	Y Harbin	N Martin	N Shaw	N Watson
Canty	Y Harris	N McBee	N Sherrill	N Watts
N Carter	N Hart	N McCall	Y Shipp	Y Westmoreland
N Chambless	N Heard	N McClinton	N Simpson	Y Whitaker
N Channell	Heckstall	N McKinney	N Sinkfield	N White
N Childers	N Hegstrom	Y Mills	N Skipper	Y Wiles
Y Coker	Y Hembree	N Mobley, B	N Smith, C	Y Williams, B
Y Coleman, B	N Henson	N Mobley, J	Y Smith, C.W	Y Williams, J
N Coleman, T	N Holland	N Mosley	N Smith, L	Y Williams, R
N Connell	N Holmes	Y Mueller	N Smith, P	Y Woods
N Cox	N Howard	N O'Neal	N Smith, T	Y Yates
Y Crawford	N Hudson	N Orrock	Y Smith, V	Murphy, Spkr

On the adoption of the amendment, the ayes were 66, nays 103.

The amendment was lost.

The Floor substitute was adopted.

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

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

N Ashe	N Brooks, T	Y Coker	E Dixon, H	Y Harbin
Y Bailey	Y Brown, G	Y Coleman, B	Y Dixon, S	N Harris
Y Baker	N Brown, J	Y Coleman, T	Y Dobbs	Y Hart
Y Bannister	Y Brush	Y Connell	N Ehrhart	Y Heard
Y Barfoot	Y Buck	Y Cox	Y Epps	Heckstall
Y Bargerone	Y Buckner	Y Crawford	N Evans	Y Hegstrom
Y Barnard	N Bunn	Y Crews	Y Falls	N Hembree
Y Barnes	Y Burkhalter	Y Culbreth	N Felton	Y Henson
Y Bates	Y Byrd	Y Cummings	Y Floyd	Y Holland
Y Benefield	N Campbell	Y Davis, G	Y Godbee	N Holmes
Y Birdsong	N Canty	N Davis, M	Y Golden	Y Howard
Y Bordeaux	Y Carter	N Day	N Goodwin	Y Hudson
Y Bostick	N Chambless	Y DeLoach, B	Y Greene	Y Hugley
N Breedlove	Y Channell	Y DeLoach, G	N Grindley	N Irvin
N Brooks, D	Y Childers	Y Dix	Y Hanner	James

Y Jamieson	Y Martin	Y Powell	Y Smith, C	Y Tillman
Y Jenkins	Y McBee	Y Purcell, A	N Smith, C.W	Y Titus
Y Johnson, G	Y McCall	Y Purcell, B	Y Smith, L	Y Towery
Y Johnson, J	Y McClinton	Y Randall	Y Smith, P	N Trense
N Johnston	Y McKinney	Y Randolph	Y Smith, T	Y Turnquest
Y Jones	N Mills	Y Ray	Y Smith, V	Y Twiggs
E Joyce	Y Mobley, B	Y Reaves	Y Smith, W	Y Walker, L
Y Kaye	Y Mobley, J	Y Reichert	Y Smyre	Y Walker, R.L
Y Kinnamon	Y Mosley	N Roberts	N Snelling	Y Wall
N Klein	N Mueller	Y Rogers	Y Snow	Y Watson
N Ladd	Y O'Neal	Y Royal	Y Stallings	Y Watts
Y Lakly	Y Orrock	N Sanders	Y Stancil, F	Y Westmoreland
Y Lane	Y Parham	N Sauder	N Stancil, S	Y Whitaker
N Lawrence	Y Parrish	Y Scoggins	Y Stanley, L	Y White
Y Lee	N Parsons	Y Shanahan	Y Stanley, P	Y Wiles
Y Lewis	Y Pelote	Y Shaw	Y Stephenson	N Williams, B
N Lifsey	Y Perry	Y Sherrill	Y Streat	N Williams, J
Y Lord	N Pinholster	N Shipp	Y Taylor	Y Williams, R
Y Lucas	Y Polak	Y Simpson	Y Teague	N Woods
N Maddox	Y Porter	Y Sinkfield	E Teper	N Yates
N Mann	Y Poston	Y Skipper	Y Thomas	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 130, nays 44.

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

By unanimous consent, HB 7EX was ordered immediately transmitted to the Senate.

August 24, 1995

HB 7EX

Representative James of the 140th was taken ill, and under doctor's care and did not vote, but requests that the record show that he would have voted "aye"

/s/ James
140th

The following Resolution of the House was read and adopted:

HR 32EX. By Representatives Stallings of the 100th, Simpson of the 101st, Smith of the 175th, Barnard of the 154th, Hembree of the 98th and others:

A resolution commending the emergency response agencies, the law enforcement agencies, the staff of Tanner Medical Center, and other federal, state, and local officials and community volunteers who responded to the airplane crash in Carroll County.

Representative Walker of the 141st moved that the House do now adjourn until 9:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 9:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia

Friday, August 25, 1995

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The House met pursuant to adjournment at 9:00 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:

Ashe	Culbreth	Johnston	Perry	Stancil, F
Bannister	Cummings	Jones	Pinholster	Stancil, S
Barfoot	Davis, G	Kinnamon	Polak	Stanley, L
Bargeron	DeLoach, B	Klein	Purcell, A	Stanley, P
Barnard	DeLoach, G	Lane	Purcell, B	Stephenson
Barnes	Dix	Lawrence	Randall	Streat
Birdsong	Dobbs	Lee	Randolph	Taylor
Brooks, D	Epps	Lifsey	Reaves	Teague
Brooks, T	Falls	Lord	Reichert	Titus
Brown, G	Felton	McBee	Royal	Trense
Buck	Floyd	McCall	Sauder	Turnquest
Byrd	Grindley	McClinton	Shanahan	Twiggs
Campbell	Heard	McKinney	Sherrill	Walker, L
Channell	Hegstrom	Mobley, B	Sinkfield	Walker, R.L
Childers	Howard	Mobley, J	Skipper	Wall
Coker	Hudson	Mosley	Smith, C	Watson
Coleman, B	Hugley	Mueller	Smith, P	Watts
Connell	Irvin	Parham	Smith, T	White
Cox	Jenkins	Parrish	Smyre	Williams, J
Crawford	Johnson, G	Parsons	Snelling	Murphy, Spkr
Crews	Johnson, J	Pelote	Stallings	

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

Representatives Smith of the 174th, Brown of the 130th, Davis of the 60th, Bailey of the 93rd, Sanders of the 107th, Maddox of the 108th, Bunn of the 74th, Whitaker of the 7th, Lakly of the 105th, Wiles of the 34th, Hembree of the 98th, Westmoreland of the 104th, Hanner of the 159th, Powell of the 23rd, Williams of the 114th, Yates of the 106th, Smith of the 19th, O'Neal of the 75th, Lucas of the 124th, Poston of the 3rd, Thomas of the 148th, Mills of the 21st, Smith of the 102nd, Kaye of the 37th, Harbin of the 113th, Porter of the 143rd, Godbee of the 145th, Coleman of the 142nd, Harris of the 17th, Burkhalter of the 41st, Woods of the 32nd, Orrock of the 56th, Goodwin of the 79th, Rogers of the 20th, Bates of the 179th, Golden of the 177th, Shaw of the 176th, Towery of the 30th, Tillman of the 173rd, James of the 140th, Roberts of the 162nd, Jamieson of the 22nd, Lewis of the 14th, Evans of the 28th, Canty of the 52nd, Hart of the 116th, Chambless of the 163rd, Bordeaux of the 151st, Mann of the 5th, Williams of the 63rd, Brush of the 112th, Day of the 153rd, Dixon of the 150th, Heckstall of the 55th, Breedlove of the 85th, Shipp of the 38th, Baker of the 70th, Henson of the 65th, Buckner of the 95th, Simpson of the 101st, Snow of the 2nd and Holland of the 157th.

They wish to be recorded as present.

Prayer was offered by Deacon Hugh McKinney, Fayetteville First Baptist Church, Fayetteville, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bill of the House was read the second time:

HB 28EX

Representative Smith of the 169th District, Chairman of the Committee on Legislative & Congressional Reapportionment, submitted the following report:

Mr. Speaker:

Your Committee on Legislative & Congressional Reapportionment 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 3EX Do Pass, as Amended

Respectfully submitted,
/s/ Smith of the 169th
Chairman

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 27EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

By unanimous consent, the following Bill of the House was taken up for consideration and read the third time:

HB 27EX. By Representatives Holmes of the 53rd, McKinney of the 51st, Sinkfield of the 57th, Davis of the 48th, Cauty of the 52nd and others:

A bill to create the Atlanta-Fulton Family Connection Authority.

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

On the passage of the Bill, the ayes were 91, nays 8.

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

The following Resolutions of the House were read and adopted:

HR 33EX. By Representatives Brown of the 117th, Howard of the 118th and Connell of the 115th:

A resolution commending DeMario McLynn Brown.

HR 34EX. By Representatives Stanley of the 49th and Stanley of the 50th:

A resolution recognizing and commending Christopher Dale Abbott.

HR 35EX. By Representatives Byrd of the 170th, Mosley of the 171st and Falls of the 125th:

A resolution expressing sympathy at the passing of Laura Witsell Bennett Griffin.

HR 36EX. By Representative Crews of the 78th:

A resolution expressing regret at the passing of Ms. Bertie Rigdon Webb.

Under the general order of business, the following Bill of the House was taken up for consideration and read the third time:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The following Committee substitute was read and withdrawn:

A BILL

To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts; to provide for the election of members of Congress; to provide for the continuation of present congressional districts until a certain time; to make certain provisions relative to certain boards and bodies; to provide for continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, is amended by striking Code

Section 21-2-3, relating to definitions and descriptions for use in designating congressional districts, and inserting in its place the following:

“21-2-3.

For purposes of this article:

- (1) The terms ‘Tract,’ ‘Block,’ and ‘~~VTD~~’ ‘Block Group’ shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia.
- (2) ~~The term ‘Precinct’ is synonymous with the term ‘voting precinct’ and means a geographical area, established in accordance with Article 7 of this chapter, within which all electors vote at one polling place.~~
- (3) Whenever the description of any congressional district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia.
- (4) ~~Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any congressional district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control.~~
- (5)(3) Any part of the State of Georgia which is described in subsection (a) of Code Section 21-2-4 as being included in a particular congressional district shall nevertheless not be included within such congressional district if such part is not contiguous to such congressional district. Such noncontiguous part shall instead be included within that congressional district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia.”

SECTION 2.

Said article is further amended by striking the description of the 11 congressional districts immediately following the second sentence of subsection (a) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the description of the 11 congressional districts attached to this Act and made a part hereof and further identified as “Operator: state Client: congress Plan: hb8excs.”

SECTION 3.

Said article is further amended by striking subsection (c) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the following:

“(c) The first members elected pursuant to the provisions of this Code section shall be those who are elected to take office in January, ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under the provisions of this Code section. Until that time the members of the United States House of Representatives elected in ~~1990~~ 1994 shall continue to serve and, for all purposes relative to membership in the House of Representatives, the composition of congressional districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective for the primaries and elections of ~~1992~~ 1996 for the purpose of electing the members in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. For the purpose of appointing or electing members of boards or bodies where such are made on the basis of congressional districts, the provisions of this Code section shall be effective January 1, ~~1993~~ 1997.”

SECTION 4.

Said article is further amended by striking Code Section 21-2-4.1, relating to continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district, and inserting in its place the following:

“21-2-4.1.

Any member of any constitutional or statutory board or body who is in office on January 1, ~~1993~~ 1997, and who was appointed on the basis of residency within a congressional district shall serve out the term for which the member was appointed and shall represent the congressional district created by this chapter in which the member resides unless more members of the board or body than authorized by the applicable constitutional provision or statute reside within the same congressional district. In the event any congressional district created by this chapter has residing therein more members of any such board or body than the number of members specified by the applicable constitutional provision or statute, the appointing authority shall designate which member or members representing the congressional district shall continue to serve as a member or members of the board or body. Any member not designated for continued membership shall cease to hold office as of ~~the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1~~ January 1, 1997. If a congressional district created by this chapter is not represented on a board or body as specified by the applicable constitutional provision or statute, a vacancy shall exist. Such vacancy shall be filled ~~as of the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1~~ by the appointing authority appointing to the board or body a member or members from the congressional district which does not have sufficient representation. In the case of an appointment to fill a vacancy created by the displacement of a member from a congressional district on the basis of residency, the initial appointment shall be for a term ending on the date on which the term of the member removed by the appointing authority in accordance with the foregoing requirement would have ended. The initial term of all other appointments to fill a vacancy as provided for in this Code section shall be set by the appointing authority in accordance with the schedule of expiration dates established by law for the terms of members of the board or body.”

SECTION 5.

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

SECTION 6.

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

District No. 1

APPLING
BACON
BRANTLEY
BRYAN
CAMDEN
CHARLTON
CHATHAM
EFFINGHAM
EVANS
GLYNN
LIBERTY
LONG
MCINTOSH
MONTGOMERY
PIERCE
TATTNALL
TOOMBS
WARE
WAYNE

District No. 2

BAKER
BERRIEN

BROOKS
CALHOUN
CHATTAHOOCHEE
CLAY www.libtool.com.cn
CLINCH
COLQUITT
COOK
DECATUR
DOUGHERTY
EARLY
ECHOLS
GRADY
IRWIN
LANIER
LEE
LOWNDES
MARION
MILLER
MITCHELL
QUITMAN
RANDOLPH
SCHLEY
SEMINOLE
STEWART
SUMTER
TAYLOR
TERRELL
THOMAS
TIFT
TURNER
WEBSTER
WORTH

District No. 3

BUTTS
COWETA
FAYETTE
HARRIS
HENRY
LAMAR
MERIWETHER
MONROE
MUSCOGEE
PIKE
SPALDING
TALBOT
TROUP
UPSON

District No. 4

DEKALB
Tract:0211.
Tract:0212.02
Tract:0212.05
Tract:0212.07
Tract:0212.08

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114
,115B,116 ,201B,202 ,203 ,204 ,205 ,206B, 207
,208B,209B,211B,213B,214B,301 ,302B,303B

Tract:0212.09
Block: 301B,302 ,303 ,405B,406B,408 ,409 ,410 ,411 ,412 ,413 , 423 ,424 ,425 ,499
,499

Tract:0212.10
Tract:0212.11
Tract:0212.12
Tract:0213.01
Block: 101A,101B,102 ,103 ,104 ,105B,106 ,107 ,108 ,109 ,110 , 111 ,112 ,113 ,114
,115 ,116 ,117 ,118 ,119 ,120 ,123 , 124 ,125

Tract:0213.02
Block: 101B

Tract:0213.03
Tract:0213.04
Tract:0217.02
Tract:0217.03
Block Group:1
Block: 401 ,402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411 , 412 ,413 ,414 ,415 ,416
,417 ,418 ,419 ,421 ,422 ,423 , 424 ,425 ,426 ,499 ,499

Tract:0218.05
Block: 201 ,202 ,203 ,205 ,206 ,207 ,208 ,209

Tract:0218.06
Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116
,117 ,118 ,119 ,120 ,121 ,122 , 123 ,124 ,125 ,126 ,127 ,128 ,129 ,130 ,131
,132 ,133 , 134 ,135 ,136 ,138

Block Group:3

Tract:0218.08
Tract:0218.09
Tract:0218.10
Block Group:1
Block Group:2
Block Group:4

Tract:0218.98
Tract:0219.02
Block Group:1
Block Group:2
Block Group:3 FULTON

Tract:0101.03
Block: 801

Tract:0101.06
Tract:0101.07
Tract:0101.08
Tract:0114.08
Block Group:8

Tract:0114.09
Block Group:1
Block Group:4
Block Group:5
Block Group:6
Block Group:7

Tract:0114.10
Tract:0114.11
Tract:0116.02
Block: 703 ,709B

Tract:0116.03

Block: 105 ,106 ,107

Block Group:2

Block Group:3

Block Group:8

Block Group:9

GWINNETT

NEWTON

ROCKDALE

District No. 5

COBB

Tract:0313.02

Block: 110 ,111 ,112 ,113 ,114 ,115 ,116 ,117 ,118 ,199A,201

Block Group:9

Tract:0313.04

Block: 451 ,454 ,455

Tract:0313.05

DEKALB

Tract:0212.04

Tract:0212.08

Block: 115A,201A,206A,208A,209A,210 ,211A,212 ,213A,214A,302A, 303A,304 ,305
 ,306 ,307 ,308 ,309 ,310 ,311 ,312 ,313 , 314 ,315A,315B,316 ,317 ,318

Tract:0212.09

Block: 301A,401 ,402 ,403 ,404 ,405A,406A,407 ,414 ,415 ,416 , 417 ,418 ,419 ,420
 ,421 ,422

Tract:0213.01

Block: 105A

Tract:0213.02

Block: 101A,102 ,103A,103B,103C,104 ,105 ,106A,106B,107 ,108 , 109A,109B,110
 ,111 ,112 ,113 ,114 ,115 ,116 ,117 ,118A, 118B,119A,119B,120 ,121
 ,122A,122B,123A,123B,126 ,127 , 129 ,130

Block Group:2

Block Group:3

Block Group:4

Tract:0214.01

Tract:0214.02

Tract:0214.03

Tract:0214.04

Tract:0215.

Block: 229

FULTON

Tract:0001.

Tract:0002.

Tract:0004.

Tract:0005.

Tract:0006.

Tract:0007.

Tract:0008.

Tract:0010.95

Tract:0011.

Tract:0012.

Tract:0013.

Tract:0014.

Tract:0015.

Tract:0016.

Tract:0017.

Tract:0018.

Tract:0019.
Tract:0020.
Tract:0021.
Tract:0022.
Tract:0023.
Tract:0024.
Tract:0025.
Tract:0026.
Tract:0027.
Tract:0028.
Tract:0029.
Tract:0030.
Tract:0031.
Tract:0032.
Tract:0033.
Tract:0035.
Tract:0036.
Tract:0037.
Tract:0038.
Tract:0039.
Tract:0040.
Tract:0041.
Tract:0042.95
Tract:0043.
Tract:0044.
Tract:0046.95
Tract:0048.
Tract:0049.95
Tract:0050.
Tract:0052.
Tract:0053.
Tract:0055.01
Tract:0055.02
Tract:0056.
Tract:0057.
Tract:0058.
Tract:0060.
Tract:0061.
Tract:0062.
Tract:0063.
Tract:0064.
Tract:0065.
Tract:0066.01
Tract:0066.02
Tract:0067.
Tract:0068.01
Tract:0068.02
Tract:0069.
Tract:0070.
Tract:0071.
Tract:0072.
Tract:0073.
Tract:0074.
Tract:0075.
Tract:0076.01
Tract:0076.02
Tract:0077.01

Tract:0077.02
Tract:0078.02
Tract:0078.03
Tract:0078.04
Tract:0079.
Tract:0080.
Tract:0081.01
Tract:0081.02
Tract:0082.01
Tract:0082.02
Tract:0083.01
Tract:0083.02
Tract:0084.
Tract:0085.
Tract:0086.01
Tract:0086.02
Tract:0087.01
Tract:0087.02
Tract:0088.
Tract:0089.
Tract:0090.
Tract:0091.
Tract:0092.
Tract:0093.
Tract:0094.01
Tract:0094.02
Tract:0095.
Tract:0096.
Tract:0097.
Tract:0098.
Tract:0099.
Tract:0100.
Tract:0101.01
Tract:0101.03
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block Group:7
 Block: 802 ,803 ,804 ,805 ,806 ,807 ,808 ,809 ,810 ,811 ,812 , 813 ,814 ,815 ,816 ,817
 ,818 ,819 ,820 ,821 ,822
Tract:0101.05
 Block Group:1
 Block Group:3
 Block Group:5
Tract:0102.01
Tract:0102.03
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:9
Tract:0102.04
Tract:0102.05

Tract:0103.01
Tract:0103.02
Tract:0104.
www.libTract:0105.03
Tract:0105.04
Tract:0105.05
Tract:0105.06
Tract:0106.01
Tract:0106.02
Tract:0107.
Tract:0108.
Tract:0109.
Tract:0110.
Tract:0111.
Tract:0112.01
Tract:0112.02
Tract:0113.01
Tract:0113.02

District No. 6

COBB

Tract:0301.98
Tract:0302.03
Tract:0302.04
Tract:0302.05
Tract:0302.06
Tract:0302.07
Tract:0303.02
Tract:0303.07
Tract:0303.09
Tract:0303.10
Tract:0303.11
Tract:0303.12
Tract:0303.13
Tract:0303.14
Tract:0303.15
Tract:0303.16
Tract:0303.17
Tract:0303.18
Tract:0303.19
Tract:0303.20
Tract:0303.21
Tract:0304.01
Tract:0304.02
Tract:0304.04
Tract:0304.05
Tract:0304.06
Tract:0305.01
Tract:0305.02
Tract:0305.03
Tract:0306.
Tract:0307.
Tract:0308.
Tract:0309.01
Tract:0309.02
Tract:0309.03
Tract:0310.01

Tract:0310.02
 Tract:0310.03
 Tract:0311.01
 Tract:0311.03
 Tract:0311.05
 Tract:0311.06
 Tract:0311.07
 Tract:0311.08
 Tract:0311.09
 Tract:0312.02
 Tract:0312.03
 Tract:0312.04
 Tract:0313.01
 Tract:0313.02
 Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,199B,202 , 203 ,204 ,205 ,206
 ,207 ,208 ,209 ,210 ,211 ,212 ,213 , 214 ,215 ,216 ,217 ,218 ,219 ,220 ,221
 ,222 ,224
 Block Group:3
 Block Group:4
 Block Group:5
 Tract:0313.04
 Block Group:1
 Block Group:3
 Block: 401 ,402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411 , 412 ,413 ,414 ,415 ,416
 ,417 ,418 ,419 ,420 ,421A,421B, 422 ,423 ,424 ,425 ,426 ,427 ,428 ,429 ,430
 ,431 ,432 , 433 ,434 ,435 ,436 ,437 ,438 ,439 ,440 ,441 ,442 ,443 , 444 ,445
 ,446 ,447 ,448 ,449 ,450 ,452 ,453 ,499A,499B
 Block Group:5
 Tract:0314.03
 Tract:0314.04
 Tract:0314.98
 Tract:0315.01
 Tract:0315.02
 Tract:0316.97
 Tract:0316.98

DOUGLAS

FULTON

Tract:0101.05
 Block Group:2
 Block Group:4
 Block Group:6
 Tract:0102.03
 Block Group:6
 Block Group:7
 Block Group:8
 Tract:0114.03
 Tract:0114.04
 Tract:0114.05
 Tract:0114.06
 Tract:0114.07
 Tract:0114.08
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6

Tract:0114.09

Block Group:2

Block Group:3

Tract:0115. libtool.com.cn

Tract:0116.01

Tract:0116.02

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Block: 701 ,702 ,704A,704B,704C,705A,705B,705C,706 ,707A,707B,
708A,708B,708C,709A,709C,709D,710

Block Group:9

Tract:0116.03

Block: 101 ,102 ,103 ,104

District No. 7

BARTOW
CARROLL
CATOOSA
CHATTOOGA
DADE
FLOYD
GORDON
HARALSON
HEARD
MURRAY
PAULDING
POLK
WALKER
WHITFIELD

District No. 8

ATKINSON
BALDWIN
BEN_HILL
BIBB
BLECKLEY
COFFEE
CRAWFORD
CRISP
DODGE
DOOLY
HANCOCK
HOUSTON
JEFF_DAVIS
JOHNSON
JONES
LAURENS
MACON
PEACH
PULASKI
TELFAIR
TWIGGS
WASHINGTON
WHEELER
WILCOX

WILKINSON

District No. 9

BANKS www.libtool.com.cn

BARROW

CHEROKEE

CLARKE

DAWSON

FANNIN

FORSYTH

FRANKLIN

GILMER

HABERSHAM

HALL

JACKSON

LUMPKIN

MADISON

PICKENS

RABUN

STEPHENS

TOWNS

UNION

WHITE

District No. 10

BULLOCH

BURKE

CANDLER

COLUMBIA

ELBERT

EMANUEL

GLASCOCK

GREENE

HART

JASPER

JEFFERSON

JENKINS

LINCOLN

MCDUFFIE

MORGAN

OCONEE

OGLETHORPE

PUTNAM

RICHMOND

SCREVEN

TALIAFERRO

TREUTLEN

WALTON

WARREN

WILKES

District No. 11

CLAYTON

DEKALB

Tract:0201.

Tract:0202.

Tract:0203.

Tract:0204.

Tract:0205.

Tract:0206. libtool.com.cn

Tract:0207.

Tract:0208.

Tract:0209.

Tract:0215.

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212 ,213 ,214 ,215 ,216
,217 ,218 ,219 ,220 ,221 ,222 , 223 ,224 ,225 ,226 ,227 ,228 ,230 ,231 ,232
,233 ,234 , 235 ,236 ,237 ,238 ,239 ,240 ,241

Tract:0216.01

Tract:0216.02

Tract:0216.03

Tract:0217.03

Block: 420

Tract:0217.04

Tract:0218.05

Block: 204 ,210 ,211 ,212 ,213 ,214 ,215 ,216 ,217 ,218 ,219 , 220 ,221 ,222 ,223 ,224
,225 ,226 ,227 ,228 ,229 ,230 , 231 ,232 ,233 ,234

Block Group:4

Tract:0218.06

Block: 137 ,139 ,199

Tract:0218.10

Block Group:3

Tract:0219.02

Block Group:4

Tract:0219.03

Tract:0219.04

Tract:0219.05

Tract:0220.01

Tract:0220.02

Tract:0220.04

Tract:0220.05

Tract:0221.

Tract:0222.

Tract:0223.01

Tract:0223.02

Tract:0224.01

Tract:0224.02

Tract:0224.03

Tract:0225.

Tract:0226.

Tract:0227.

Tract:0228.

Tract:0229.

Tract:0230.

Tract:0231.01

Tract:0231.02

Tract:0231.03

Tract:0231.05

Tract:0231.06

Tract:0232.03

Tract:0232.04

Tract:0232.05

Tract:0232.06

Tract:0232.07
 Tract:0233.02
 Tract:0233.03
 Tract:0233.05
 Tract:0233.06
 Tract:0233.07
 Tract:0233.08
 Tract:0234.03
 Tract:0234.04
 Tract:0234.05
 Tract:0234.07
 Tract:0234.08
 Tract:0234.09
 Tract:0235.01
 Tract:0235.02
 Tract:0235.03
 Tract:0236.
 Tract:0237.
 Tract:0238.01
 Tract:0238.02
 Tract:0238.03
 Tract:0239.98

The following substitute, offered by Representatives Lawrence of the 64th and Brooks of the 54th, was read:

A BILL

To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts; to provide for the election of members of Congress; to provide for the continuation of present congressional districts until a certain time; to make certain provisions relative to certain boards and bodies; to provide for continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, is amended by striking Code Section 21-2-3, relating to definitions and descriptions for use in designating congressional districts, and inserting in its place the following:

“21-2-3.

For purposes of this article:

- (1) The terms ‘Tract; and ‘Block;’ and ‘VTD’ shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia.
- (2) ~~The term ‘Precinct’ is synonymous with the term ‘voting precinct’ and means a geographical area, established in accordance with Article 7 of this chapter, within which all electors vote at one polling place.~~
- (3) Whenever the description of any congressional district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia.

~~(4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any congressional district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control.~~

(5)(3) Any part of the State of Georgia which is described in subsection (a) of Code Section 21-2-4 as being included in a particular congressional district shall nevertheless not be included within such congressional district if such part is not contiguous to such congressional district. Such noncontiguous part shall instead be included within that congressional district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia.”

SECTION 2.

Said article is further amended by striking the description of the 11 congressional districts immediately following the second sentence of subsection (a) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the description of the 11 congressional districts attached to this Act and made a part hereof and further identified as “Operator: represent Client: repcaucus Plan: amicus.”

SECTION 3.

Said article is further amended by striking subsection (c) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the following:

“(c) The first members elected pursuant to the provisions of this Code section shall be those who are elected to take office in January, ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under the provisions of this Code section. Until that time the members of the United States House of Representatives elected in ~~1990~~ 1994 shall continue to serve and, for all purposes relative to membership in the House of Representatives, the composition of congressional districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective for the primaries and elections of ~~1992~~ 1996 for the purpose of electing the members in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. For the purpose of appointing or electing members of boards or bodies where such are made on the basis of congressional districts, the provisions of this Code section shall be effective January 1, ~~1993~~ 1997.”

SECTION 4.

Said article is further amended by striking Code Section 21-2-4.1, relating to continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district, and inserting in its place the following:

“21-2-4.1.

Any member of any constitutional or statutory board or body who is in office on January 1, ~~1993~~ 1997, and who was appointed on the basis of residency within a congressional district shall serve out the term for which the member was appointed and shall represent the congressional district created by this chapter in which the member resides unless more members of the board or body than authorized by the applicable constitutional provision or statute reside within the same congressional district. In the event any congressional district created by this chapter has residing therein more members of any such board or body than the number of members specified by the applicable constitutional provision or statute, the appointing authority shall designate which member or members representing the congressional district shall continue to serve as a member or members of the board or body. Any member not designated for continued membership shall cease to hold office as of the time specified in subparagraph (d)(2)(C) of Code Section ~~1-3-1~~ January 1, 1997. If a congressional district created by this chapter is not represented on a board or body as specified by the applicable constitutional provision

or statute, a vacancy shall exist. Such vacancy shall be filled as of the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1 by the appointing authority appointing to the board or body a member or members from the congressional district which does not have sufficient representation. In the case of an appointment to fill a vacancy created by the displacement of a member from a congressional district on the basis of residency, the initial appointment shall be for a term ending on the date on which the term of the member removed by the appointing authority in accordance with the foregoing requirement would have ended. The initial term of all other appointments to fill a vacancy as provided for in this Code section shall be set by the appointing authority in accordance with the schedule of expiration dates established by law for the terms of members of the board or body."

SECTION 5.

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

SECTION 6.

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

District No. 1

BRANTLEY
 BRYAN
 BULLOCH
 CAMDEN
 CANDLER
 CHARLTON
 CHATHAM
 EFFINGHAM
 EMANUEL
 EVANS
 GLYNN
 LIBERTY
 LONG
 MCINTOSH
 MONTGOMERY
 TATNALL
 TOOMBS
 WAYNE

District No. 2

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BROOKS

CALHOUN

CHATTAHOOCHEE

CLAY

CRAWFORD

DECATUR

DOOLY

DOUGHERTY

EARLY

GRADY

MACON

MARION

MILLER

MITCHELL

MUSCOGEE

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PEACH

QUITMAN

RANDOLPH

SCHLEY

SEMINOLE
STEWART
SUMTER
TALBOT www.libtool.com.cn
TAYLOR
TERRELL
THOMAS
WEBSTER

District No. 3

BIBB

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BLECKLEY

BUTTS

CLAYTON

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COWETA

FAYETTE

HARRIS

HENRY

JONES

LAMAR

MERIWETHER

MONROE

MUSCOGEE

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PIKE

SPALDING

TWIGGS

UPSON

District No. 4

DEKALB

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District No. 5

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CLAYTON

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COBB

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District No. 6

CHEROKEE

COBB

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District No. 7

CARROLL
CHATTOOGA
COBB

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DADE
DOUGLAS
FLOYD
HARALSON
HEARD
PAULDING
POLK
TROUP
WALKER

District No. 8

APPLING
ATKINSON
BACON
BEN_HILL
BERRIEN
CLINCH
COFFEE
COLQUITT
COOK
CRISP
DODGE
ECHOLS
HOUSTON
IRWIN
JEFFERSON
LANIER
LAURENS
LEE
LOWNDES
PIERCE
PULASKI
TELFAIR
TIFT
TREUTLEN
TURNER
WARE
WHEELER
WILCOX
WORTH

District No. 9

BANKS
BARTOW
CATOOSA
DAWSON
FANNIN
FORSYTH
FRANKLIN
GILMER
GORDON
HABERSHAM

HALL
JACKSON
LUMPKIN
MURRAY
PICKENS
RABUN
STEPHENS
TOWNS
UNION
WHITE
WHITFIELD

District No. 10

BARROW
CLARKE
COLUMBIA
ELBERT
GWINNETT
Tract:0505.03
Tract:0505.08
Tract:0505.09
Tract:0506.01
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HART
LINCOLN
MCDUFFIE
MADISON
OCONEE
OGLETHORPE
RICHMOND
WALTON
WILKES

District No. 11

BALDWIN
BURKE
DEKALB
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FULTON

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GLASCOCK

GREENE

HANCOCK

JASPER

JEFF DAVIS

JENKINS

JOHNSON

MORGAN

NEWTON

PUTNAM

ROCKDALE

SCREVEN

TALIAFERRO

WARREN

WASHINGTON

WILKINSON

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

Y Ashe	Bostick	Y Campbell	Y Crews	Ehrhart
N Bailey	Y Breedlove	N Canty	N Culbreth	N Epps
N Baker	Y Brooks, D	Carter	N Cummings	Y Evans
Y Bannister	Y Brooks, T	N Chambless	N Davis, G	Y Falls
N Barfoot	N Brown, G	N Channell	Y Davis, M	Y Felton
N Bargeron	Y Brown, J	N Childers	N Day	N Floyd
Y Barnard	Y Brush	Y Coker	Y DeLoach, B	N Godbee
N Barnes	N Buck	Y Coleman, B	DeLoach, G	N Golden
N Bates	N Buckner	N Coleman, T	Y Dix	Y Goodwin
N Benefield	N Bunn	N Connell	E Dixon, H	Greene
N Birdsong	Y Burkhalter	N Cox	N Dixon, S	Y Grindley
N Bordeaux	N Byrd	Y Crawford	N Dobbs	N Hanner

Y Harbin	Y Klein	N Parham	N Shaw	Y Teague
Y Harris	Y Ladd	N Parrish	N Sherrill	E Teper
N Hart	Y Lakly	Y Parsons	Y Shipp	N Thomas
N Heard	N Lane	N Pelote	N Simpson	N Tillman
N Heckstall	Y Lawrence	N Perry	N Sinkfield	N Titus
N Hegstrom	N Lee	Y Pinholster	N Skipper	Y Towery
Y Hembree	N Lewis	N Polak	N Smith, C	Y Trense
N Henson	Y Lifsey	N Porter	Y Smith, C.W	N Turnquest
N Holland	N Lord	N Poston	N Smith, L	N Twiggs
N Holmes	N Lucas	N Powell	N Smith, P	N Walker, L
N Howard	Y Maddox	N Purcell, A	N Smith, T	Y Walker, R.L
N Hudson	Y Mann	N Purcell, B	Y Smith, V	Y Wall
N Hugley	N Martin	N Randall	Y Smith, W	N Watson
Y Irvin	N McBee	N Randolph	N Smyre	N Watts
N James	N McCall	N Ray	Y Snelling	Y Westmoreland
Jamieson	N McClinton	N Reaves	N Snow	N Whitaker
N Jenkins	N McKinney	N Reichert	N Stallings	N White
Y Johnson, G	Y Mills	Y Roberts	N Stancil, F	Y Wiles
Y Johnson, J	N Mobley, B	N Rogers	Y Stancil, S	Y Williams, B
Y Johnston	N Mobley, J	N Royal	N Stanley, L	Y Williams, J
N Jones	N Mosley	Y Sanders	N Stanley, P	Y Williams, R
E Joyce	Y Mueller	Y Sauder	N Stephenson	Y Woods
Y Kaye	N O'Neal	N Scoggins	N Streat	Y Yates
N Kinnamon	N Orrock	N Shanahan	N Taylor	Murphy, Spkr

On the adoption of the Floor substitute, the ayes were 62, nays 108.

The Floor substitute was lost.

The following substitute, offered by Representatives Murphy of the 18th, Walker of the 141st, Lee of the 94th, Smith of the 169th and Smyre of the 136th, was read:

A BILL

To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts; to provide for the election of members of Congress; to provide for the continuation of present congressional districts until a certain time; to make certain provisions relative to certain boards and bodies; to provide for continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, is amended by striking Code Section 21-2-3, relating to definitions and descriptions for use in designating congressional districts, and inserting in its place the following:

"21-2-3.

For purposes of this article:

(1) The terms 'Tract,' 'Block,' and 'VTD' 'Block Group' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia.

(2) The term 'Precinct' is synonymous with the term 'voting precinct' and means a geographical area, established in accordance with Article 7 of this chapter, within which all electors vote at one polling place.

(3) Whenever the description of any congressional district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia.

(4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any congressional district contains

a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control. www.libtool.com.cn

(5)(2) Any part of the State of Georgia which is described in subsection (a) of Code Section 21-2-4 as being included in a particular congressional district shall nevertheless not be included within such congressional district if such part is not contiguous to such congressional district. Such noncontiguous part shall instead be included within that congressional district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia.”

SECTION 2.

Said article is further amended by striking the description of the 11 congressional districts immediately following the second sentence of subsection (a) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the description of the 11 congressional districts attached to this Act and made a part hereof and further identified as “Operator: represent Client: coalition Plan: mslss.”

SECTION 3.

Said article is further amended by striking subsection (c) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the following:

“(c) The first members elected pursuant to the provisions of this Code section shall be those who are elected to take office in January, ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under the provisions of this Code section. Until that time the members of the United States House of Representatives elected in ~~1990~~ 1994 shall continue to serve and, for all purposes relative to membership in the House of Representatives, the composition of congressional districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective for the primaries and elections of ~~1992~~ 1996 for the purpose of electing the members in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. For the purpose of appointing or electing members of boards or bodies where such are made on the basis of congressional districts, the provisions of this Code section shall be effective January 1, ~~1993~~ 1997.”

SECTION 4.

Said article is further amended by striking Code Section 21-2-4.1, relating to continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district, and inserting in its place the following:

“21-2-4.1.

Any member of any constitutional or statutory board or body who is in office on January 1, ~~1993~~ 1997, and who was appointed on the basis of residency within a congressional district shall serve out the term for which the member was appointed and shall represent the congressional district created by this chapter in which the member resides unless more members of the board or body than authorized by the applicable constitutional provision or statute reside within the same congressional district. In the event any congressional district created by this chapter has residing therein more members of any such board or body than the number of members specified by the applicable constitutional provision or statute, the appointing authority shall designate which member or members representing the congressional district shall continue to serve as a member or members of the board or body. Any member not designated for continued membership shall cease to hold office as of the time specified in subparagraph (d)(2)(C) of Code Section ~~1-2-1~~ January 1, 1997. If a congressional district created by this chapter is not represented on a board or body as specified by the applicable constitutional provision or statute, a vacancy shall exist. Such vacancy shall be filled as of the time specified in subparagraph (d)(2)(C) of Code Section ~~1-2-1~~ by the appointing authority appointing

to the board or body a member or members from the congressional district which does not have sufficient representation. In the case of an appointment to fill a vacancy created by the displacement of a member from a congressional district on the basis of residency, ~~the initial appointment~~ shall be for a term ending on the date on which the term of the member removed by the appointing authority in accordance with the foregoing requirement would have ended. The initial term of all other appointments to fill a vacancy as provided for in this Code section shall be set by the appointing authority in accordance with the schedule of expiration dates established by law for the terms of members of the board or body.”

SECTION 5.

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

SECTION 6.

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

District No. 1

APPLING
BACON
BRANTLEY
BRYAN
BULLOCH
CAMDEN
CANDLER
CHARLTON
CHATHAM
EFFINGHAM
EVANS
GLYNN
LIBERTY
LONG
MCINTOSH
PIERCE
WARE
WAYNE

District No. 2

BAKER
BIBB
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Tract:0122.

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208A,208B,209 ,210 , 211 ,212 ,213 ,214 ,215 ,216 ,217 ,218 ,219 ,220 ,221 , 222A,222B,223A,223B,224 ,225A,225B,225C,227 ,228A,228B, 228C,228D,229 ,230 ,231 ,232 ,233 ,234 ,235 ,236 ,237 , 238 ,239 ,299 ,299 ,299

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Tract:0130.

Tract:0131.01

Block: 501

Tract:0133.01

Tract:0133.02

Tract:0135.01

Tract:0135.02

Tract:0137.97

BROOKS

CALHOUN

CHATTAHOOCHEE

CLAY

CRAWFORD

DECATUR

DOOLY

DOUGHERTY

EARLY

GRADY

MACON

MARION

MILLER

MITCHELL

MUSCOGEE

Tract:0001.

Tract:0013.

Tract:0014.

Block Group:3

Block: 401 ,402 ,403 ,404 ,405

Tract:0015.

Block: 102 ,103 ,110 ,111 ,112 ,113 ,114 ,115 ,117 ,118 ,120 , 121 ,122 ,123

Block Group:2

Block Group:3

Block: 401 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,413 ,415 ,416 , 417 ,418 ,428 ,429 ,430 ,431 ,434 ,435 ,436 ,437 ,438

Tract:0016.

Block: 108 ,111 ,113 ,123

Block Group:2

Block: 304 ,305 ,310 ,311 ,312 ,313 ,404 ,405 ,406 ,409 ,410 , 412

Block Group:5

Block Group:6

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Block: 101 ,105

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Tract:0033.

Tract:0034.

Tract:0106.04

Block: 301 ,302 ,304 ,305 ,306 ,307 ,308 ,309 ,310 ,311 ,312 , 313 ,314 ,315 ,316 ,319
 ,320 ,321 ,323 ,324 ,325 ,326 , 327 ,329 ,332 ,333 ,334 ,335 ,336 ,337 ,339
 ,340 ,341 , 343 ,344 ,349 ,350 ,399A ,399B

Tract:0106.05

Tract:0106.06

Tract:0107.01

Tract:0107.02

Tract:0107.03

Tract:0108.

Tract:0109.

PEACH

QUITMAN

RANDOLPH

SCHLEY

SEMINOLE

STEWART

SUMTER

TAYLOR

TERRELL

THOMAS

WEBSTER

District No. 3

BIBB

Tract:0121.

Tract:0122.

Block: 226

Tract:0131.01

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block: 502A,502B,502C,503 ,504A,504B,504C,504D,504E,504F,504G, 504H,505 ,506
 ,507 ,508 ,509 ,510 ,511 ,512 ,513 ,514 , 515 ,516 ,517 ,518 ,519 ,599A ,599B

Tract:0131.02

Tract:0132.01

Tract:0132.02

Tract:0134.97

Tract:0134.98

Tract:0136.01

Tract:0136.02

Tract:0137.98

BUTTS

CLAYTON

Tract:0401.

Block: 901 ,903B,906 ,907 ,908 ,909 ,910 ,911 ,912

Tract:0402.

Block: 901 ,902 ,903 ,904 ,905 ,906 ,907 ,908A,908B,909 ,910 , 911 ,912 ,913 ,914 ,915 ,916 ,917 ,918 ,921 ,922 ,923 , 933 ,999 ,999

Tract:0403.01

Tract:0403.02

Tract:0403.03

Tract:0403.04

Tract:0403.05

Tract:0404.01

Tract:0404.02

Tract:0404.03

Tract:0404.05

Tract:0404.06

Tract:0405.03

Block Group:1

Block Group:3

Block: 402A,402B,402C,402D,402E,403 ,404 ,405

Tract:0405.05

Block Group:6

Tract:0405.06

Tract:0405.07

Tract:0405.08

Tract:0406.03

Tract:0406.04

Tract:0406.05

Tract:0406.06

Tract:0406.07

Tract:0406.08

HARRIS

HENRY

LAMAR

MERIWETHER

MONROE

MUSCOGEE

Tract:0002.

Tract:0003.

Tract:0004.

Tract:0005.

Tract:0006.

Tract:0008.

Tract:0009.

Tract:0010.

Tract:0011.

Tract:0012.

Tract:0014.

Block Group:1

Block Group:2

Block: 406 ,407 ,408 ,409 ,410 ,411 ,412 ,413 ,414

Tract:0015.

Block: 101 ,104 ,105 ,106 ,107 ,108 ,109 ,124 ,125 ,402 ,410 , 411 ,412 ,414 ,419 ,420 ,421 ,422 ,423 ,424 ,425 ,426 , 427 ,432 ,433

Tract:0016.

Block: 101 ,102 ,103 ,104 ,105 ,106 ,109 ,110 ,301 ,302 ,303 , 306 ,307 ,308 ,309 ,401 ,402 ,403 ,407 ,408 ,411 ,413 , 414 ,499

Tract:0018.

Block: 102 ,103 ,104 ,106 ,107 ,108 ,109 ,110 ,111 ,112 ,113 , 114 ,115

Block Group:2

Block Group:3

Block Group:4

Tract:0019.

Tract:0021.

Tract:0023.

Tract:0101.02

Tract:0101.03

Tract:0101.04

Tract:0102.01

Tract:0102.02

Tract:0103.01

Tract:0103.02

Tract:0104.01

Tract:0104.02

Tract:0105.

Tract:0106.02

Tract:0106.04

Block Group:2

Block: 303 ,317 ,318 ,322 ,342

Tract:0110.

PIKE

SPALDING

TALBOT

TROUP

UPSON

District No. 4

DEKALB

Tract:0201.

Tract:0202.

Tract:0203.

Tract:0204.

Tract:0206.

Block: 101

Tract:0207.

Block: 214A

Tract:0211.

Tract:0212.02

Tract:0212.04

Tract:0212.05

Tract:0212.07

Tract:0212.08

Tract:0212.09

Tract:0212.10

Tract:0212.11

Tract:0212.12

Tract:0213.01

Tract:0213.02

Tract:0213.03

Tract:0213.04

Tract:0214.01

Tract:0214.02

Tract:0214.03

Tract:0214.04

Tract:0215.
 Tract:0216.01
 Tract:0216.02
 Tract:0216.03
 Tract:0217.02
 Tract:0217.03
 Tract:0217.04
 Tract:0218.05
 Tract:0218.06
 Tract:0218.08
 Tract:0218.09
 Tract:0218.10
 Tract:0218.98
 Tract:0219.02
 Tract:0219.03
 Block Group:1
 Block Group:2
 Block: 301 ,302 ,303 ,304 ,305 ,306 ,307 ,308 ,309 ,310 ,311 , 312 ,313 ,314 ,315 ,316
 ,317 ,318 ,319 ,320 ,321 ,322 , 323 ,324 ,325A,325B,325C,325D,326
 ,327A,327B,328A,328B, 329A,329B,330 ,331 ,332 ,333 ,334 ,335
 ,336A,336B,337A, 337B,338
 ,339A,339B,339C,339D,339E,339F,340A,340B,340C,
 341A,341B,341C,342A,343A,344 ,345 ,346 ,347 ,348 ,349A, 349B,351 ,353
 Tract:0219.04
 Tract:0219.05
 Block Group:1
 Block: 901A
 Tract:0220.01
 Block Group:1
 Block: 401 ,402 ,405 ,408 ,409 ,410 ,411 ,412 ,413 ,414 ,415A, 415B,416 ,417 ,421
 ,422 ,423 ,425
 Tract:0220.04
 Tract:0220.05
 Block: 301 ,302
 Tract:0222.
 Tract:0223.01
 Tract:0223.02
 Tract:0224.01
 Tract:0224.02
 Tract:0224.03
 Tract:0225.
 Block Group:1
 Block Group:2
 Block: 303 ,304 ,313 ,314 ,315 ,612B,613 ,703 ,704 ,705 ,706 , 707 ,708 ,709A,709B
 Tract:0226.
 Tract:0228.
 Block: 205B
 Tract:0229.
 Block Group:1
 Block Group:2
 Block Group:3
 Tract:0230.
 Tract:0231.02
 Block: 101 ,102 ,103 ,104 ,105A,106 ,107 ,108 ,109 ,110A,111 , 112
 ,113A,114A,114B,115A,116A,199
 Tract:0231.05
 Block: 405A,409 ,410

Tract:0232.05

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,118
 ,119 ,120 ,122 ,123 ,124 ,505 , 506 ,507 ,508

Tract:0233.02 [tbtool.com.cn](http://www.tbtool.com.cn)

Tract:0233.03

Block: 101 ,102 ,103 ,104 ,105B,106B,107 ,108 ,109 ,110B,199 ,199 ,199 ,401B, 402
 ,403 ,404 ,405 ,406 ,407C,407D,408 ,411B ,499A

Block Group:5

Tract:0233.05

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,306 ,309 ,399 ,399 ,399

Block Group:4

Block Group:5

Tract:0233.06

Block Group:3

Block: 402 ,407 ,408 ,501 ,502 ,503 ,504 ,505 ,506 ,509B,510 , 511

FULTON

Tract:0101.03

Block: 801

Tract:0101.05

Block Group:2

Block Group:4

Block Group:6

Tract:0101.06

Tract:0101.07

Tract:0101.08

Tract:0102.03

Block Group:6

Block Group:7

Block Group:8

Tract:0114.03

Tract:0114.04

Tract:0114.05

Tract:0114.06

Tract:0114.07

Tract:0114.08

Tract:0114.09

Tract:0114.10

Tract:0114.11

Tract:0115.

Tract:0116.01

Tract:0116.02

Tract:0116.03

GWINNETT

Tract:0502.03

Block Group:1

Block: 301 ,302A,302B,302C,302D,303A,303B,304 ,305 ,306 ,307 , 308 ,309 ,310 ,311
 ,312 ,313 ,314 ,317 ,318 ,328A,328B, 328C,329 ,330 ,331
 ,332A,332B,333A,333B,334 ,335A,335B, 336A,336B,337A,337B,337C,345 ,346
 ,399A, 399D

Block Group:4

Block: 501 ,502 ,503 ,619 ,620 ,621 ,622A,622B,630 ,631 ,699C

Block Group:7

Tract:0502.04

Block: 105 ,106 ,107 ,108 ,109A,109B,110 ,111 ,112 ,113 ,114 ,199A ,199B

Block Group:3

Block: 401 ,402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411 , 412 ,413 ,414 ,415 ,416
 ,417A,418 ,419 ,420 ,421A,422 ,423 ,499

Block Group:8

Block Group:9

Tract:0503.04

Tract:0503.05

Tract:0503.06

Tract:0503.07

Tract:0503.08

Tract:0503.09

Tract:0503.10

Tract:0503.11

Tract:0503.12

Tract:0503.13

Tract:0503.14

Tract:0504.03

Tract:0504.06

Tract:0504.07

Tract:0504.08

Tract:0504.09

Tract:0504.10

Tract:0504.11

Tract:0504.12

Tract:0504.13

Tract:0504.14

Tract:0504.15

Block: 102 ,202

Tract:0505.02

Block: 134A,134B

Tract:0505.05

Block: 209 ,211 ,214B

Block Group:3

Block Group:4

Tract:0505.06

Tract:0505.07

Tract:0507.06

Block: 207 ,208 ,210 ,211 ,212 ,213 ,214 ,215 ,216 ,299 ,299

Tract:0507.07

Block Group:4

Tract:0508.98

District No. 5

CLAYTON

Tract:0401.

Block Group:3

Block Group:4

Block Group:5

Block Group:7

Block: 902 ,903A,904 ,905 ,913 ,914 ,915 ,916 ,917 ,918

Tract:0402.

Block Group:1

Block Group:2

Block: 919 ,920

Tract:0405.03

Block: 401

Tract:0405.04

Tract:0405.05

Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5

COBB

Tract:0303.21
 Block: 404A,405A,406A,407 ,408A,409 ,410 ,411

Tract:0310.01
 Block: 910C,910D,910E,910L,925A,925B,926

Tract:0311.01
 Block: 202 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 ,212 ,213 , 214 ,301 ,304 ,305 ,306 ,307 ,308 ,309 ,310

Tract:0311.03

Tract:0311.05
 Block: 136A,136B,137A,137B,138 ,139A,139B,139C,199,199,609A

Tract:0311.07
 Block Group:2
 Block: 301 ,302 ,303 ,304 ,305 ,306A,306B,306C,306D,306E,307A, 307B,308 ,309A,309B,310 ,311 ,312 ,313 ,314 ,315A,316 , 317A,317B,317C,318A,318B,318C,319 ,320 ,321A,321B,322 , 323A,323B,324 ,325 ,326 ,327 ,328 ,329 ,330 ,399 ,399 ,401A,409B, 412 ,416A,418A,421A

Tract:0311.08
 Block Group:1
 Block Group:2
 Block: 312 ,313A,313B,313C,314A,314B,315 ,316 ,317 ,318 ,320A, 320B,321A,321B,322,399

Block Group:4

Tract:0311.09
 Block: 101B,101C,102 ,103 ,104A,104B,104C,105A,105B,106 ,107 , 108 ,109 ,110 ,111 ,112 ,113 ,114 ,115A,115B,116 ,117A, 117B,118 ,119 ,120 ,503B

Tract:0312.02
 Block: 304 ,306 ,307 ,308 ,311 ,312 ,313 ,314 ,315 ,316 ,317 , 318 ,319A,319B,320 ,321 ,322 ,323 ,324A,324B,325A,325B, 326 ,327 ,328 ,329 ,330 ,331A,331B,335 ,338 ,341 ,399A ,399B

Block Group:4
 Block: 501 ,502 ,503 ,504 ,505 ,506 ,507 ,508 ,509 ,510 ,511 , 513 ,514 ,526 ,527 ,601A,601B,601C,602 ,603A,603B,604 , 605A,605B,605C,606 ,607A,607B,608A,608B,608C,608D,609A, 609B,610A,611B,612A,612B,612C,613A,613B,613C,613D,613E, 613F,650,699

Tract:0312.03
 Block: 101A,101B,106 ,107A,107B,107C,108 ,109 ,110A,110B,111 , 512 ,513 ,514 ,515 ,516A,516B,517 ,518 ,519 ,520 ,521A, 521B,522 ,523 ,524 ,525 ,526 ,599B

Tract:0312.04
 Block: 214A,218 ,219 ,220 ,221 ,222 ,223 ,224 ,225 ,226A,501A, 501B,502 ,503 ,504A,504B,504C,504D,505 ,506A,506B,507A, 507B,508 ,509 ,510 ,511 ,512 ,513 ,514 ,515 ,516A,516B, 516C,516D,517 ,518A,518B,519A,519B,519C,520 ,521 ,522 , 523 ,524 ,525 ,526 ,528 ,529 ,530A,530B,531A,531B,532

Tract:0313.01
 Block: 101B,155B,155C,156 ,901A,905A,905B

Tract:0313.02
 Block Group:1
 Block Group:2
 Block: 301 ,302 ,303 ,306 ,308 ,312 ,313 ,319 ,320 ,321 ,322 , 323 ,324
 Block Group:4
 Block Group:5
 Block Group:9

Tract:0313.04

Block: 451 ,454 ,455

Tract:0313.05

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Tract:0001.

Tract:0002.

Tract:0004.

Tract:0005.

Tract:0006.

Tract:0007.

Tract:0008.

Tract:0010.95

Tract:0011.

Tract:0012.

Tract:0013.

Tract:0014.

Tract:0015.

Tract:0022.

Tract:0023.

Tract:0024.

Tract:0025.

Tract:0026.

Tract:0035.

Block: 107 ,114 ,119 ,122 ,123 ,124 ,125 ,127 ,128 ,129 ,130 , 131A,132 ,133 ,134 ,135 ,136 ,137 ,138 ,139 ,140 ,141 , 142

Block Group:2

Tract:0036.

Tract:0037.

Tract:0038.

Tract:0039.

Tract:0040.

Tract:0041.

Tract:0042.95

Tract:0043.

Tract:0044.

Tract:0046.95

Tract:0049.95

Tract:0050.

Block: 112 ,113 ,114 ,115 ,201 ,202 ,203 ,208 ,209 ,210 ,211 , 212 ,213 ,214 ,216 ,217 ,218 ,219 ,220

Block Group:3

Tract:0052.

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Tract:0053.

Tract:0055.01

Tract:0055.02

Tract:0056.

Tract:0057.

Tract:0058.

Tract:0060.

Tract:0061.

Tract:0062.

Tract:0063.

Tract:0064.

Tract:0065.
Tract:0066.01
Tract:0066.02
Tract:0067.
Tract:0068.01
Tract:0068.02
Tract:0069.
Tract:0070.
Tract:0071.
Tract:0072.
Tract:0073.
Tract:0074.
Tract:0075.
Tract:0076.01
Tract:0076.02
Tract:0077.01
Tract:0077.02
Tract:0078.02
Tract:0078.03
Tract:0078.04
Tract:0079.
Tract:0080.
Tract:0081.01
Tract:0081.02
Tract:0082.01
Tract:0082.02
Tract:0083.01
Tract:0083.02
Tract:0084.
Tract:0085.
Tract:0086.01
Tract:0086.02
Tract:0087.01
Tract:0087.02
Tract:0088.
Tract:0089.
Tract:0090.
Tract:0091.
Tract:0092.
Tract:0093.
Tract:0094.01
Tract:0094.02
Tract:0095.
Tract:0096.
Tract:0097.
Tract:0098.
Tract:0099.
Tract:0100.
Tract:0101.01
Tract:0101.03
Block Group:1
Block Group:2
Block Group:3
Block Group:4
Block Group:5
Block Group:6
Block Group:7

Block: 802 ,803 ,804 ,805 ,806 ,807 ,808 ,809 ,810 ,811 ,812 , 813 ,814 ,815 ,816 ,817
 ,818 ,819 ,820 ,821 ,822

Tract:0101.05

Block Group:1

Block Group:3

Block Group:5

Tract:0102.01

Tract:0102.03

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Block Group:9

Tract:0102.04

Tract:0102.05

Tract:0103.01

Block: 607 ,608 ,609 ,610 ,611 ,612 ,613 ,614 ,615 ,699 ,699 ,721 ,722 , 841 ,842

Tract:0103.02

Tract:0105.03

Tract:0105.04

Tract:0105.05

Tract:0105.06

Tract:0106.01

Tract:0106.02

Tract:0107.

Tract:0108.

Tract:0109.

Tract:0110.

Tract:0111.

Tract:0112.01

Tract:0112.02

Tract:0113.01

Tract:0113.02

District No. 6

COBB

Tract:0301.98

Tract:0302.03

Tract:0302.04

Tract:0302.05

Tract:0302.06

Tract:0302.07

Tract:0303.02

Tract:0303.07

Tract:0303.09

Tract:0303.10

Tract:0303.11

Tract:0303.12

Tract:0303.13

Tract:0303.14

Tract:0303.15

Tract:0303.16

Tract:0303.17

Tract:0303.18

Tract:0303.19

Tract:0303.20

Tract:0303.21
 Block Group:2
 Block Group:3
 Block: 401,402A,402B,402C,403A,403B,403C,403D,404B,405B,406B, 408B,412 ,413
 Block Group:5
 Block Group:6
 Block Group:9
 Tract:0304.01
 Tract:0304.02
 Tract:0304.04
 Tract:0304.05
 Tract:0304.06
 Tract:0305.01
 Tract:0305.02
 Tract:0305.03
 Tract:0306.
 Tract:0307.
 Tract:0308.
 Tract:0309.01
 Tract:0309.02
 Tract:0309.03
 Tract:0310.01
 Block Group:1
 Block Group:2
 Block: 901 ,902 ,903 ,904 ,905 ,906 ,907A,907B,908A,908B,909A,
 909B,910A,910B,910F,910G,910H,910J,910K,910M,910N,910P, 911 ,912 ,913
 ,914 ,915A,915B,915C,915D,916 ,917 ,918 , 919A,919B,920 ,921 ,922 ,923
 ,924A,924B,924C,925C,999
 Tract:0310.02
 Tract:0310.03
 Tract:0311.01
 Block Group:1
 Block: 201 ,203 ,302 ,303 ,311 ,312 ,313 ,314 ,315
 Tract:0311.05
 Block: 101 ,102 ,103 ,104 ,105A,105B,106 ,107A,107B,108 ,109 , 110 ,111 ,112 ,113
 ,114 ,115 ,116A,116B,116C,116D,116E, 116F,116G,117 ,118 ,119 ,120 ,121
 ,122 ,123 ,124A,124B, 125 ,126A,126B,126C,127 ,128A,128B,129
 ,130A,130B,130C, 131 ,132 ,134 ,135A,135B,135C,136C,601 ,602 ,603 ,604 ,
 605 ,606 ,607 ,608 ,609B,610 ,611 ,612 ,613 ,614 ,615 , 616 ,617 ,618 ,619
 ,620 ,621 ,622 ,623 ,624 ,625 ,627 ,699 ,699
 Tract:0311.06
 Tract:0311.07
 Block: 315B,401B,402 ,403 ,404 ,405 ,406 ,407 ,408 ,409A,409C, 409D,410 ,411 ,413
 ,414 ,415 ,416B,417 ,418B,419 ,420 , 421B,422 ,499
 Tract:0311.08
 Block: 301 ,302 ,303A,303B,304 ,305 ,306 ,307 ,308 ,309 ,310A, 310B,311 ,319
 Tract:0311.09
 Block: 101A,501 ,502 ,503A,504 ,505
 Tract:0312.02
 Block: 301 ,302 ,303 ,305 ,309 ,310 ,399C ,528 ,529 ,530 ,610B,611A
 Tract:0312.03
 Block: 102 ,103 ,104 ,105 ,112 ,113 ,114 ,115 ,501 ,502 ,503 , 504 ,505 ,506 ,507 ,508
 ,509 ,510 ,511 ,527 ,528 ,529 , 530 ,531 ,532 ,533 ,534 ,599A
 Tract:0312.04
 Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212 ,213 ,214B,215
 ,216 ,217 ,226B,227 ,228 ,229 ,230 , 231 ,232 ,233 ,234 ,235 ,236 ,237 ,238
 ,239 ,240 ,241 , 242 ,243 ,244 ,245 ,246 ,247 ,248 ,299A ,299B ,299C ,527

Tract:0313.01

Block: 101A,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115
 ,116 ,117 ,118 ,119 ,155A

Block Group:2

Block Group:3

Block Group:4

Block: 901B,902 ,903 ,904 ,905C,906 ,907 ,908 ,911 ,912 ,913 ,999

Tract:0313.02

Block: 304 ,305 ,307 ,309 ,310 ,311 ,314 ,315 ,317 ,318

Tract:0313.04

Block Group:1

Block Group:3

Block: 401 ,402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411 , 412 ,413 ,414 ,415 ,416
 ,417 ,418 ,419 ,420 ,421A,421B, 422 ,423 ,424 ,425 ,426 ,427 ,428 ,429 ,430
 ,431 ,432 , 433 ,434 ,435 ,436 ,437 ,438 ,439 ,440 ,441 ,442 ,443 , 444 ,445
 ,446 ,447 ,448 ,449 ,450 ,452 ,453 ,499A ,499B

Block Group:5

Tract:0314.03**Tract:0314.04****Tract:0314.98****Tract:0315.01****Tract:0315.02****Tract:0316.97****Tract:0316.98****COWETA****DOUGLAS****FAYETTE****FULTON****Tract:0103.01**

Block: 601 ,602 ,603 ,604 ,605 ,606 ,701 ,702 ,703 ,704 ,705 , 706 ,707 ,708 ,709 ,710
 ,711 ,712 ,713 ,714 ,715 ,716 , 717 ,718 ,719 ,720 ,799 ,801 ,802 ,803 ,804
 ,805 ,806 ,807 , 808 ,809 ,810 ,811 ,812 ,813 ,814 ,815 ,816 ,817 ,818 , 819
 ,820 ,821 ,822 ,823 ,824 ,825 ,826 ,827 ,828 ,829 , 830 ,831 ,832 ,833 ,834
 ,835 ,836 ,837 ,838 ,839 ,840 ,899 ,899 ,899 ,899 ,899 ,899 ,899 ,899 ,899

Tract:0104.**District No. 7**

BARTOW
CARROLL
CATOOSA
CHATTOOGA
DADE
FLOYD
GORDON
HARALSON
HEARD
MURRAY
PAULDING
POLK
WALKER
WHITFIELD

District No. 8

ATKINSON
BEN_HILL
BERRIEN
BLECKLEY

CLINCH
 COFFEE
 COLQUITT
 COOK www.libtool.com.cn
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 DODGE
 ECHOLS
 EMANUEL
 HOUSTON
 IRWIN
 JEFF_DAVIS
 LANIER
 LAURENS
 LEE
 LOWNDES
 MONTGOMERY
 PULASKI
 TATTNALL
 TELFAIR
 TIFT
 TOOMBS
 TREUTLEN
 TURNER
 WHEELER
 WILCOX
 WORTH

District No. 9

BANKS
 BARROW
 CHEROKEE
 DAWSON
 ELBERT
 FANNIN
 FORSYTH
 FRANKLIN
 GILMER
 GWINNETT

Tract:0501.01

Tract:0501.02

Tract:0502.02

Tract:0502.03

Block Group:2

Block: 315 ,316 ,319 ,320 ,321 ,322 ,323 ,324 ,325A,325B,326 , 327 ,338A,338B,339
 ,340 ,341 ,342 ,343 ,344 ,347 ,399B ,399C ,504 , 601 ,602 ,603 ,604 ,605 ,606
 ,607 ,608 ,609 ,610 ,611 , 612 ,613 ,614 ,615 ,616 ,617 ,618 ,623 ,624 ,625
 ,626 , 627 ,628 ,629 ,699A ,699B

Tract:0502.04

Block: 101 ,102 ,103 ,104

Block Group:2

Block: 417B,421B

Block Group:5

Block Group:6

Block Group:7

Tract:0505.02

Block: 101A,101B,101C,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 , 110 ,111 ,112 ,113
 ,114 ,115 ,116 ,117 ,118 ,119 ,120 , 121 ,122 ,123 ,124 ,125 ,126 ,127 ,128
 ,129 ,130 ,131 , 132 ,133 ,134C,135 ,136 ,137 ,138 ,199

Tract:0505.03

Block: 113 ,114 ,115 ,116A,116B,116C,117 ,118 ,119 ,120 ,121 , 122 ,123 ,124 ,138
 ,139 ,141 ,142 ,143 ,144 ,147 ,148 , 149 ,150 ,151 ,152 ,153 ,154 ,155 ,162
 ,163 ,164 ,165 ,166 ,168 ,169 ,170 ,171 ,172 ,173 ,174 ,175 ,176 ,177 , 178
 ,179 ,180 ,181 ,182 ,183 ,184 ,185 ,186 ,187 ,188 , 189 ,190 ,199D ,199E ,199F
 ,201 ,202 ,203 ,204 ,205B,207 ,208 ,209 ,210 , 212C,213 ,214B,215B,215C,216
 ,220B,221B,221C,222 ,225B ,299

Tract:0505.09

Block: 201B

Tract:0506.01

Block: 101 ,102 ,103 ,104 ,105A,105B,105C,105D,106 ,107A,107B, 107C,107D,108
 ,109 ,110 ,111 ,112 ,113 ,114 ,115 ,116 , 117 ,118 ,119 ,120 ,121 ,122 ,123
 ,124A,124B,124C,124D, 125A,125B,126 ,127 ,128 ,129 ,130 ,131 ,132 ,133
 ,134 , 135 ,136 ,137 ,138 ,139 ,140 ,141 ,142 ,143 ,144 ,145 , 146 ,147
 ,148A,148B,148C,148D,149 ,150 ,151 ,152 ,153 , 154 ,155 ,156 ,157 ,158 ,159
 ,160 ,161 ,162 ,165 ,166 ,167 ,199A ,199C ,199D ,199E

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,307 ,308

HABERSHAM

HALL

HART

JACKSON

LUMPKIN

MADISON

PICKENS

RABUN

STEPHENS

TOWNS

UNION

WHITE

District No. 10

BURKE

CLARKE

COLUMBIA

GWINNETT

Tract:0504.15

Block: 101 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,201

Block Group:3

Block Group:5

Block Group:6

Tract:0504.16

Tract:0505.03

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,125 ,126 ,127 ,128
 ,129 ,130 ,131 ,132 ,133 ,134 , 135 ,136 ,137 ,140 ,145 ,146 ,156 ,157 ,158
 ,159 ,160 , 161 ,167 ,191 ,192 ,193 ,199A ,199B ,199C ,205A,206 ,211
 ,212A,212B,214A, 215A,217A,217B,217C,217D,218
 ,219A,219B,219C,220A,221A, 221D,223 ,224 ,225A

Tract:0505.05

Block Group:1

Block: 201A,201B,202A,202B,203A,203B,203C,204 ,205 ,206 ,207 , 208 ,210 ,212
 ,213 ,214A

Block Group:5

Block Group:6

Tract:0505.08

Tract:0505.09

Block Group:1

Block: 201A,201C,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 , 211 ,212 ,213 ,214
 ,215 ,216 ,217 ,218 ,219 ,220 ,221 , 222 ,299

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Tract:0506.01

Block: 163 ,164 ,168 ,199B ,306 ,309A,309B,310 ,311 ,312 ,313 ,314 , 315 ,316 ,317
 ,318 ,319 ,320 ,399

Tract:0506.02

Tract:0507.04

Tract:0507.05

Tract:0507.06

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,209

Tract:0507.07

Block Group:3

Tract:0507.08

Tract:0507.09

Tract:0507.10

Tract:0507.11

JENKINS

LINCOLN

MCDUFFIE

OCONEE

OGLETHORPE

RICHMOND

SCREVEN

WALTON

WILKES

District No. 11

BALDWIN

DEKALB

Tract:0205.

Tract:0206.

Block: 102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 ,112 , 113

Block Group:2

Block Group:3

Tract:0207.

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212 ,213 ,214B,215
 ,216

Tract:0208.

Tract:0209.

Tract:0219.03

Block: 342B,343B

Tract:0219.05

Block Group:2

Block Group:4

Block Group:5

Block: 901B,902 ,903 ,904 ,999 ,999

Tract:0220.01

Block: 403 ,404 ,406 ,407 ,418 ,419 ,420 ,424 ,426 ,427 ,428 , 429 ,430 ,431 ,432

Tract:0220.02

Tract:0220.05

Block: 303 ,304 ,305 ,306 ,307 ,308 ,309 ,310 ,311 ,312 ,313 , 314 ,315 ,316 ,317 ,318
 ,319 ,320
 Block Group:4
 Tract:0221. libtool.com.cn
 Tract:0225.
 Block: 309 ,316 ,317 ,318 ,319 ,320
 Block Group:4
 Block Group:5
 Block: 601 ,602 ,603 ,604 ,605 ,606 ,607 ,608 ,609 ,610 ,611 , 612A,614 ,701 ,702
 Tract:0227.
 Tract:0228.
 Block Group:1
 Block: 201 ,202 ,203 ,204 ,205A,206 ,207 ,208 ,209 ,210
 Block Group:3
 Block Group:4
 Tract:0229.
 Block Group:4
 Block Group:5
 Block Group:6
 Tract:0231.01
 Tract:0231.02
 Block: 105B,110B,113B,114C,115B,116B
 Block Group:2
 Block Group:3
 Tract:0231.03
 Tract:0231.05
 Block Group:1
 Block Group:2
 Block Group:3
 Block: 401 ,402 ,403 ,404 ,405B,406 ,407 ,408 ,411 ,412
 Block Group:5
 Tract:0231.06
 Tract:0232.03
 Tract:0232.04
 Tract:0232.05
 Block: 116 ,117 ,121
 Block Group:4
 Block: 501 ,502 ,503 ,504 ,509 ,510 ,511 ,512 ,513 ,514 ,515 , 516 ,517 ,518 ,519 ,520
 ,521 ,522 ,599 ,599
 Tract:0232.06
 Tract:0232.07
 Tract:0233.03
 Block: 105A,106A,110A
 Block Group:2
 Block Group:3
 Block: 401A,407A,407B,409 ,410 ,411A,412 ,413 ,414 ,415A,415B, 416 ,417 ,418 ,419
 ,420 ,421A,421B,422,499B,499C
 Tract:0233.05
 Block: 307 ,308
 Tract:0233.06
 Block: 401 ,403 ,404 ,405 ,406 ,499 ,499 ,507 ,508 ,509A
 Tract:0233.07
 Tract:0233.08
 Tract:0234.03
 Tract:0234.04
 Tract:0234.05
 Tract:0234.07

Tract:0234.08
 Tract:0234.09
 Tract:0235.01
 Tract:0235.02
 Tract:0235.03
 Tract:0236.
 Tract:0237.
 Tract:0238.01
 Tract:0238.02
 Tract:0238.03
 Tract:0239.98

FULTON

Tract:0016.
 Tract:0017.
 Tract:0018.
 Tract:0019.
 Tract:0020.
 Tract:0021.
 Tract:0027.
 Tract:0028.
 Tract:0029.
 Tract:0030.
 Tract:0031.
 Tract:0032.
 Tract:0033.
 Tract:0035.

Block: 101 ,102 ,103 ,104 ,105 ,106 ,108 ,109 ,110 ,111 ,112 , 113 ,115 ,116 ,117 ,118
 ,120 ,121 ,126 ,131B

Tract:0048.
 Tract:0050.

Block: 101 ,102 ,103 ,104 ,106 ,107 ,108 ,109 ,110 ,111 ,204 , 206 ,207 ,221 ,222

Tract:0052.

Block Group:1

GLASCOCK
 GREENE
 HANCOCK
 JASPER
 JEFFERSON
 JOHNSON
 JONES
 MORGAN
 NEWTON
 PUTNAM
 ROCKDALE
 TALIAFERRO
 TWIGGS
 WARREN
 WASHINGTON
 WILKINSON

Representative Irvin of the 45th moved that HB 8EX be placed upon the table.

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

Y Ashe	N Barfoot	N Bates	Bostick	N Brown, G
N Bailey	Y Bargeron	N Benefield	N Breedlove	Y Brown, J
N Baker	Y Barnard	N Birdsong	Y Brooks, D	Brush
Y Bannister	N Barnes	N Bordeaux	N Brooks, T	N Buck

N Buckner	Y Felton	Y Klein	N Poston	N Stallings
Y Bunn	N Floyd	Y Ladd	N Powell	N Stancil, F
Y Burkhalter	N Godbee	Y Lakly	N Purcell, A	Y Stancil, S
N Byrd	N Golden	N Lane	N Purcell, B	N Stanley, L
Y Campbell	Y Goodwin	Y Lawrence	N Randall	N Stanley, P
N Canty	Greene	N Lee	N Randolph	N Stephenson
Carter	Y Grindley	Y Lewis	N Ray	N Streat
N Chambless	N Hanner	Y Lifsey	N Reaves	N Taylor
N Channell	Y Harbin	N Lord	N Reichert	N Teague
N Childers	Y Harris	N Lucas	N Roberts	E Teper
Y Coker	N Hart	Y Maddox	N Rogers	N Thomas
Y Coleman, B	N Heard	Y Mann	N Royal	N Tillman
N Coleman, T	N Heckstall	N Martin	Y Sanders	N Titus
N Connell	N Hegstrom	N McBee	Y Sauder	Y Towery
N Cox	Y Hembree	N McCall	N Scoggins	Y Trense
Y Crawford	N Henson	N McClinton	N Shanahan	N Turnquest
Y Crews	N Holland	N McKinney	N Shaw	N Twiggs
N Culbreth	N Holmes	Y Mills	N Sherrill	N Walker, L
N Cummings	N Howard	N Mobley, B	Y Shipp	Y Walker, R.L
N Davis, G	N Hudson	N Mobley, J	N Simpson	Y Wall
Y Davis, M	N Hugley	N Mosley	N Sinkfield	N Watson
Y Day	Y Irvin	Y Mueller	N Skipper	N Watts
Y DeLoach, B	N James	N O'Neal	N Smith, C	Y Westmoreland
DeLoach, G	Jamieson	N Orrock	Y Smith, C.W	Y Whitaker
Y Dix	N Jenkins	N Parham	N Smith, L	N White
E Dixon, H	Y Johnson, G	N Parrish	N Smith, P	Y Wiles
N Dixon, S	Y Johnson, J	Y Parsons	N Smith, T	Y Williams, B
N Dobbs	Y Johnston	N Pelote	Y Smith, V	Y Williams, J
Ehrhart	N Jones	N Perry	Y Smith, W	Y Williams, R
N Epps	E Joyce	Y Pinholster	N Smyre	Y Woods
Y Evans	Y Kaye	N Polak	Y Snelling	Y Yates
Y Falls	N Kinnamon	N Porter	N Snow	Murphy, Spkr

On the motion, the ayes were 62, nays 107.

The motion was lost.

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

N Ashe	N Crews	Y Hugley	Y Parham	N Smith, W
Y Bailey	Y Culbreth	N Irvin	Y Parrish	Y Smyre
Y Baker	Y Cummings	Y James	N Parsons	N Snelling
N Bannister	Y Davis, G	Jamieson	Y Pelote	Y Snow
Y Barfoot	N Davis, M	N Jenkins	Y Perry	Y Stallings
N Bargeron	N Day	N Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	N Johnson, J	Y Polak	N Stancil, S
N Barnes	DeLoach, G	N Johnston	Y Porter	Y Stanley, L
N Bates	N Dix	Y Jones	Y Poston	Y Stanley, P
Y Benefield	E Dixon, H	E Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	N Kaye	Y Purcell, A	Y Streat
Y Bordeaux	N Dobbs	N Kinnamon	Y Purcell, B	Y Taylor
Bostick	Ehrhart	N Klein	Y Randall	Y Teague
N Breedlove	Y Epps	Y Ladd	Y Randolph	E Teper
N Brooks, D	N Evans	N Lakly	Y Ray	Y Thomas
Y Brooks, T	N Falls	Lane	Y Reaves	Y Tillman
Y Brown, G	N Felton	N Lawrence	N Reichert	Y Titus
N Brown, J	Y Floyd	Y Lee	Y Roberts	N Towery
Brush	Y Godbee	Y Lewis	Y Rogers	N Trense
Y Buck	N Golden	N Lifsey	N Royal	Y Turnquest
Y Buckner	N Goodwin	Y Lord	N Sanders	Y Twiggs
N Bunn	Greene	Y Lucas	N Sauder	Y Walker, L
Y Burkhalter	N Grindley	N Maddox	Y Scoggins	N Walker, R.L
Y Byrd	Y Hanner	N Mann	Y Shanahan	N Wall
N Campbell	N Harbin	Y Martin	Y Shaw	Y Watson
Y Canty	N Harris	Y McBee	Y Sherrill	Y Watts
Carter	Y Hart	Y McCall	N Shipp	N Westmoreland
N Chambless	Y Heard	Y McClinton	Y Simpson	N Whitaker
N Channell	Y Heckstall	Y McKinney	Y Sinkfield	Y White
Y Childers	Y Hegstrom	N Mills	Y Skipper	N Wiles
N Coker	N Hembree	Y Mobley, B	Y Smith, C	N Williams, B
N Coleman, B	Y Henson	Y Mobley, J	N Smith, C.W	N Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Y Williams, R
Y Connell	Y Holmes	N Mueller	Y Smith, P	N Woods
Y Cox	Y Howard	Y O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	Y Orrock	N Smith, V	Murphy, Spkr

On the adoption of the Floor substitute, the ayes were 99, nays 69.

The Floor substitute was adopted.

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

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

N Ashe	N Crews	Y Hugley	Y Parham	N Smith, W
Y Bailey	Y Culbreth	N Irvin	Y Parrish	Y Smyre
Y Baker	Y Cummings	Y James	N Parsons	N Snelling
N Bannister	Y Davis, G	Jamieson	Y Pelote	Y Snow
Y Barfoot	N Davis, M	N Jenkins	Y Perry	Y Stallings
N Bergeron	N Day	N Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	N Johnson, J	Y Polak	N Stancil, S
N Barnes	DeLoach, G	N Johnston	Y Porter	Y Stanley, L
N Bates	N Dix	Y Jones	Y Poston	Y Stanley, P
Y Benefield	E Dixon, H	E Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	N Kaye	Y Purcell, A	Y Streat
Y Bordeaux	Y Dobbs	N Kinnamon	Y Purcell, B	Y Taylor
Bostick	Ehrhart	N Klein	Y Randall	Y Teague
N Breedlove	Y Epps	Y Ladd	Y Randolph	E Teper
N Brooks, D	N Evans	N Lakly	Y Ray	Y Thomas
Y Brooks, T	N Falls	Y Lane	Y Reaves	Y Tillman
Y Brown, G	N Felton	N Lawrence	N Reichert	Y Titus
N Brown, J	Y Floyd	Y Lee	Y Roberts	N Towerly
Brush	Y Godbee	Y Lewis	Y Rogers	N Trense
Y Buck	N Golden	N Lifsey	N Royal	Y Turnquest
Y Buckner	N Goodwin	Y Lord	N Sanders	Y Twiggs
N Bunn	Greene	Y Lucas	N Sauder	Y Walker, L
N Burkhalter	N Grindley	N Maddox	Y Scoggins	N Walker, R.L
Y Byrd	Y Hanner	N Mann	Y Shanahan	N Wall
N Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
Y Canty	N Harris	Y McBee	Y Sherrill	Y Watts
Carter	Y Hart	Y McCall	Y Shipp	N Westmoreland
N Chambliss	Y Heard	Y McClinton	Y Simpson	Y Whitaker
N Channell	Y Heckstall	Y McKinney	Y Sinkfield	Y White
Y Childers	Y Hegstrom	N Mills	Y Skipper	N Wiles
N Coker	N Hembree	Y Mobley, B	Y Smith, C	N Williams, B
N Coleman, B	Y Henson	Y Mobley, J	N Smith, C.W	N Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Y Williams, R
Y Connell	Y Holmes	N Mueller	Y Smith, P	N Woods
Y Cox	Y Howard	Y O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	Y Orrock	N Smith, V	Murphy, Spkr

On the passage of the Bill, by substitute, the ayes were 103, nays 66.

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

By unanimous consent, HB 8EX was ordered immediately transmitted to the Senate.

Please spread upon the pages of the Journal of today's action the fact that my "yes" vote on HB8EX, the bill redistricting the congressional districts, was only cast to advance the process. I strongly oppose the configuration of the First District, however, and am hopeful the counties long, historically a portion of that district will be restored in conference.

/s/ Rep. Sonny Dixon Dist. 150
 /s/ Rep. Jay Shaw Dist. 176
 /s/ Rep. Bob Lane Dist. 146
 /s/ Rep. Tom Bordeaux Dist. 151

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

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

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SR 22EX. By Senators Ray of the 19th, Perdue of the 18th and Scott of the 36th:

A resolution relative to adjournment from 5:00 P.M. on Friday, August 25, 1995, until reconvening on Monday, August 28, 1995.

The following Resolution of the Senate was read:

SR 22EX. By: Senators Ray of the 19th, Perdue of the 18th and Scott of the 36th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at 5:00 P.M. on Friday, August 25, 1995, and reconvene on Monday, August 28, 1995.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on August 28 may be as ordered by the Senate; and the hour for convening the House on August 28, may be as ordered by the House.

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

Y Ashe	Y Crews	Y Hugley	Y Parham	Y Smith, W
Y Bailey	Y Culbreth	Y Irvin	Y Parrish	Y Smyre
Y Baker	Y Cummings	Y James	Y Parsons	Y Snelling
Y Bannister	Y Davis, G	Jamieson	Y Pelote	Y Snow
Y Barfoot	Y Davis, M	Y Jenkins	Y Perry	Y Stallings
Y Bargerone	Y Day	Y Johnson, G	Y Pinholster	Y Stancil, F
Y Barnard	Y DeLoach, B	Y Johnson, J	Polak	Y Stancil, S
Y Barnes	DeLoach, G	Y Johnston	Y Porter	Y Stanley, L
Y Bates	Y Dix	Y Jones	Y Poston	Y Stanley, P
Y Benefield	E Dixon, H	E Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	Kaye	Y Purcell, A	Y Streat
Y Bordeaux	Y Dobbs	Y Kinnamon	Y Purcell, B	Y Taylor
Bostick	Ehrhart	Y Klein	Y Randall	Y Teague
Y Breedlove	Y Epps	Y Ladd	Y Randolph	E Teper
Y Brooks, D	Y Evans	Y Lakly	Y Ray	Y Thomas
Y Brooks, T	Y Falls	Y Lane	Y Reaves	Tillman
Y Brown, G	Y Felton	Y Lawrence	Y Reichert	Titus
Y Brown, J	Y Floyd	Y Lee	Y Roberts	Y Towery
Brush	Y Godbee	Y Lewis	Y Rogers	Y Trense
Y Buck	Y Golden	Y Lifsey	Y Royal	Y Turnquest
Y Buckner	Y Goodwin	Y Lord	Y Sanders	Y Twiggs
Bunn	Greene	Y Lucas	Y Sauder	Y Walker, L
Y Burkhalter	Y Grindley	Y Maddox	Y Scoggins	Y Walker, R.L
Y Byrd	Y Hanner	Y Mann	Y Shanahan	Y Wall
Y Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
Y Canty	Y Harris	Y McBee	Y Sherrill	Y Watts
Carter	Hart	Y McCall	Shipp	Westmoreland
Y Chamblees	Y Heard	Y McClinton	Y Simpson	Y Whitaker
Y Channell	Y Heckstall	N McKinney	Y Sinkfield	N White
Y Childers	Y Hegstrom	Y Mills	Y Skipper	Y Wiles
Y Coker	Y Hembree	Y Mobley, B	Y Smith, C	Y Williams, B
Y Coleman, B	Y Henson	Y Mobley, J	Y Smith, C.W	Y Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Y Williams, R
Y Connell	Y Holmes	Mueller	Y Smith, P	Y Woods
Y Cox	Y Howard	Y O'Neal	Y Smith, T	Y Yates
Y Crawford	Y Hudson	Orrock	Y Smith, V	Murphy, Sprk

On the adoption of the Resolution, the ayes were 156, nays 2.

The Resolution was adopted.

Pursuant to SR 22EX, adopted by the House and Senate, the House adjourned until 10:00 o'clock A.M., Monday, August 28, 1995.

Representative Hall, Atlanta, Georgia**Monday, August 28, 1995**www.libtool.com.cn

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:

Ashe	Davis, M	Johnston	Parrish	Smith, T
Baker	Day	Joyce	Parsons	Smith, V
Bannister	DeLoach, B	Kinnamon	Pelote	Smith, W
Barfoot	Dix	Klein	Pinholster	Smyre
Bargeron	Dixon, H	Ladd	Polak	Snelling
Barnard	Dixon, S	Lakly	Powell	Stallings
Barnes	Dobbs	Lane	Purcell, A	Stancil, F
Bates	Ehrhart	Lawrence	Purcell, B	Stancil, S
Benefield	Epps	Lee	Randall	Taylor
Bostick	Evans	Lewis	Ray	Teague
Brooks, T	Felton	Lifsey	Reaves	Thomas
Brown, J	Godbee	Lord	Reichert	Tillman
Buck	Golden	Lucas	Roberts	Titus
Burkhalter	Goodwin	Maddox	Rogers	Towery
Byrd	Grindley	Mann	Royal	Trense
Campbell	Hanner	Martin	Sanders	Turnquest
Canty	Harbin	McBee	Sauder	Twiggs
Carter	Harris	McCall	Scoggins	Walker, R.L
Childers	Heard	McClinton	Shanahan	Wall
Coker	Heckstall	McKinney	Shaw	Watson
Coleman, B	Hembree	Mills	Sherrill	Watts
Coleman, T	Holland	Mobley, B	Sinkfield	Westmoreland
Connell	Howard	Mobley, J	Skipper	Whitaker
Cox	Hudson	Mosley	Smith, C	Wiles
Crawford	Jamieson	Mueller	Smith, C.W	Williams, J
Crews	Jenkins	O'Neal	Smith, L	Williams, R
Culbreth	Johnson, G	Orrock	Smith, P	Yates
Cummings	Johnson, J	Parham		

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

Representatives Falls of the 125th, Poston of the 3rd, Walker of the 141st, Porter of the 143rd, Hugley of the 133rd, Holmes of the 53rd, Bunn of the 74th, Kaye of the 37th, Brush of the 112th, Bailey of the 93rd, Channell of the 111th, Shipp of the 38th, Woods of the 32nd, Bordeaux of the 151st, James of the 140th, Snow of the 2nd, Stanley of the 49th, Davis of the 48th, Henson of the 65th, Chambless of the 163rd, Stanley of the 50th, Buckner of the 95th and Streat of the 167th.

They wish to be recorded as present.

Prayer was offered by Dr. Nelson L. Price, Pastor, Roswell Street Baptist Church, Marietta, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bills of the House were introduced, read the first time and referred to the committees:

HB 29EX. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Thomas of the 148th, Pelote of the 149th, Dixon of the 150th and others:

A bill to amend an Act creating the Chatham-Savannah Youth Futures Authority, so as to provide uniform beginning and expiration dates for authority members; to provide for vacancies in membership of ex officio members.

Referred to the Committee on State Planning & Community Affairs Local.

HB 30EX. By Representative Murphy of the 18th:

A bill to create the Tallapoosa Recreation Authority and to authorize such authority to acquire, construct, equip, maintain, and operate athletic and recreational centers, facilities, and areas, including, but not limited to, golf courses, playgrounds, parks, hiking, camping and picnicking areas and facilities, swimming and wading pools, lakes, tennis courts, athletic fields and courts.

Referred to the Committee on State Planning & Community Affairs Local.

HB 31EX. By Representatives Harbin of the 113th, Williams of the 114th, Brush of the 112th and Barger of the 120th:

A bill to amend an Act providing for the election of members of the Board of Education of Columbia County, so as to provide for the election of members of the board at nonpartisan general elections without prior nonpartisan primaries.

Referred to the Committee on State Planning & Community Affairs Local.

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 6EX Do Pass
 SB 8EX Do Pass

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Respectfully submitted,
 /s/ Royal of the 164th
 Chairman

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

SB 8EX. By Senator Gillis of the 20th:

A bill to amend an Act providing a new charter for the City of Soperton, as amended, so as to change the council district descriptions; to change the terms of office for the mayor and members of the council from concurrent terms to staggered terms; to change the dates of elections for the mayor and the members of the council; to provide for submissions; to provide for effective dates.

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

SB 6EX. By Senator Day of the 48th:

A bill to provide a homestead exemption from Forsyth County ad valorem taxes for county purposes in the amount of \$10,000.00 of the assessed value of the homestead for certain residents of that county who have annual incomes not exceeding \$10,000.00 and who are 65 years of age or over; to provide for a three-year phase-in period for such exemption.

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 Ashe	Y Canty	Y Evans	Y Jamieson	McKinney
Y Bailey	Y Carter	Y Falls	Y Jenkins	Y Mills
Y Baker	Chambless	Y Felton	Y Johnson, G	Y Mobley, B
Y Bannister	Channell	Floyd	Y Johnson, J	Y Mobley, J
Y Barfoot	Y Childers	Y Godbee	Y Johnston	Y Mosley
Y Bargerone	Y Coker	Y Golden	Y Jones	Y Mueller
Y Barnard	Y Coleman, B	Y Goodwin	Y Joyce	Y O'Neal
Y Barnes	Y Coleman, T	Greene	Y Kaye	Y Orrock
Y Bates	Y Connell	Y Grindley	Y Kinnamon	Y Parham
Y Benefield	Y Cox	Y Hanner	Y Klein	Y Parrish
Birdsong	Y Crawford	Y Harbin	Y Ladd	Y Parsons
Bordeaux	Y Crews	Y Harris	Y Lakly	Y Pelote
Y Bostick	Y Culbreth	Hart	Y Lane	E Perry
Breedlove	Y Cummings	Y Heard	Y Lawrence	Y Pinholster
Brooks, D	Davis, G	Y Heckstall	Y Lee	Y Polak
Brooks, T	Y Davis, M	Y Hegstrom	Y Lewis	Y Porter
Brown, G	Y Day	Y Hembree	Y Lifsey	Y Poston
Y Brown, J	Y DeLoach, B	Henson	Y Lord	Y Powell
Y Brush	DeLoach, G	Y Holland	Y Lucas	Y Purcell, A
Y Buck	Y Dix	Y Holmes	Y Maddox	Y Purcell, B
Buckner	Y Dixon, H	Y Howard	Y Mann	Y Randall
Bunn	Y Dixon, S	Y Hudson	Y Martin	Randolph
Y Burkhalter	Y Dobbs	Y Hugley	Y McBee	Y Ray
Y Byrd	Y Ehrhart	Irvin	Y McCall	Y Reaves
Y Campbell	Y Epps	James	Y McClinto..	Y Reichert

Y Roberts	Y Sinkfield	Snow	Thomas	Y Watts
Y Rogers	Y Skipper	Y Stallings	Y Tillman	Y Westmoreland
Y Royal	Y Smith, C	Y Stancil, F	Y Titus	Y Whitaker
Y Sanders	Y Smith, C.W	Y Stancil, S	Y Towery	White
Y Sauder	Y Smith, L	Y Stanley, L	Y Trense	Y Wiles
Y Scoggins	Y Smith, P	Stanley, P	Y Turnquest	E Williams, B
Y Shanahan	Y Smith, T	Streat	Y Twiggs	Williams, J
Y Shaw	Y Smith, V	Stephenson	Walker, L	Y Williams, R
Y Sherrill	Y Smith, W	Y Taylor	Y Walker, R.L	Y Woods
Y Shipp	Y Smyre	Teague	Y Wall	Y Yates
Y Simpson	Y Snelling	E Teper	Y Watson	Murphy, Spkr

On the passage of the Bills, the ayes were 144, nays 0.

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

Representatives Channell of the 111th and Snow of the 2nd stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

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

Mr. Speaker:

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

HB 3EX. By Representative Greene of the 158th:

A bill to amend an Act creating a new charter for the City of Lumpkin, so as to deannex and remove certain territory from the corporate limits of the City of Lumpkin.

Under the general order of business, the following Bill of the Senate was taken up for consideration and read the third time:

SB 3EX. By Senators Ray of the 19th, Perdue of the 18th, Blicht of the 7th and others:

A bill to amend Code Section 28-2-2 of the O.C.G.A., relating to apportionment and qualifications for the Senate, so as to provide for the description of senatorial districts; to provide for the election of members of the Senate; to provide for the continuation of present senatorial districts until a certain time; to provide for applicability to certain primary and general elections; to define certain terms.

The following amendment was read and adopted:

The Committee on Legislative and Congressional Reapportionment moves to amend SB 3EX by striking lines 17 through 21 on page 2 and inserting in their place the following:

"(3) ~~Whenever~~ Except as otherwise provided in the description of any senatorial district, whenever the description of any senatorial district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia such boundaries existed on August 1, 1995."

The report of the Committee, which was favorable to the passage of the Bill, as amended, was agreed to.

On the passage of the Bill, as amended, the roll call was ordered and the vote was as follows:

Y Ashe	Y Crews	Y Hugley	Y Parham	Smith, W
Y Bailey	Y Culbreth	Y Irvin	Y Parrish	Y Smyre
Y Baker	Y Cummings	N James	Y Parsons	Y Snelling
Y Bannister	N Davis, G	Y Jamieson	N Pelote	Y Snow
Y Barfoot	N Davis, M	Y Jenkins	E Perry	Y Stallings
Y Bargeron	Y Day	Y Johnson, G	N Pinholster	Y Stancil, F
Y Barnard	Y DeLoach, B	Y Johnson, J	Y Polak	N Stancil, S
Y Barnes	DeLoach, G	Y Johnston	Y Porter	Stanley, L
Y Bates	Y Dix	Y Jones	Y Poston	Y Stanley, P
Y Benefield	Y Dixon, H	Y Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	Kaye	Y Purcell, A	Streit
Y Bordeaux	Y Dobbs	Y Kinnamon	Y Purcell, B	Y Taylor
Y Bostick	Ehrhart	Klein	Y Randall	N Teague
Y Breedlove	Y Epps	Y Ladd	Y Randolph	E Teper
Y Brooks, D	Y Evans	Y Lakly	Y Ray	Y Thomas
N Brooks, T	Y Falls	Y Lane	Y Reaves	Y Tillman
Y Brown, G	Y Felton	Y Lawrence	Y Reichert	Y Titus
Y Brown, J	Floyd	Y Lee	N Roberts	Y Towery
Y Brush	Y Godbee	Y Lewis	Y Rogers	Y Trense
Y Buck	Y Golden	Y Lifsey	Y Royal	Y Turnquest
Y Buckner	Y Goodwin	Y Lord	Y Sanders	Y Twiggs
Y Bunn	Greene	Y Lucas	Y Sauder	Y Walker, L
N Burkhalter	Y Grindley	Y Maddox	Y Scoggins	Y Walker, R.L
Y Byrd	Y Hanner	N Mann	Y Shanahan	Y Wall
Y Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
N Canty	N Harris	Y McBee	Y Sherrill	Y Watts
Y Carter	E Hart	Y McCall	Y Shipp	Y Westmoreland
Y Chambless	Y Heard	Y McClinton	Y Simpson	Y Whitaker
Y Channell	Y Heckstall	Y McKinney	Y Sinkfield	N White
Y Childers	Y Hegstrom	Y Mills	Y Skipper	Y Wiles
Y Coker	Y Hembree	N Mobley, B	Y Smith, C	E Williams, B
Y Coleman, B	Y Henson	Y Mobley, J	Y Smith, C.W	Y Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Y Williams, R
Y Connell	N Holmes	Y Mueller	Y Smith, P	Y Woods
Y Cox	N Howard	Y O'Neal	Y Smith, T	Y Yates
Y Crawford	Y Hudson	Y Orrock	Y Smith, V	Y Murphy, Spkr

On the passage of the Bill, as amended, the ayes were 128, nays 17.

The Bill, having received the requisite constitutional majority, was passed, as amended.

Representative Baker of the 70th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Chambless of the 163rd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the House:

HB 7EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Code Section 28-2-1 of the Official Code of Georgia Annotated, relating to apportionment and qualifications for the House of Representatives, so as to provide for the description of representative districts.

The following Resolutions of the House were read and adopted:

HR 37EX. By Representatives Smith of the 169th, Murphy of the 18th and Mosley of the 171st.

A resolution expressing condolences on the passing of Mr. Robert N. "Bobby" Howard.

HR 38EX. By Representatives Taylor of the 134th, Culbreth of the 132nd, Buck of the 135th, Smyre of the 136th, Hugley of the 133rd and others:

A resolution commending the Keep Columbus Beautiful Commission.

Representative Brooks of the 54th arose to a point of personal privilege and addressed the House.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Tuesday, August 29, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Representative Eugene C. Tillman, District 173, Brunswick, Georgia.

The members pledged allegiance to the flag.

Representative Barger of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bills of the House were read the second time:

HB 29EX
HB 30EX
HB 31EX

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the House:

HB 12EX. By Representative Floyd of the 138th:

A bill to amend an Act entitled "An Act to provide for the number of members of the County Board of Education of Pulaski County," so as to increase the amount of the per diem allowed for members of the board of education from \$20.00 to \$100.00.

The Senate has agreed to the House amendment to the following bill of the Senate:

SB 3EX. By Senators Ray of the 19th, Perdue of the 18th, Blich of the 7th and others:

A bill to amend Code Section 28-2-2 of the O.C.G.A., relating to apportionment and qualifications for the Senate, so as to provide for the description of senatorial districts; to provide for the election of members of the Senate; to provide for the continuation of present senatorial districts until a certain time; to provide for applicability to certain primary and general elections; to define certain terms.

Representative Walker of the 141st moved that the House do now adjourn until 1:30 o'clock, tomorrow afternoon and the motion prevailed.

The Speaker announced the House adjourned until 1:30 o'clock, tomorrow afternoon.

Representative Hall, Atlanta, Georgia**Wednesday, August 30, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 1:30 o'clock, P.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Ashe	Culbreth	Jamieson	Parham	Smith, T
Bailey	Cummings	Jenkins	Parrish	Smith, V
Baker	Davis, G	Johnson, G	Parsons	Smith, W
Bannister	Davis, M	Johnson, J	Pelote	Snelling
Barfoot	Day	Johnston	Perry	Snow
Bargeron	DeLoach, B	Joyce	Pinholster	Stallings
Barnard	DeLoach, G	Kaye	Polak	Stancil, S
Bates	Dix	Kinnamon	Powell	Stephenson
Benefield	Dixon, H	Klein	Purcell, A	Taylor
Birdsong	Dobbs	Ladd	Purcell, B	Teague
Bordeaux	Epps	Lakly	Randall	Thomas
Brown, G	Falls	Lawrence	Ray	Tillman
Brown, J	Felton	Lee	Reaves	Titus
Brush	Floyd	Lewis	Reichert	Towery
Buck	Godbee	Lifsey	Roberts	Twiggs
Bunn	Golden	Lord	Rogers	Walker, L
Burkhalter	Harbin	Lucas	Royal	Walker, R.L
Byrd	Hart	Maddox	Sanders	Wall
Campbell	Heard	Mann	Sauder	Watson
Canty	Heckstell	McBee	Shaw	Watts
Chambless	Hegstrom	McCall	Sherrill	Westmoreland
Channell	Hembree	McClinton	Shipp	Whitaker
Coker	Henson	Mills	Simpson	White
Coleman, B	Holland	Mobley, B	Sinkfield	Wiles
Coleman, T	Hudson	Mobley, J	Skipper	Williams, J
Connell	Hugley	Mosley	Smith, C.W	Williams, R
Cox	Irvin	Mueller	Smith, L	Yates
Crawford	James	O'Neal	Smith, P	Murphy, Spkr

The following members were off the floor of the House when the roll was called:

Representatives Buckner of the 95th, Lane of the 146th, Trense of the 44th, Barnes of the 33rd, Dixon of the 150th, Turnquest of the 73rd, Hanner of the 159th, Orrock of the 56th, Scoggins of the 24th, Stancil of the 91st, Grindley of the 35th, Porter of the 143rd, Goodwin of the 79th, Howard of the 118th, Martin of the 47th, Evans of the 28th, Jones of the 71st, Stanley of the 49th, Stanley of the 50th, Woods of the 32nd and Brooks of the 103rd.

They wish to be recorded as present.

Prayer was offered by Representative Cathy Cox, District 160, Bainbridge, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 29EX Do Pass
 HB 30EX Do Pass
 HB 31EX Do Pass

Respectfully submitted,
 /s/ Royal of the 164th
 Chairman

By unanimous consent, the following Bills of the House were taken up for consideration and read the third time:

HB 29EX. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Thomas of the 148th, Pelote of the 149th, Dixon of the 150th and others:

A bill to amend an Act creating the Chatham-Savannah Youth Futures Authority, so as to provide uniform beginning and expiration dates for authority members; to provide for vacancies in membership of ex officio members.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the ayes were 94, nays 3.

The Bill, having received the requisite constitutional majority, was passed.

HB 30EX. By Representative Murphy of the 18th:

A bill to create the Tallapoosa Recreation Authority and to authorize such authority to acquire, construct, equip, maintain, and operate athletic and recreational centers, facilities, and areas, including, but not limited to, golf courses, playgrounds, parks, hiking, camping and picnicking areas and facilities, swimming and wading pools, lakes, tennis courts, athletic fields and courts.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the ayes were 94, nays 3.

The Bill, having received the requisite constitutional majority, was passed.

HB 31EX. By Representatives Harbin of the 113th, Williams of the 114th, Brush of the 112th and Barger of the 120th:

A bill to amend an Act providing for the election of members of the Board of Education of Columbia County, so as to provide for the election of members of the board at nonpartisan general elections without prior nonpartisan primaries.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the ayes were 94, nays 3.

The Bill, having received the requisite constitutional majority, was passed.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the Senate:

SB 9EX. By Senator McGuire of the 30th:

A bill to amend an Act providing for the nomination and election of the chief magistrate of Carroll County so as to provide for the election of the chief magistrate of the Magistrate Court of Carroll County in nonpartisan elections without a prior nonpartisan primary.

The Senate has passed, by substitute, by the requisite constitutional majority the following bill of the House:

HB 24EX. By Representatives Watts of the 26th and Murphy of the 18th:

A bill to amend an Act creating a Board of Commissioners of Paulding County, so as to change the provisions relating to the appointment and removal of certain county officials and employees.

By unanimous consent, the following Bill of the Senate was read the first time and referred to the committee:

SB 9EX. By Senator McGuire of the 30th:

A bill to amend an Act providing for the nomination and election of the chief magistrate of Carroll County so as to provide for the election of the chief magistrate of the Magistrate Court of Carroll County in nonpartisan elections without a prior nonpartisan primary.

Referred to the Committee on State Planning & Community Affairs Local.

Representative Parham of the 122nd District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker, www.libtool.com.cn

Your Committee on Motor Vehicles 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 7EX Do Pass

Respectfully submitted,
/s/ Parham of the 122nd
Chairman

The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto:

HB 24EX. By Representatives Watts of the 26th and Murphy of the 18th:

A bill to amend an Act creating a Board of Commissioners of Paulding County, so as to change the provisions relating to the appointment and removal of certain county officials and employees.

The following Senate substitute was read:

A BILL

To amend an Act creating a Board of Commissioners of Paulding County, approved April 17, 1975 (Ga. L. 1975, p. 2916), as amended, particularly by an Act approved April 6, 1981 (Ga. L. 1981, p. 4279), so as to change the provisions relating to the appointment and removal of certain county officials and employees; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a Board of Commissioners of Paulding County, approved April 17, 1975 (Ga. L. 1975, p. 2916), as amended, particularly by an Act approved April 6, 1981 (Ga. L. 1981, p. 4279), is amended by striking Section 14 in its entirety and substituting in lieu thereof a new Section 14 to read as follows:

“SECTION 14.

Appointment of county officials and employees.

(a) Subject to confirmation by a majority vote of the board, the chairperson shall appoint the department heads or chief executive officers, by whatever names designated, of the various departments of Paulding County, except the departments of the elected county officers of the county. Subject to confirmation by the board, the chairperson shall also appoint the county attorney, the secretary of the board, and the comptroller.

(b) If the position of department head, chief executive officer, county attorney, secretary of the board, or comptroller becomes vacant for any reason, the chairperson shall nominate, within 30 days of the approved advertised date of the vacancy, a person to fill the vacancy and shall submit such nomination to the members of the board for confirmation. Should a majority of the board fail to confirm the nomination submitted by the chairperson, the chairperson shall submit another nomination within 30 days and shall continue to nominate every 30 days until such vacancy is filled. Any person nominated by the chairperson to fill a vacant position must possess the minimum qualifications for such position established in the job description as approved by a majority of the board for the vacant position.

(c) The head or chief executive officer of any department, the county attorney, the secretary of the board, and the comptroller shall serve at the pleasure of the board and may be removed from office at any time by a majority vote of the board.

(d) Any person appointed comptroller of Paulding County shall have the qualifications specified in Section 17 of this Act.

(e) The compensation of all department heads or other chief executive officers, the county attorney, the secretary of the board, and the comptroller appointed as provided in this section shall be fixed by a majority vote of the board.

(f) Unless subject to the civil service system of Paulding County, the appointment and removal of other employees of said county, other than the employees of elected county officers, shall be the same as for department heads or chief executive officers, as provided by subsections (a), (b), and (c) of this section; and the compensation of said employee shall be fixed by the board within budgetary limitations.

(g) Unless subject to the civil service system of Paulding County, the elected county officers of said county shall have the sole authority to appoint and remove the personnel within their respective offices. The compensation of such personnel shall be subject to approval by a majority vote of the board."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Representative Watts of the 26th moved that the House agree to the Senate substitute to HB 24EX.

On the motion, the ayes were 120, nays 0.

The motion prevailed.

The following Resolutions of the House were read and adopted:

HR 39EX. By Representative Purcell of the 9th:

A resolution commending Honorable Glenn W Ellard on his retirement as the Chairman of the Democratic Party of Habersham County.

HR 40EX. By Representatives Mueller of the 152nd, Ehrhart of the 36th, Pinholster of the 15th, Irvin of the 45th and Evans of the 28th:

A resolution celebrating the birth of Michael Nicholas Ward.

HR 41EX. By Representatives Bailey of the 93rd and Lee of the 94th:

A resolution commending Past Masters of Riverdale Lodge No. 709, F&AM.

The following Resolution of the House, favorably reported by the Committee on Motor Vehicles, was read and adopted:

HR 7EX. By Representative Greene of the 158th:

A resolution urging the adoption of safe driving programs for the young people of Georgia.

Representative Walker of the 141st moved that the House do now adjourn until 11:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 11:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Thursday, August 31, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 11:00 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:

Ashe	Culbreth	Jamieson	Parsons	Smith, V
Bailey	Cummings	Johnson, G	Pelote	Smith, W
Baker	Davis, G	Johnson, J	Perry	Smyre
Bannister	Davis, M	Jones	Pinholster	Snow
Bargeron	Day	Joyce	Polak	Stallings
Barnard	DeLoach, B	Kaye	Porter	Stancil, F
Barnes	DeLoach, G	Kinnamon	Poston	Stancil, S
Bates	Dobbs	Klein	Powell	Stephenson
Benefield	Ehrhart	Ladd	Purcell, A	Taylor
Birdsong	Epps	Lakly	Purcell, B	Teper
Bordeaux	Evans	Lane	Randall	Thomas
Bostick	Felton	Lawrence	Reaves	Tillman
Breedlove	Floyd	Lee	Reichert	Titus
Brooks, T	Godbee	Lewis	Roberts	Towery
Brown, J	Golden	Lifsey	Rogers	Trense
Brush	Greene	Lord	Royal	Turnquest
Buck	Grindley	Mann	Sanders	Twiggs
Bunn	Hanner	Martin	Sauder	Walker, L
Byrd	Harbin	McBee	Scoggins	Walker, R.L
Campbell	Harris	McCall	Shanahan	Watson
Canty	Hart	McClinton	Shaw	Watts
Carter	Heard	McKinney	Sherrill	Westmoreland
Channell	Hegstrom	Mills	Shipp	Whitaker
Childers	Hembree	Mobley, B	Simpson	White
Coker	Holland	Mobley, J	Skipper	Wiles
Coleman, B	Howard	Mosley	Smith, C	Williams, J
Coleman, T	Hudson	Mueller	Smith, C.W	Williams, R
Connell	Hugley	O'Neal	Smith, P	Woods
Crawford	Irvin	Parham	Smith, T	Yates
Crews	James	Parrish		

The following members were off the floor of the House when the roll was called:

Representatives Buckner of the 95th, Maddox of the 108th, Teague of the 58th, Smith of the 109th, Goodwin of the 79th, Jenkins of the 110th, Dixon of the 150th, Brooks of the 103rd, Stanley of the 49th, Falls of the 125th, Henson of the 65th, Chambless of the 163rd, Holmes of the 53rd, Wall of the 82nd, Snelling of the 99th, Brown of the 117th, Lucas of the 124th and Heckstall of the 55th.

They wish to be recorded as present.

Prayer was offered by Representative Matt Towery, District 30, Atlanta, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

By unanimous consent, the following Bill of the Senate was read the second time:

SB 9EX

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed, by substitute, by the requisite constitutional majority the following bill of the House:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

Representative Baker of the 70th arose to a point of personal privilege and addressed the House.

The following Bill of the House was taken up for the purpose of considering the Senate substitute thereto:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The following Senate substitute was read:

A BILL

To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for

the description of congressional districts; to provide for the election of members of Congress; to provide for the continuation of present congressional districts until a certain time; to make certain provisions relative to certain boards and bodies; to provide for continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, is amended by striking Code Section 21-2-3, relating to definitions and descriptions for use in designating congressional districts, and inserting in its place the following:

"21-2-3.

For purposes of this article:

(1) The terms 'Tract,' 'Block,' and 'VTD' 'Block Group' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia.

~~(2) The term 'Precinct' is synonymous with the term 'voting precinct' and means a geographical area, established in accordance with Article 7 of this chapter, within which all electors vote at one polling place.~~

~~(3) Whenever the description of any congressional district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia.~~

~~(4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any congressional district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control.~~

~~(5)~~(2) Any part of the State of Georgia which is described in subsection (a) of Code Section 21-2-4 as being included in a particular congressional district shall nevertheless not be included within such congressional district if such part is not contiguous to such congressional district. Such noncontiguous part shall instead be included within that congressional district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia."

SECTION 2.

Said article is further amended by striking the description of the 11 congressional districts immediately following the second sentence of subsection (a) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the description of the 11 congressional districts attached to this Act and made a part hereof and further identified as "Operator: senator Client: taylor Plan: hb8exfs."

SECTION 3.

Said article is further amended by striking subsection (c) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the following:

"(c) The first members elected pursuant to the provisions of this Code section shall be those who are elected to take office in January, ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under the provisions of this Code section. Until that time the members of the United States House of Representatives elected in ~~1990~~ 1994 shall continue to serve and, for all purposes relative to membership in the House of Representatives, the composition of congressional districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective for the primaries and elections of ~~1992~~ 1996 for the purpose of electing the

members in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. For the purpose of appointing or electing members of boards or bodies where such are made on the basis of congressional districts, the provisions of this Code section shall be effective January 1, ~~1993~~ 1997." www.libtool.com.cn

SECTION 4.

Said article is further amended by striking Code Section 21-2-4.1, relating to continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district, and inserting in its place the following:

"21-2-4.1.

Any member of any constitutional or statutory board or body who is in office on January 1, ~~1993~~ 1997, and who was appointed on the basis of residency within a congressional district shall serve out the term for which the member was appointed and shall represent the congressional district created by this chapter in which the member resides unless more members of the board or body than authorized by the applicable constitutional provision or statute reside within the same congressional district. In the event any congressional district created by this chapter has residing therein more members of any such board or body than the number of members specified by the applicable constitutional provision or statute, the appointing authority shall designate which member or members representing the congressional district shall continue to serve as a member or members of the board or body. Any member not designated for continued membership shall cease to hold office as of ~~the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1~~ January 1, 1997. If a congressional district created by this chapter is not represented on a board or body as specified by the applicable constitutional provision or statute, a vacancy shall exist. Such vacancy shall be filled ~~as of the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1~~ by the appointing authority appointing to the board or body a member or members from the congressional district which does not have sufficient representation. In the case of an appointment to fill a vacancy created by the displacement of a member from a congressional district on the basis of residency, the initial appointment shall be for a term ending on the date on which the term of the member removed by the appointing authority in accordance with the foregoing requirement would have ended. The initial term of all other appointments to fill a vacancy as provided for in this Code section shall be set by the appointing authority in accordance with the schedule of expiration dates established by law for the terms of members of the board or body."

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

District No. 1

APPLING
BACON
BRANTLEY
BRYAN
BULLOCH
CAMDEN
CHATHAM
EFFINGHAM
EVANS
GLYNN
LIBERTY
LONG

MCINTOSH
MONTGOMERY
PIERCE
TATTNALL
TOOMBS
WAYNE

District No. 2

BAKER
BROOKS
CALHOUN
CHATTAHOOCHEE
CLAY
CRAWFORD
CRISP
DECATUR
DOOLY
DOUGHERTY
EARLY
GRADY
LEE
LOWNDES
MACON
MARION
MILLER
MITCHELL
PEACH
QUITMAN
RANDOLPH
SCHLEY
SEMINOLE
STEWART
SUMTER
TAYLOR
TERRELL
THOMAS
TIFT
TURNER
WEBSTER
WILCOX
WORTH

District No. 3

BUTTS
COWETA
FAYETTE
HARRIS
HENRY
LAMAR
MERIWETHER
MONROE
MUSCOGEE
PIKE
SPALDING
TALBOT
TROUP
UPSON

District No. 4

BARROW

DEKALB

Tract:0211.1 libtool.com.cn

Tract:0212.02

Tract:0212.05

Tract:0212.07

Tract:0212.08

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114
 ,115B,116 ,201B,202 ,203 ,204 ,205 ,206B, 207
 ,208B,209B,211B,213B,214B,301 ,302B,303B

Tract:0212.09

Block: 301B,302 ,303 ,405B,406B,408 ,409 ,410 ,411 ,412 ,413 , 423 ,424 ,425 ,499
 ,499

Tract:0212.10

Tract:0212.11

Tract:0212.12

Tract:0213.01

Block: 101B,102 ,103 ,104 ,105B,106 ,123 ,124

Tract:0213.04

Block: 101C,105C,106B,114 ,115 ,117B,117C,228B,229 ,230 ,232 , 233B,301 ,302
 ,303 ,304 ,305 ,306 ,307B,308 ,309 ,310 , 311 ,312 ,313 ,314C,399 ,399, 399,
 399

Tract:0216.01

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 113 ,114 ,115 ,119,
 199

Tract:0217.02

Tract:0218.05

Block: 201 ,202 ,203 ,205 ,206 ,207 ,208 ,209

Tract:0218.06

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116
 ,117 ,118 ,119 ,120 ,121 ,122 , 123 ,124 ,125 ,126 ,127 ,128 ,129 ,130 ,131
 ,132 ,133 , 134 ,135 ,136 ,138

Block Group:3

Tract:0218.08

Tract:0218.09

Tract:0218.98

Tract:0219.02

Block Group:1

Block Group:2

Block Group:3

FULTON

Tract:0114.08

Block: 201A,202 ,203A,501A,501B,501C,601A,602A

Block Group:8

Tract:0114.09

Block Group:1

Block Group:4

Tract:0115.

Block Group:3

Block: 401 ,402 ,403 ,404 ,501

Block Group:9

Tract:0116.01

Block: 101E,101F,101G,101H,102B,103B,104B,105B

Block Group:2

Block: 301 ,302A,302B,302C,303A,303B,305A,305B,305C,305D,306 , 307 ,308 ,309
 ,310 ,311 ,399 ,401 ,402 ,403E,404B,405C, 405D, 406 ,408B,408D,499,499,501
 ,502 ,503A,503B,504A,504B,504C,504D, 504E,504F

Block Group:7
 Tract:0116.02
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block: 701 ,702 ,703 ,704A,704B,704C,705A,705B,705C,706 ,707A,
 707B,708A,709A,709B,710
 Block Group:9
 Tract:0116.03

GWINNETT
 ROCKDALE
 WALTON

District No. 5

COBB

Tract:0313.02
 Block: 110 ,111 ,112 ,113 ,114 ,115 ,116 ,117 ,118 ,199A ,201
 Block Group:9

Tract:0313.04
 Block: 451 ,454 ,455

Tract:0313.05

DEKALB

Tract:0212.04

Tract:0212.08
 Block: 115A,201A,206A,208A,209A,210 ,211A,212 ,213A,214A,302A, 303A,304 ,305
 ,306 ,307 ,308 ,309 ,310 ,311 ,312 ,313 , 314 ,315A,315B,316 ,317 ,318

Tract:0212.09

Block: 301A,401 ,402 ,403 ,404 ,405A,406A,407 ,414 ,415 ,416 , 417 ,418 ,419 ,420
 ,421 ,422

Tract:0213.01

Block: 101A,105A,107 ,108 ,109 ,110 ,111 ,112 ,113 ,114 ,115 , 116 ,117 ,118 ,119
 ,120 ,125

Tract:0213.02

Tract:0213.03

Tract:0213.04

Block: 101A,101B,102 ,103 ,104 ,105A,105B,106A,107 ,108 ,109 , 110 ,111 ,117A,120
 ,122 ,201 ,202 ,203 ,204 ,205 ,206 , 207 ,209 ,212 ,213 ,214 ,217 ,218 ,219
 ,220 ,221 ,225 , 228A,233A,307A,314A,314B

Tract:0214.01

Tract:0214.02

Tract:0214.03

Tract:0214.04

Tract:0215.

Block: 229

Tract:0216.01

Block: 112 ,116 ,117 ,118 ,120

Block Group:2

Block Group:3

Block Group:4

Tract:0216.03

Block: 101 ,102 ,103 ,104 ,105 ,110 ,111 ,112

Block Group:9

Tract:0217.03

Tract:0217.04

Block Group:2

Block: 301 ,304 ,305 ,306 ,307 ,313 ,314 ,316 ,317 ,318 ,319 , 320 ,321 ,322

Block Group:9

Tract:0218.05

Block: 204 ,210 ,211 ,212 ,213 ,214 ,215 ,216 ,217 ,218 ,219 , 220 ,221 ,222 ,223 ,224
www.legis.state.nc.us 225 ,226 ,227 ,228 ,229 ,230 , 231 ,232 ,233 ,234

Block Group:4

Tract:0218.06

Block: 137 ,139 ,199

Tract:0218.10

Tract:0219.02

Block: 401A,402 ,403 ,404 ,405 ,406 ,409A

Tract:0219.04

Block: 101 ,102 ,103 ,201 ,401A

Block Group:5

Tract:0220.01

Block Group:1

Block: 401 ,402 ,405 ,408 ,409 ,410 ,411 ,412 ,413 ,414 ,415A, 415B,416 ,417 ,421
 ,422 ,423 ,425

Tract:0220.04

Block: 101B,101C,201 ,202A

FULTON

Tract:0001.

Block Group:1

Block Group:2

Block Group:3

Block: 401

Tract:0002.

Block Group:1

Block: 202 ,203 ,204 ,205

Tract:0005.

Block Group:1

Block: 202 ,203 ,204 ,205 ,206 ,208 ,209 ,210 ,211 ,212 ,213 , 214 ,215 ,216 ,217 ,218
 ,219

Block Group:3

Tract:0006.

Tract:0007.

Tract:0008.

Tract:0010.95

Block Group:5

Block Group:6

Block Group:7

Tract:0017.

Tract:0018.

Tract:0019.

Tract:0020.

Tract:0021.

Tract:0022.

Tract:0023.

Tract:0024.

Tract:0025.

Tract:0026.

Tract:0027.

Tract:0028.

Tract:0029.

Tract:0031.

Tract:0032.

Tract:0033.

Tract:0035.

Tract:0036.
Tract:0037.
Tract:0038.
Tract:0039.
Tract:0040.
Tract:0041.
Tract:0042.95
Tract:0043.
Tract:0044.
Tract:0046.95
Tract:0048.
Tract:0049.95
Tract:0050.
Tract:0052.
Tract:0053.
Tract:0055.01
Tract:0055.02
Tract:0056.
Tract:0057.
Tract:0058.
Tract:0060.
Tract:0061.
Tract:0062.
Tract:0063.
Tract:0064.
Tract:0065.
Tract:0066.01
Tract:0066.02
Tract:0067.
Tract:0068.01
Tract:0068.02
Tract:0069.
Tract:0070.
Tract:0071.
Tract:0072.
Tract:0073.
Tract:0074.
Tract:0075.
Tract:0076.01
Tract:0076.02
Tract:0077.01
Tract:0077.02
Tract:0078.02
Tract:0078.03
Tract:0078.04
Tract:0079.
Tract:0080.
Tract:0081.01
Tract:0081.02
Tract:0082.01
Tract:0082.02
Tract:0083.01
Tract:0083.02
Tract:0084.
Tract:0085.
Tract:0086.01
Tract:0086.02

Tract:0087.01
 Tract:0087.02
 Tract:0088.
 Tract:0089.
 Tract:0090.
 Tract:0091.
 Tract:0092.
 Tract:0093.
 Tract:0094.01
 Tract:0094.02
 Tract:0095.
 Tract:0096.
 Tract:0097.
 Tract:0098.
 Tract:0099.
 Tract:0100.
 Tract:0101.01
 Tract:0101.03
 Tract:0101.05
 Tract:0101.06
 Tract:0101.07
 Block Group:1
 Block Group:4
 Block Group:5
 Tract:0102.01
 Tract:0102.04
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block Group:7
 Block Group:8
 Tract:0102.05
 Block Group:4
 Block Group:5
 Block Group:7
 Tract:0103.01
 Tract:0103.02
 Tract:0104.
 Tract:0105.03
 Tract:0105.04
 Tract:0105.05
 Tract:0105.06
 Tract:0106.01
 Tract:0106.02
 Tract:0107.
 Tract:0108.
 Tract:0109.
 Tract:0110.
 Tract:0111.
 Tract:0112.01
 Tract:0112.02
 Tract:0113.01
 Tract:0113.02

District No. 6

CHEROKEE

COBB

Tract:0301.98

Tract:0302.03

Tract:0302.04 www.tbtool.com.cn

Tract:0302.05

Tract:0302.06

Tract:0302.07

Tract:0303.02

Tract:0303.07

Tract:0303.09

Tract:0303.10

Tract:0303.11

Tract:0303.12

Tract:0303.13

Tract:0303.14

Tract:0303.15

Tract:0303.16

Tract:0303.17

Tract:0303.18

Tract:0303.19

Tract:0303.20

Tract:0303.21

Tract:0304.01

Tract:0304.02

Tract:0304.04

Tract:0304.05

Tract:0304.06

Tract:0305.01

Tract:0305.02

Tract:0305.03

Tract:0306.

Tract:0307.

Tract:0308.

Tract:0309.01

Tract:0309.02

Block Group:1

Block: 201 ,202A,202B,203A,203B,204 ,205 ,206A,206B,206C,207A, 207B,209 ,210 ,211 ,212 ,213 ,303 ,304 ,305 ,306 ,307

Block Group:4

Block Group:5

Block Group:6

Block Group:7

Tract:0309.03

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Tract:0310.01

Block Group:9

Tract:0310.02

Block: 101 ,102 ,209A,209B,210A,210B,210C,211 ,212 ,213A,213B, 213C,213D,223 ,224A,224B,224C,225A,225B,226 ,227 ,228

Tract:0311.01

Block: 202 ,204 ,205 ,206 ,207 ,208 ,209

Tract:0311.03

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block: 502 ,503 ,504 ,505 ,507 ,508 ,516 ,517 ,524 ,525

Tract:0311.07

Block: 205B,205F,303 ,304 ,305 ,317A,317C,318B,321B,322 ,324 , 326 ,399, 399

Tract:0311.08

Block Group:1

Block Group:2

Block: 301 ,302 ,303B,305 ,306 ,307 ,309 ,310B,311 ,312 ,313A,
313B,313C,314A,314B,315 ,316 ,317 ,318 ,320A,320B,321A, 321B,322 ,399

Block Group:4

Tract:0311.09

Tract:0312.02

Block Group:3

Block Group:4

Block Group:5

Block: 601A,601C,602 ,603A,603B,604 ,605A,605B,605C,606 ,607A,
607B,608A,608B,608C,608D,609A,609B,610A,611B,612A,612B,
612C,613A,613B,613C,613D,613E,613F,650 ,699

Tract:0312.03

Tract:0312.04

Tract:0313.01

Block: 101A,101B,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 , 111 ,112 ,113 ,114
,115 ,116 ,117 ,118 ,119 ,155B,155C, 156 ,901A,905A,905B

Tract:0313.02

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,199B ,202 ,203 , 204 ,205 ,206
,207 ,208 ,209 ,210 ,211 ,212 ,213 ,214 , 215 ,216 ,217 ,218 ,219 ,220 ,221
,222 ,224

Block Group:3

Block Group:4

Block Group:5

Tract:0313.04

Block Group:1

Block: 301 ,302 ,303 ,304 ,305 ,306 ,307 ,308 ,309 ,312 ,314 , 318 ,328 ,330 ,331 ,332
,333 ,399 ,416 ,417 ,418 ,419 ,420 , 421B,422 ,424 ,425 ,427 ,428 ,429 ,430
,431 ,432 ,433 , 434 ,435 ,436 ,437 ,438 ,439 ,440 ,441 ,442 ,443 ,444 , 445
,446 ,447 ,448 ,449 ,450 ,452 ,453 ,499B

Tract:0316.98

DOUGLAS

FULTON

Tract:0101.07

Block Group:2

Block Group:3

Tract:0101.08

Tract:0102.03

Tract:0102.04

Block Group:1

Block Group:2

Tract:0102.05

Block Group:2

Block Group:3

Tract:0114.03

Tract:0114.04

Tract:0114.05

Tract:0114.06

Tract:0114.07

Tract:0114.08

Block Group:1

Block: ~~201B,201C,203B,~~203C,203D,204 ,205 ,206A,206B,207 ,208A, 208B,299

Block Group:3

Block Group:4

Block: 501D,502 ,601B,602B,602C,603 ,604 ,605 ,606 ,607 ,608 ,699

Tract:0114.09

Block Group:2

Block Group:3

Block Group:5

Block Group:6

Block Group:7

Tract:0114.10

Tract:0114.11

Tract:0115.

Block: 405 ,406 ,407 ,408 ,409A,409B,409C,410 ,411A,411B,411C,
411D,411E,411F,411G,411H,412A,412B,413 ,414 ,415 ,416 , 417 ,420 ,421
,499 ,502 ,503A,503B,503C,504 ,505A,505B,506 , 507 ,508 ,509 ,510 ,511 ,512
,513 ,514 ,515A,515B,515C, 516A,516B,516C,516D,517 ,518,599A,599B,599C

Block Group:6

Block Group:7

Tract:0116.01

Block: 101A,101B,101C,101D,102A,103A,104A,105A,106 ,107 ,108A,
108B,108C,108D,108E,108F,108G,109A,109B,110A,110B,110C,
110D,110E,110F,110G,110H,110J,111 ,112A,112B,113 ,114 , 115 ,116 ,117
,118 ,119 ,120 ,121 ,122 ,123 ,124 ,304A,
304B,403A,403B,403C,403D,404A,405A,405B,407 ,408A,408C, 408E,409 ,410
,505A,505B,506

Block Group:6

Tract:0116.02

Block: 708B,708C,709C,709D

District No. 7

BARTOW

CARROLL

CATOOSA

CHATTOOGA

COBB

Tract:0309.02

Block: 208 ,301 ,302

Tract:0309.03

Block Group:7

Block Group:8

Tract:0310.01

Block Group:1

Block Group:2

Tract:0310.02

Block: 103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 ,112 ,113 , 115 ,116 ,117 ,118 ,119
,120A,120B,120C,122 ,123 ,124 , 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,214
,215 ,216 , 217 ,218 ,219 ,220 ,221 ,222

Tract:0310.03

Tract:0311.01

Block Group:1

Block: 201 ,203 ,210 ,211 ,212 ,213 ,214

Block Group:3

Tract:0311.03

Block: 501 ,506 ,509 ,510 ,511 ,512 ,513 ,514 ,515 ,518 ,519 , 520 ,521 ,522 ,523

Tract:0311.05

Tract:0311.06

Tract:0311.07 btool.com.cn

Block: 201A,201B,202A,202B,203A,203B,203C,203D,203E,203F,203G,
203H,203J,204A,204B,204C,205A,205C,205D,205E,206A,206B,
207A,207B,208 ,210 ,211 ,212 ,213 ,214 ,215 ,216 ,217 , 218 ,219 ,220 ,221
,222 ,226A,226B,227 ,228 ,229 ,231 , 232 ,233 ,234 ,299A ,299B ,299C ,301
,302 ,306A,306B,306C,306D,306E,307A, 307B,308 ,309A,309B,310 ,311 ,312
,313 ,314 ,315A,315B, 316,317B,318A,318C,319,320,321A,323A,323B,325 ,327
, 328 ,329 ,330

Block Group:4

Tract:0311.08

Block: 303A,304 ,308 ,310A,319

Tract:0312.02

Block: 601B,610B,611A

Tract:0313.01

Block: 155A

Block Group:2

Block Group:3

Block Group:4

Block: 901B,902 ,903 ,904 ,905C,906 ,907 ,908 ,911 ,912 ,913 ,999

Tract:0313.04

Block: 310 ,311 ,313 ,315 ,316 ,317 ,326 ,327 ,401 ,402 ,403 , 404 ,405 ,406 ,407 ,408
,409 ,410 ,411 ,412 ,413 ,414 , 415 ,421A,423 ,426 ,499A

Block Group:5

Tract:0314.03

Tract:0314.04

Tract:0314.98

Tract:0315.01

Tract:0315.02

Tract:0316.97

DADE

FLOYD

GORDON

HARALSON

HEARD

PAULDING

POLK

WALKER

District No. 8

ATKINSON

BEN HILL

BERRIEN

BIBB

BLECKLEY

CANDLER

CHARLTON

CLINCH

COFFEE

COLQUITT

COOK

DODGE

ECHOLS

EMANUEL

HOUSTON

IRWIN
JEFF DAVIS
JOHNSON
LANIER www.libtool.com.cn
LAURENS
PULASKI
TELF AIR
TREUTLEN
TWIGGS
WARE
WHEELER
WILKINSON

District No. 9

BANKS
CLARKE
DAWSON
FANNIN
FORSYTH
FRANKLIN
GILMER
HABERSHAM
HALL
HART
JACKSON
LUMPKIN
MADISON
MURRAY
PICKENS
RABUN
STEPHENS
TOWNS
UNION
WHITE
WHITFIELD

District No. 10

BALDWIN
BURKE
COLUMBIA
ELBERT
GLASCOCK
GREENE
HANCOCK
JASPER
JEFFERSON
JENKINS
JONES
LINCOLN
MCDUFFIE
MORGAN
NEWTON
OCONEE
OGLETHORPE
PUTNAM
RICHMOND
SCREVEN

TALIAFERRO
WARREN
WASHINGTON
WILKES www.libtool.com.cn

District No. 11

CLAYTON
DEKALB

Tract:0201.

Tract:0202.

Tract:0203.

Tract:0204.

Tract:0205.

Tract:0206.

Tract:0207.

Tract:0208.

Tract:0209.

Tract:0215.

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212 ,213 ,214 ,215 ,216
217 ,218 ,219 ,220 ,221 ,222 , 223 ,224 ,225 ,226 ,227 ,228 ,230 ,231 ,232
233 ,234 , 235 ,236 ,237 ,238 ,239 ,240 ,241

Tract:0216.02

Tract:0216.03

Block: 106 ,107 ,108 ,109

Tract:0217.04

Block: 302 ,303 ,308 ,309 ,310 ,311 ,312 ,315

Tract:0219.02

Block: 401B,407 ,408 ,409B,410 ,411 ,412 ,413

Tract:0219.03

Tract:0219.04

Block: 104 ,105 ,106 ,107 ,199, 202 ,203 ,204 ,205

Block Group:3

Block: 401B,402 ,403

Tract:0219.05

Tract:0220.01

Block: 403 ,404 ,406 ,407 ,418 ,419 ,420 ,424 ,426 ,427 ,428 , 429 ,430 ,431 ,432

Tract:0220.02

Tract:0220.04

Block: 101A,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115
202B,203 ,204 ,205 ,206 ,207 ,208 , 209 ,210 ,211 ,212 ,213 ,214 ,215 ,216
217 ,218 ,299

Tract:0220.05

Tract:0221.

Tract:0222.

Tract:0223.01

Tract:0223.02

Tract:0224.01

Tract:0224.02

Tract:0224.03

Tract:0225.

Tract:0226.

Tract:0227.

Tract:0228.

Tract:0229.

Tract:0230.

Tract:0231.01

Tract:0231.02
 Tract:0231.03
 Tract:0231.05
 Tract:0231.06
 Tract:0232.03
 Tract:0232.04
 Tract:0232.05
 Tract:0232.06
 Tract:0232.07
 Tract:0233.02
 Tract:0233.03
 Tract:0233.05
 Tract:0233.06
 Tract:0233.07
 Tract:0233.08
 Tract:0234.03
 Tract:0234.04
 Tract:0234.05
 Tract:0234.07
 Tract:0234.08
 Tract:0234.09
 Tract:0235.01
 Tract:0235.02
 Tract:0235.03
 Tract:0236.
 Tract:0237.
 Tract:0238.01
 Tract:0238.02
 Tract:0238.03
 Tract:0239.98

FULTON

Tract:0001.
 Block: 402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411 ,412
 Block Group:5
 Tract:0002.
 Block: 201 ,206 ,207 ,208 ,209 ,210 ,211
 Block Group:3
 Block Group:4
 Block Group:5
 Tract:0004.
 Tract:0005.
 Block: 201 ,207
 Tract:0010.95
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Tract:0011.
 Tract:0012.
 Tract:0013.
 Tract:0014.
 Tract:0015.
 Tract:0016.
 Tract:0030.

Representative Walker of the 141st moved that the House disagree to the Senate substitute to HB 8EX.

Representative Lakly of the 105th moved that the House agree to the Senate substitute to HB 8EX.

On the motion, the roll call was ordered and the vote was as follows:

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N Ashe	N Crews	N Hugley	N Parham	Y Smith, W
N Bailey	N Culbreth	N Irvin	N Parrish	N Smyre
N Baker	N Cummings	N James	Y Parsons	Y Snelling
N Bannister	N Davis, G	N Jamieson	N Pelote	N Snow
N Barfoot	Y Davis, M	N Jenkins	N Perry	N Stallings
Y Bargerone	N Day	N Johnson, G	N Pinholster	N Stancil, F
N Barnard	N DeLoach, B	N Johnson, J	N Polak	N Stancil, S
Y Barnes	Y DeLoach, G	N Johnston	N Porter	N Stanley, L
N Bates	Dix	N Jones	N Poston	N Stanley, P
N Benefield	Dixon, H	Y Joyce	N Powell	N Stephenson
N Birdsong	N Dixon, S	Y Kaye	N Purcell, A	Streath
N Bordeaux	Dobbs	Y Kinnamon	N Purcell, B	N Taylor
N Bostick	Y Ehrhart	N Klein	N Randall	N Teague
Y Breedlove	N Epps	N Ladd	Randolph	N Teper
N Brooks, D	Y Evans	Y Lakly	N Ray	N Thomas
N Brooks, T	N Falls	N Lane	N Reaves	N Tillman
N Brown, G	N Felton	N Lawrence	N Reichert	N Titus
Y Brown, J	N Floyd	N Lee	N Roberts	Y Towery
N Brush	N Godbee	N Lewis	N Rogers	N Trense
N Buck	N Golden	N Lifsey	N Royal	N Turnquest
Buckner	N Goodwin	N Lord	Y Sanders	N Twiggs
Y Bunn	N Greene	Lucas	Y Sauder	N Walker, L
Burkhalter	Y Grindley	Y Maddox	N Scoggins	N Walker, R.L
N Byrd	N Hanner	Y Mann	N Shanahan	Y Wall
N Campbell	N Harbin	N Martin	N Shaw	N Watson
N Canty	N Harris	N McBee	N Sherrill	N Watts
N Carter	N Hart	N McCall	Y Shipp	Y Westmoreland
N Chambliss	N Heard	N McClinton	N Simpson	N Whitaker
Y Channell	Heckstall	N McKinney	N Sinkfield	N White
N Childers	N Hegstrom	Y Mills	N Skipper	Y Wiles
Y Coker	Y Hembree	N Mobley, B	N Smith, C	E Williams, B
N Coleman, B	N Henson	N Mobley, J	N Smith, C.W	N Williams, J
N Coleman, T	N Holland	N Mosley	N Smith, L	N Williams, R
N Connell	N Holmes	N Mueller	N Smith, P	Y Woods
Cox	N Howard	N O'Neal	N Smith, T	Y Yates
Y Crawford	N Hudson	N Orrock	Y Smith, V	Murphy, Spkr

On the motion, the ayes were 34, nays 134.

The motion was lost.

The House has disagreed to the Senate substitute.

Representative Dobbs of the 92nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Purcell of the 147th arose to a point of personal privilege and addressed the House.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate insists on its substitute to the following bill of the House:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The following Resolutions of the House were read and adopted:

- HR 42EX. By Representative Scoggins of the 24th:
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 A resolution commending the Madison County 4-H Shooting Sports Teams.
- HR 43EX. By Representatives Jenkins of the 110th, Lane of the 146th, Godbee of the 145th, Lucas of the 124th and Murphy of the 18th:
 A resolution expressing sympathy at the passing of Rubye James Watts.

The following Bill of the House was taken up for the purpose of considering the Senate's insistence on its position in substituting the same:

- HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:
 A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

Representative Smith of the 169th moved that the House insist on its position in disagreeing to the Senate substitute to HB 8EX and that a Committee of Conference be appointed on the part of the House to confer with a like committee on the part of the Senate.

The motion prevailed.

The Speaker appointed as a Committee of Conference on the part of the House the following members:

Representatives Smith of the 169th, Perry of the 11th and Lucas of the 124th.

The following Resolution of the House was read:

- HR 44EX. By Representatives Murphy of the 18th and Ray of the 128th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn at 5:00 P.M. on Thursday, August 31, 1995, and reconvene on Wednesday, September 6, 1995.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hour for convening the Senate on September 6 may be as ordered by the Senate; and the hour for convening the House on September 6 may be as ordered by the House.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

Y Ashe	Y Barfoot	Y Bates	Y Bostick	Y Brown, G
Y Bailey	Y Bargeron	Y Benefield	Y Breedlove	Y Brown, J
Y Baker	Y Barnard	Y Birdsong	Y Brooks, D	Y Brush
Y Bannister	Y Barnes	Y Bordeaux	Y Brooks, T	Buck

Y Buckner	Y Felton	Y Klein	Y Poston	Y Stallings
N Bunn	Y Floyd	Y Ladd	Y Powell	Y Stancil, F
Burkhalter	Y Godbee	N Lakly	Y Purcell, A	Y Stancil, S
Y Byrd	Y Golden	Y Lane	Y Purcell, B	Y Stanley, L
Y Campbell	Y Goodwin	Lawrence	Y Randall	Y Stanley, P
Y Canty	Y Greene	Y Lee	Y Randolph	Y Stephenson
Y Carter	Y Grindley	Y Lewis	Y Ray	Y Street
N Chambless	Y Hanner	Y Lifsey	Y Reaves	Y Taylor
Y Channell	Y Harbin	Y Lord	Y Reichert	Y Teague
Y Childers	Y Harris	Y Lucas	Y Roberts	Y Teper
Y Coker	Y Hart	Y Maddox	Y Rogers	Y Thomas
Y Coleman, B	Y Heard	Y Mann	Y Royal	Y Tillman
Y Coleman, T	Y Heckstall	Y Martin	Y Sanders	Y Titus
Y Connell	Y Hegstrom	Y McBee	Y Sauder	Y Towery
Y Cox	Y Hembree	Y McCall	Y Scoggins	Y Trense
Y Crawford	Y Henson	Y McClinton	Y Shanahan	Y Turnquest
Y Crews	Y Holland	Y McKinney	Y Shaw	Y Twiggs
Y Culbreth	Y Holmes	N Mills	Y Sherrill	Y Walker, L
Y Cummings	Y Howard	Y Mobley, B	Y Shipp	Y Walker, R.L
Y Davis, G	Y Hudson	Y Mobley, J	Y Simpson	Y Wall
Y Davis, M	Y Hugley	Y Mosley	Y Sinkfield	Y Watson
Y Day	Y Irvin	Y Mueller	Y Skipper	Y Watts
Y DeLoach, B	Y James	Y O'Neal	Y Smith, C	N Westmoreland
Y DeLoach, G	Y Jamieson	Y Orrock	Y Smith, C.W	Y Whitaker
Y Dix	Y Jenkins	Y Parham	Y Smith, L	Y White
Y Dixon, H	Y Johnson, G	Y Parrish	Y Smith, P	Y Wiles
Y Dixon, S	Y Johnson, J	Y Parsons	Y Smith, T	E Williams, B
Y Dobbs	Y Johnston	Y Pelote	N Smith, V	Y Williams, J
Y Ehrhart	Y Jones	Y Perry	Y Smith, W	Y Williams, R
Y Epps	Y Joyce	Y Pinholster	Y Smyre	Y Woods
Y Evans	Y Kaye	Y Polak	Y Snelling	Y Yates
Y Falls	Y Kinnamon	Y Porter	Y Snow	Y Murphy, Spkr

On the adoption of the Resolution, the ayes were 160, nays 6.

The Resolution was adopted.

Due to a mechanical malfunction, the vote of Representative Chambless of the 163rd was not recorded correctly on the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate adheres to its substitute and has appointed a Committee of Conference on the following bill of the House:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The President has appointed as Committee of Conference on the part of the Senate the following:

Senators Blitch of the 7th, Walker of the 22nd and Hill of the 4th.

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 44EX. By Representatives Murphy of the 18th and Ray of the 128th.

A resolution relative to adjournment.

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The following Bill of the House was taken up for the purpose of considering the substitute thereto:

HB 3EX. By Representative Greene of the 158th:

A bill to amend an Act creating a new charter for the City of Lumpkin, so as to deannex and remove certain territory from the corporate limits of the City of Lumpkin.

The following Senate substitute was read:

A BILL

To amend an Act creating a new charter for the City of Lumpkin, approved March 23, 1977 (Ga. L. 1977, p. 3703), as amended, particularly by an Act approved April 5, 1995 (Ga. L. 1995, p. 4018), so as to deannex and remove certain territory from the corporate limits of the City of Lumpkin; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a new charter for the City of Lumpkin, approved March 23, 1977 (Ga. L. 1977, p. 3703), as amended, particularly by an Act approved April 5, 1995 (Ga. L. 1995, p. 4018), is amended by striking Section 1.2B of said Act, as enacted by the Act approved April 5, 1995 (Ga. L. 1995, p. 4018), and inserting in lieu thereof a new Section 1.2B to read as follows:

“SECTION 1.2B.

In addition to any other territory lying within the corporate limits of the City of Lumpkin, such city limits shall also include the following described property:

EAST BROAD STREET CITY LIMITS

The Point of Beginning shall be the present City Limits of the City of Lumpkin located on East Broad Street which is Georgia Highway No. 27 and also known as the Lumpkin to Richland Highway. From this Point of Beginning run East along said highway an even width, including all the right-of-way of said highway, for a distance of two (2) miles. This point shall be the new limits of the City of Lumpkin on East Broad Street and Georgia Highway No. 27, East. Also to be annexed into the City of Lumpkin is property abutting, facing and lying on Georgia Highway 27, East, which west boundary line of same is located 1.6 miles East of the present (old) limits of the City of Lumpkin, fronting 1,309.35 feet on the South side of said highway and better described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 18 of the 23rd Land District of Stewart County, Georgia, consisting of thirty (30) acres, more or less, and being more particularly described according to a plat of Survey for Stewart County Board of Education, by Langford & Associates, Inc. and dated 11 May 1989, as follows:

Beginning at the concrete monument marking the intersection of the southern right-of-way of Georgia Highway 27 and the East line of Land Lot 18 and running thence North 81 degrees 55 minutes 00 seconds West for 1,251.53 feet along said right-of-way to an iron pin marking the Point of Beginning. From this Point of Beginning run South 02 degrees 31 minutes 27 seconds West 785.65 feet to an iron pin; thence, North 87 degrees 17 minutes 38 seconds West 223.55 feet to an iron pin; thence South 36 degrees 42 minutes 42 seconds West 400.25 feet to an iron pin; thence, North 54 degrees 17 minutes 26 seconds West 314.45 feet to an iron pin; thence, North 89

degrees 17 minutes 17 seconds West 591.98 feet to an iron pin; thence, North 02 degrees 31 minutes 27 seconds East for 1,089.31 feet to an iron pin on the southern right-of-way of Georgia Highway 27; thence, South 81 degrees 55 minutes 00 seconds East 1,309.35 feet along said right-of-way of Georgia Highway 27 to the iron pin marking the Point of Beginning.

The above-described property is bounded on the North by Georgia Highway 27 and on the East, South, and West by property owned by Mrs. Oliver S. Morton, Sr., Oliver S. Morton, Jr., Jeanne Morton, and Franklyn A. Klassi and Joseph A. Hubert as Co-Trustees Under the Will of Elizabeth Morton Klassi, deceased, for the benefit of Franklyn A. Klassi.

The above Described Property is Owned by the Stewart County School District and is the Location of the Stewart County Elementary School.

OLD CHESTNUT STREET CITY LIMITS

The Point of Beginning shall be the present City Limits of the City of Lumpkin located on Old Chestnut Street, which is County Road No. 149. From this Point of Beginning, Run in a Southwesterly direction along said road an even width, including all the right-of-way of said road, for a distance of 2.3 miles. This point shall be the new limits of the City of Lumpkin on Old Chestnut Street. Also to be annexed into the City of Lumpkin is property owned by the Stewart County School District and abutting, facing and lying on the South side of County Road No. 149, the East boundary of which is 1.8 miles from the present (old) limits of the City of Lumpkin, and runs along the South side of said road a distance of 3168 feet in a westerly direction to County Road 113 and the West line of Land Lot No. 233 of the 20th Land District of Stewart County, Georgia, which is the Point of the new limits of the City of Lumpkin on Old Chestnut Street. The following described property is owned by the Stewart County School District and upon which is located the Stewart-Quitman High School.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots No. 233 and 248 in the 20th Land District of Stewart County, Georgia, containing 32 acres, more or less, and lying in one body along the West side of said lots of land, and described more particularly as being enclosed within the following lines, to-wit: Beginning at a point in the center of a county road running East and West through lot of land 248 near the South line of said Land Lot and which point is 11.25 chains East of the West line of Land Lot 248; thence run in an easterly direction along the center of said county road (South 89 degrees 30 minutes East) the distance of 5.53 chains; thence southerly (South 18 degrees 30 minutes West) the distance of 27.60 chains into lot of land 233; thence westerly (North 86 degrees 15 minutes West) the distance of 7.85 chains to the West line of Land Lot 233; thence North (North 0 degrees 15 minutes West) along the West line of Land Lot 233 and 248 to the center of the aforementioned county paved road where it intersects the West line of said Land Lot; thence in an easterly direction along the center of said public road for a distance of 11.25 chains to the place or point of beginning. Said parcel of land is presently bounded on the North by the public paved county road known as the Old Lumpkin to Eufaula Highway; on the East and South by lands of Georgia Kraft Company; and on the West by the land lot line and beyond that, lands in possession of St. Regis Paper Company. The above-described property is a portion of the lands conveyed by George P. Swift, III to William Henry Williams, Sr. by a Warranty Deed dated January 28, 1977, and recorded in the Office of the Clerk of the Stewart County Superior Court, Deed Book 60, Pages 160-162.

ALSO:

All that certain real estate situated and being in the 20th Land District of Stewart County, Georgia, containing 29.5193 acres, more or less, and consisting of the following known lands:

A portion of the Southeast one-quarter of Lot 249 lying South of the center line of Georgia State Road PR-2843, continuing 3.6915 acres, more or less;

And a portion of the Northwest one-quarter of Lot 232, continuing 25.8278 acres, more or less;

And being more particularly described as follows:

For the Point of Beginning commence at a concrete monument located at the North-east corner of Lot 232 of the 20th Land District of Stewart County, Georgia; run thence South 0 degrees 42 minutes 07 seconds West, along the East line of said Lot 232, a distance of 23.5878 chains to a concrete monument located in the centerline of an old road; run thence along said centerline to a one-half inch iron pipe lying North 87 degrees 06 minutes 24 seconds West a distance of 2.8686 chains from said concrete monument; continue thence along said centerline to a concrete monument lying North 81 degrees 44 minutes 54 seconds West a distance of 8.2936 chains from said iron pipe, run thence North 0 degrees 11 minutes 52 seconds West a distance of 24.7003 chains to a concrete monument located in Lot 249 of said 20th Land District at a point on the Southerly line of the 80 foot right-of-way of Georgia State Road PR-2843; continue thence North 0 degrees 11 minutes 52 seconds West a distance of 0.6061 chains to a point in the centerline of said 80 foot right-of-way; run thence North 89 degrees 06 minutes 22 seconds East along said centerline a distance of 11.4900 chains to the point of intersection of said centerline with the East line of said Lot 249; run thence South 0 degrees 42 minutes 07 seconds West along said East line of Lot 249 a distance of 3.2348 chains to the concrete monument and Point of Beginning of the land thus described.”

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Representative Greene of the 158th moved that the House agree to the Senate substitute to HB 3EX.

On the motion, the ayes were 120, nays 0.

The motion prevailed.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

SR 40EX. By Senators Ray of the 19th, Perdue of the 18th and Scott of the 36th:

A resolution relative to adjournment at 5:00 P.M., Thursday, August 31, 1995, until reconvening on Wednesday, September 6, 1995.

Pursuant to HR 44EX, adopted by the House and Senate, the House adjourned until 10:00 o'clock, A.M., Wednesday, September 6, 1995.

Representative Hall, Atlanta, Georgia**Wednesday, September 6, 1995**www.libtool.com.cn

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:

Ashe	Crawford	Jamieson	Parsons	Snelling
Bannister	Crews	Jenkins	Perry	Stallings
Barfoot	Culbreth	Johnson, G	Pinholster	Stancil, F
Bargeron	Cummings	Johnson, J	Polak	Stancil, S
Barnard	Davis, G	Johnston	Porter	Stanley, L
Barnes	Davis, M	Jones	Poston	Stanley, P
Bates	Day	Joyce	Powell	Stephenson
Benefield	DeLoach, B	Kinnamon	Purcell, A	Streat
Birdsong	DeLoach, G	Klein	Purcell, B	Taylor
Bordeaux	Dix	Ladd	Reaves	Teague
Bostick	Dixon, H	Lakly	Reichert	Thomas
Breedlove	Dobbs	Lane	Roberts	Tillman
Brooks, D	Ehrhart	Lawrence	Rogers	Titus
Brooks, T	Epps	Lee	Royal	Towery
Brown, G	Evans	Lewis	Sanders	Trense
Brown, J	Felton	Lifsey	Sauder	Turnquest
Buck	Floyd	Lord	Scoggins	Twiggs
Buckner	Godbee	Maddox	Shanahan	Walker, L
Bunn	Golden	Mann	Shaw	Walker, R.L
Burkhalter	Goodwin	Martin	Sherrill	Watson
Byrd	Greene	McBee	Shipp	Watts
Campbell	Grindley	McCall	Simpson	Westmoreland
Canty	Hanner	Mills	Skipper	Whitaker
Carter	Harbin	Mobley, B	Smith, C	White
Chambless	Harris	Mobley, J	Smith, C.W	Wiles
Channell	Heard	Mosley	Smith, L	Williams, B
Childers	Hembree	Mueller	Smith, P	Williams, J
Coker	Holland	O'Neal	Smith, T	Williams, R
Coleman, B	Hudson	Orrock	Smith, V	Woods
Coleman, T	Hugley	Parham	Smith, W	Yates
Connell	James	Parrish	Smyre	Murphy, Spkr
Cox				

The following members were off the floor of the House when the roll was called:

Representatives Teper of the 61st, Kaye of the 37th, Hegstrom of the 66th, Bailey of the 93rd, Irvin of the 45th, McKinney of the 51st, Falls of the 125th, Randall of the 127th, Henson of the 65th, Howard of the 118th, Heckstall of the 55th, Wall of the 82nd, Baker of the 70th, Lucas of the 124th, McClinton of the 68th, Brush of the 112th, Sinkfield of the 57th, Hart of the 116th, Snow of the 2nd and Holmes of the 53rd.

They wish to be recorded as present.

Prayer was offered by Representative Lynn Westmoreland, District 104, Tyrone, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

The following Resolutions of the House were read and adopted:

- HR 45EX. By Representative Brown of the 130th:
A resolution commending Mr. James Williams.
- HR 46EX. By Representative Pelote of the 149th:
A resolution commending Miss Evelyn Deloris Robinson.
- HR 47EX. By Representative Pelote of the 149th:
A resolution commending Mr. E. Larry McDuffie.
- HR 48EX. By Representatives Powell of the 23rd and Greene of the 158th:
A resolution recognizing and commending Marlon Pollard.
- HR 49EX. By Representatives Wiles of the 34th, Kinnamon of the 4th, Lifsey of the 6th, Shipp of the 38th and Mann of the 5th:
A resolution commending Mr. Loran Keith McClain.
- HR 50EX. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Buckner of the 95th and Johnson of the 97th:
A resolution commending Harry's Farmer Market.
- HR 51EX. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Buckner of the 95th and Johnson of the 97th:
A resolution commending Chief Judge Emmett J. Arnold III.
- HR 52EX. By Representatives Bailey of the 93rd, Lee of the 94th, Benefield of the 96th, Buckner of the 95th and Johnson of the 97th:
A resolution commending the Honorable William C. (Bill) McBerry.
- HR 53EX. By Representatives Bailey of the 93rd and Lee of the 94th:
A resolution in memory of Mr. John S. Perry.

- HR 54EX. By Representatives Powell of the 23rd and Greene of the 158th:
A resolution recognizing and commending Brady Banks.
- HR 55EX. www.libtool.com.cn By Representative Powell of the 23rd:
A resolution recognizing and commending Ed Bryant.
- HR 56EX. By Representatives Watson of the 139th, Walker of the 141st and Floyd of the 138th:
A resolution honoring Robin Fech.
- HR 57EX. By Representatives White of the 161st and Roberts of the 162nd:
A resolution commending Mr. Erasmus Dent.
- HR 58EX. By Representatives White of the 161st and Roberts of the 162nd:
A resolution commending Mrs. Carey Dent.
- HR 59EX. By Representatives White of the 161st and Roberts of the 162nd:
A resolution commending Arthur Clarence Searles.
- HR 60EX. By Representative Byrd of the 170th:
A resolution recognizing and commending the members and staff of the Hazlehurst Censilver Celebration Committee.
- HR 61EX. By Representatives Byrd of the 170th and Coleman of the 142nd:
A resolution recognizing The Lightwood Knot.
- HR 62EX. By Representative Byrd of the 170th:
A resolution recognizing Honorable John Alexander Cromartie.
- HR 63EX. By Representative Byrd of the 170th:
A resolution commending the RBs of Baxley, Georgia.

The Speaker announced the House in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The ~~Speaker~~ called the House to order.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bills of the House:

HB 25EX. By Representatives Shipp of the 38th, Coker of the 31st, Klein of the 39th, Sauder of the 29th, Towery of the 30th and others:

A bill to amend an Act reincorporating and providing a new charter for the City of Acworth, so as to change the corporate limits of the city.

HB 29EX. By Representatives Mueller of the 152nd, Bordeaux of the 151st, Thomas of the 148th, Pelote of the 149th, Dixon of the 150th and others:

A bill to amend an Act creating the Chatham-Savannah Youth Futures Authority, so as to provide uniform beginning and expiration dates for authority members; to provide for vacancies in membership of ex officio members.

HB 31EX. By Representatives Harbin of the 113th, Williams of the 114th, Brush of the 112th and Bargeron of the 120th:

A bill to amend and Act providing for the election of members of the Board of Education of Columbia County, so as to provide for the election of members of the board at nonpartisan general elections without prior nonpartisan primaries.

The Senate has passed, as amended, by the requisite constitutional majority the following bill of the House:

HB 30EX. By Representative Murphy of the 18th:

A bill to create the Tallapoosa Recreation Authority and to authorize such authority to acquire, construct, equip, maintain, and operate athletic and recreational centers, facilities, and areas, including, but not limited to, golf courses, playgrounds, parks, hiking, camping and picnicking areas and facilities, swimming and wading pools, lakes, tennis courts, athletic fields and courts.

Representative Royal of the 164th District, Chairman of the Committee on State Planning & Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning & Community Affairs Local Legislation 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 9EX Do Pass

Respectfully submitted,
/s/ Royal of the 164th
Chairman

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By unanimous consent, the following Bill of the Senate was taken up for consideration and read the third time:

SB 9EX. By Senator McGuire of the 30th:

A bill to amend an Act providing for the nomination and election of the chief magistrate of Carroll County so as to provide for the election of the chief magistrate of the Magistrate Court of Carroll County in nonpartisan elections without a prior nonpartisan primary.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the ayes were 93, nays 6.

The Bill, having received the requisite constitutional majority, was passed.

Representative Lee of the 94th assumed the Chair.

The following Bill of the House was taken up for the purpose of considering the Senate amendment thereto:

HB 30EX. By Representative Murphy of the 18th:

A bill to create the Tallapoosa Recreation Authority and to authorize such authority to acquire, construct, equip, maintain, and operate athletic and recreational centers, facilities, and areas, including, but not limited to, golf courses, playgrounds, parks, hiking, camping and picnicking areas and facilities, swimming and wading pools, lakes, tennis courts, athletic fields and courts.

The following Senate amendment was read:

Amend HB 30EX by striking on line 5 of page 3 the word "six" and inserting in its place the word "five"

By striking lines 9 and 10 of page 3 and inserting in lieu thereof the following:

"shall initially appoint one member for a term of two years, two for terms of four years each, and two for terms of"

By striking in its entirety subsection (c) of Section 2 which appears on lines 18 through 24 of page 3.

By redesignating subsections (d) through (j) of Section 2 as subsections (c) through (i), respectively.

By striking the word "Four" on line 39 of page 3 and inserting in its place the word "Three"

Representative Murphy of the 18th moved that the House agree to the Senate amendment to HB 30EX.

On the motion the ayes were 120, nays 0.

The motion prevailed.

The Speaker assumed the Chair.
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Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Thursday, September 7, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Representative Larry Walker, District 141, Perry, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

The following Resolutions of the House were read and adopted:

HR 64EX. By Representatives Smith of the 169th, Murphy of the 18th, Mosley of the 171st, Perry of the 11th, Harbin of the 113th and others:

A resolution commending Linda Meggers, Penny Williams, and the staff of the Reapportionment Office.

HR 65EX. By Representative Jenkins of the 110th:

A resolution expressing regret at the passing of Fred Smith.

HR 66EX. By Representative Jenkins of the 110th:

A resolution commending Nathan Parker Dumas.

- HR 67EX. By Representative Jenkins of the 110th:
A resolution commending the Monroe Academy Lady Mustangs on winning the 1995 Georgia Independent School Association basketball championship.
- HR 68EX. By Representatives Jenkins of the 110th and Smith of the 109th:
A resolution commending Tom Aiken.
- HR 69EX. By Representative Jenkins of the 110th:
A resolution commending Curtis Daniely.
- HR 70EX. By Representatives Buck of the 135th, Culbreth of the 132nd, Taylor of the 134th, Hugley of the 133rd, Smith of the 102nd and others:
A resolution expressing regret at the passing of Alton Ray.
- HR 71EX. By Representatives Brooks of the 54th, McKinney of the 51st, Mobley of the 69th and Randall of the 127th:
A resolution expressing regret at the passing of William Kuntsler.
- HR 72EX. By Representatives Buck of the 135th, Culbreth of the 132nd, Taylor of the 134th, Hugley of the 133rd, Smith of the 102nd and others:
A resolution expressing regret at the passing of Billy Watson.
- HR 73EX. By Representatives Buck of the 135th, Culbreth of the 132nd, Taylor of the 134th, Hugley of the 133rd, Smith of the 102nd and others:
A resolution expressing regret at the passing of Edna DeLamar Kendrick.
- HR 74EX. By Representative Buckner of the 95th:
A resolution commending Mrs. Barbara Ford.

The Speaker announced the House in recess until 11:00 o'clock this morning.

The Speaker Pro Tem called the House to order and announced the House in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Speaker called the House to order.

The following Bill of the House was taken up for the purpose of considering the report of the Committee of Conference thereon:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The following report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 8EX

The Committee of Conference on HB 8EX recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 8EX be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Peg Blich
Senator, 7th District

/s/ Jack Hill
Senator, 4th District

/s/ Charles W. Walker
Senator, 22nd District

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Tommy Smith
Representative, 169th District

/s/ David E. Lucas
Representative, 124th District

/s/ Tim Perry
Representative, 11th District

A BILL

To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts; to provide for the election of members of Congress; to provide for the continuation of present congressional districts until a certain time; to make certain provisions relative to certain boards and bodies; to provide for continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, is amended by striking Code Section 21-2-3, relating to definitions and descriptions for use in designating congressional districts, and inserting in its place the following:

"21-2-3.

For purposes of this article:

(1) The terms 'Tract,' 'Block,' and 'VTD' 'Block Group' shall mean and describe the same ~~geographical boundaries~~ as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia.

~~(2) The term 'Precinct' is synonymous with the term 'voting precinct' and means a geographical area, established in accordance with Article 7 of this chapter, within which all electors vote at one polling place.~~

~~(3) Whenever the description of any congressional district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia.~~

~~(4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any congressional district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control.~~

~~(5)(2) Any part of the State of Georgia which is described in subsection (a) of Code Section 21-2-4 as being included in a particular congressional district shall nevertheless not be included within such congressional district if such part is not contiguous to such congressional district. Such noncontiguous part shall instead be included within that congressional district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia."~~

SECTION 2.

Said article is further amended by striking the description of the 11 congressional districts immediately following the second sentence of subsection (a) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the description of the 11 congressional districts attached to this Act and made a part hereof and further identified as "Operator: state Client: congress Plan: conf2."

SECTION 3.

Said article is further amended by striking subsection (c) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the following:

"(c) The first members elected pursuant to the provisions of this Code section shall be those who are elected to take office in January, ~~1992~~ 1997. Successors to those members and future successors shall likewise be elected under the provisions of this Code section. Until that time the members of the United States House of Representatives elected in ~~1990~~ 1994 shall continue to serve and, for all purposes relative to membership in the House of Representatives, the composition of congressional districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective for the primaries and elections of ~~1992~~ 1996 for the purpose of electing the members in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. For the purpose of appointing or electing members of boards or bodies where such are made on the basis of congressional districts, the provisions of this Code section shall be effective January 1, ~~1993~~ 1997."

SECTION 4.

Said article is further amended by striking Code Section 21-2-4.1, relating to continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district, and inserting in its place the following:

"21-2-4.1.

Any member of any constitutional or statutory board or body who is in office on January 1, ~~1993~~ 1997, and who was appointed on the basis of residency within a congressional

district shall serve out the term for which the member was appointed and shall represent the congressional district created by this chapter in which the member resides unless more members of the board or body than authorized by the applicable constitutional provision or statute reside within the same congressional district. In the event any congressional district created by this chapter has residing therein more members of any such board or body than the number of members specified by the applicable constitutional provision or statute, the appointing authority shall designate which member or members representing the congressional district shall continue to serve as a member or members of the board or body. Any member not designated for continued membership shall cease to hold office as of the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1 January 1, 1997. If a congressional district created by this chapter is not represented on a board or body as specified by the applicable constitutional provision or statute, a vacancy shall exist. Such vacancy shall be filled as of the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1 by the appointing authority appointing to the board or body a member or members from the congressional district which does not have sufficient representation. In the case of an appointment to fill a vacancy created by the displacement of a member from a congressional district on the basis of residency, the initial appointment shall be for a term ending on the date on which the term of the member removed by the appointing authority in accordance with the foregoing requirement would have ended. The initial term of all other appointments to fill a vacancy as provided for in this Code section shall be set by the appointing authority in accordance with the schedule of expiration dates established by law for the terms of members of the board or body.”

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

District No. 1

APPLING
BACON
BRANTLEY
BRYAN
BULLOCH
CAMDEN
CANDLER
CHARLTON
CHATHAM
EFFINGHAM
EVANS
GLYNN
LIBERTY
LONG
MCINTOSH
PIERCE
SCREVEN
TATTNALL
WAYNE

District No. 2

BAKER
BROOKS
CALHOUN
CHATTAHOOCHEE

CLAY
COLQUITT
CRISP
DECATUR www.libtool.com.cn
DOOLY
DOUGHERTY
EARLY
GRADY
LEE
MACON
MARION
MILLER
MITCHELL
MUSCOGEE

Tract:0001.

Tract:0015.

Block: 401 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,413 ,415 ,416 , 417 ,418 ,428 ,429 ,430
,431 ,434 ,435 ,436 ,437 ,438

Tract:0016.

Block: 605 ,607 ,608 ,609 ,610 ,611 ,612 ,613 ,614 ,616 ,617 , 618 ,699A

Tract:0020.

Block: 117 ,201 ,202 ,203 ,204 ,205 ,206

Tract:0022.

Tract:0024.

Tract:0025.

Tract:0026.

Tract:0027.

Tract:0028.

Block: 102 ,103 ,104 ,105 ,106 ,201 ,202

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Block Group:7

Block Group:8

Tract:0029.01

Tract:0029.02

Tract:0030.

Tract:0031.

Tract:0032.

Tract:0033.

Tract:0034.

Tract:0106.04

Tract:0106.05

Tract:0106.06

Tract:0107.01

Tract:0107.02

Tract:0107.03

Tract:0108.

Tract:0109.

PEACH
QUITMAN
RANDOLPH
SCHLEY
SEMINOLE
STEWART
SUMTER

TALBOT
 TAYLOR
 TERRELL
 THOMAS www.libtool.com.cn
 TURNER
 WEBSTER
 WORTH

District No. 3

CLAYTON

Tract:0402.

Block: 901 ,902 ,903 ,904 ,905 ,906 ,907 ,908A,908B,909 ,910 , 911 ,912 ,913 ,914
 ,915 ,916 ,917 ,918 ,921 ,922 ,923 , 933 ,999 ,999

Tract:0403.04

Tract:0403.05

Tract:0404.01

Block: 128 ,129 ,316 ,317 ,318 ,319 ,320 ,321 ,322 ,324 ,325 , 326 ,330 ,331 ,332 ,333
 ,334 ,335 ,336 ,337 ,401 ,402 , 403 ,404 ,405 ,417A,417B,418A,418B,420 ,421
 ,503A,503B, 503C,504A,504B,504C,506 ,507A,507B,508 ,509 ,510A,510B, 511
 ,512 ,513 ,515A,515B,515C,599A

Block Group:6

Block Group:7

Tract:0404.02

Block: 403 ,405 ,406 ,408 ,409 ,410 ,411 ,412 ,413 ,414 ,415 , 416 ,417 ,418 ,419 ,420
 ,499 ,499 ,502 ,503 ,504 ,506 ,507 ,508 , 509 ,510 ,511 ,512 ,513 ,514 ,515
 ,516 ,517 ,518 ,519 , 520 ,521 ,522 ,523 ,524 ,525 ,526 ,527 ,528 ,529 ,530
 , 531 ,532 ,533 ,599

Tract:0404.03

Tract:0404.05, except that part of Block 601B which lies north of a branch of Camp
 Creek.

Tract:0404.06

Tract:0405.03

Block Group:1

Block Group:3

Block: 402A,402B,402C,402D,402E,403 ,404 ,405 ,499

Tract:0405.05

Block Group:6

Tract:0405.06

Tract:0405.07

Tract:0405.08

Tract:0406.03

Tract:0406.04

Tract:0406.05

Tract:0406.06

Tract:0406.07

Tract:0406.08

COWETA
 CRAWFORD
 FAYETTE
 HARRIS
 JONES
 LAMAR
 MERIWETHER
 MONROE
 MUSCOGEE

Tract:0002.

Tract:0003.

Tract:0004.
 Tract:0005.
 Tract:0006.
 Tract:0008. libtool.com.cn
 Tract:0009.
 Tract:0010.
 Tract:0011.
 Tract:0012.
 Tract:0013.
 Tract:0014.
 Tract:0015.
 Block Group:1
 Block Group:2
 Block Group:3
 Block: 402 ,410 ,411 ,412 ,414 ,419 ,420 ,421 ,422 ,423 ,424 , 425 ,426 ,427 ,432 ,433
 Tract:0016.
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block: 601 ,602 ,603 ,604 ,606 ,615 ,699B
 Tract:0018.
 Tract:0019.
 Tract:0020.
 Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116
 ,118 ,119 ,120 ,121 ,207 ,208 , 209 ,210 ,211 ,212 ,213 ,214 ,215 ,216 ,217
 ,218 ,219 , 220 ,221 ,222
 Tract:0021.
 Tract:0023.
 Tract:0028.
 Block: 101 ,203 ,204 ,205 ,206
 Tract:0101.02
 Tract:0101.03
 Tract:0101.04
 Tract:0102.01
 Tract:0102.02
 Tract:0103.01
 Tract:0103.02
 Tract:0104.01
 Tract:0104.02
 Tract:0105.
 Tract:0106.02
 Tract:0110.

PIKE
 SPALDING
 TROUP
 UPSON

District No. 4

BARROW
 DEKALB
 Tract:0202.
 Block: 123B
 Tract:0211.
 Tract:0212.02
 Tract:0212.04

Tract:0212.05

Tract:0212.07

Tract:0212.08

Tract:0212.09 [tbtool.com.cn](http://www.tbtool.com.cn)

Tract:0212.10

Tract:0212.11

Tract:0212.12

Tract:0213.01

Tract:0213.02

Tract:0213.03

Tract:0213.04

Tract:0214.03

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,110 ,111 ,112 ,113 , 114 ,115 ,116
 ,117A,118A,119 ,120A,121A,307A,308A

Tract:0214.04

Tract:0215.

Block: 113

Tract:0216.01

Tract:0216.02

Tract:0217.02

Tract:0217.03

Tract:0217.04

Tract:0218.05

Tract:0218.06

Tract:0218.08

Tract:0218.09

Tract:0218.10

Tract:0218.98

Tract:0219.02

Tract:0219.03

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,306 ,307 ,308 ,309 ,310 ,311 , 312 ,313 ,314 ,315 ,316
 ,317 ,318 ,319 ,320 ,321 ,322 , 323 ,324 ,325A,325B,325C,325D,326
 ,327A,327B,328A,328B, 329A,329B,330 ,331 ,332 ,333 ,334 ,335
 ,336A,336B,337A, 337B,338
 ,339A,339B,339C,339D,339E,340A,340B,340C,341A,
 341B,341C,342A,343A,344 ,345 ,346 ,347 ,348 ,349A,349B, 351 ,353

Tract:0219.04

Block Group:1

Block: 201 ,401A

Block Group:5

Tract:0219.05

Block: 101 ,102 ,103 ,104B,901A

Tract:0220.01

Block Group:1

Block: 401 ,402 ,405 ,408 ,409 ,410 ,411 ,412 ,413 ,414 ,415A, 415B,416 ,417 ,421
 ,422 ,423 ,425

Tract:0220.04

Block: 101B,101C,201 ,202A

Tract:0222.

Tract:0223.01

Tract:0223.02

Tract:0224.03

Block: 101 ,103 ,105 ,106 ,107 ,110 ,111

Block Group:2

Block Group:3

Block: 401B,419 ,421 ,422

Tract:0225.

Block Group:1

Block Group:2

Block: 303 ,304 ,313 ,314 ,315 ,612B,703 ,704 ,705 ,706 ,707 , 708 ,709A,709B

Tract:0226.

Tract:0228.

Block: 101 ,102 ,103 ,104 ,106 ,115 ,401 ,402

Tract:0229.

Block: 101

Tract:0230.

Block: 101 ,102 ,103 ,104A,104B,105 ,106 ,107 ,108 ,109 ,110 , 111 ,112 ,113 ,114 ,115 ,116 ,117 ,118 ,119 ,120 ,121 , 122 ,123 ,124 ,125 ,201 ,202 ,203 ,204 ,205A,206 ,207 , 208 ,210A,299

Tract:0231.02

Block: 101 ,102 ,103 ,104 ,105A,106 ,107 ,108 ,109 ,110A,111 , 112 ,113A,114A,114B,115A,116A,199

Tract:0231.05

Block: 405A,409 ,410

Tract:0232.04

Block: 201 ,202 ,203 ,217

Tract:0232.05

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,118 ,119 ,120 ,121 ,122 ,123 ,124 , 505 ,506 ,507 ,508

Tract:0233.02

Tract:0233.03

Block: 101 ,102 ,103 ,104 ,105B,106B,107 ,108 ,109 ,110B,199 ,199 ,199 ,401B, 402 ,403 ,404 ,405 ,406 ,407C,407D,408 ,411B,499A

Block Group:5

Tract:0233.06

Block: 501 ,502 ,503 ,504 ,505 ,506 ,509B,510 ,511

FULTON

Tract:0101.03

Block: 801

Tract:0101.06

Tract:0101.07

Tract:0101.08

Tract:0114.08

Block: 201C,203D,206B,208B,301B,399D

Block Group:8

Tract:0114.09

Tract:0114.10

Tract:0114.11

Tract:0116.03

Block: 105 ,106 ,107

Block Group:3

Block Group:8

Block: 901 ,904 ,905 ,906 ,907 ,908 ,909 ,910 ,911 ,912 ,913

GWINNETT

Tract:0502.03

Tract:0502.04

Block: 105 ,106 ,107 ,108 ,109A,109B,110 ,111 ,112 ,113 ,114 ,199A,199B

Block Group:2

Block Group:3

Block Group:4

Block Group:7

Block Group:8

Block Group:9

Tract:0503.04

Tract:0503.05

Tract:0503.06

Tract:0503.07

Tract:0503.08

Tract:0503.09

Tract:0503.10

Tract:0503.11

Tract:0503.12

Tract:0503.13

Tract:0503.14

Tract:0504.03

Tract:0504.06

Tract:0504.07

Tract:0504.08

Tract:0504.09

Tract:0504.10

Tract:0504.11

Tract:0504.12

Tract:0504.13

Tract:0504.14

Tract:0504.15

Tract:0504.16

Tract:0505.02

Tract:0505.03

Tract:0505.05

Tract:0505.06

Tract:0505.07

Tract:0505.08

Tract:0505.09

Tract:0506.01

Block: 163 ,164 ,168 ,199B ,306 ,309A,309B,310 ,311 ,312 ,313 ,314 , 315 ,316 ,317
 ,318 ,319 ,320 ,399

Tract:0506.02

Tract:0507.04

Tract:0507.05

Tract:0507.06

Tract:0507.07

Tract:0507.08

Tract:0507.09

Tract:0507.10

Tract:0507.11

Tract:0508.98

District No. 5

COBB

Tract:0313.02

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,306 ,308 ,312 ,313 ,319 ,320 ,321 ,322 , 323 ,324

Block Group:9

Tract:0313.04

Block: 301 ,302 ,308 ,312 ,328 ,330 ,331 ,332 ,333 ,399 ,416 ,417 , 418 ,419 ,420
 ,421B,422 ,424 ,425 ,427 ,428 ,429 ,430 , 431 ,432 ,433 ,434 ,435 ,436 ,437
 ,438 ,439 ,440 ,441 , 442 ,443 ,444 ,445 ,446 ,447 ,448 ,449 ,450 ,451 ,452
 , 453 ,454 ,455 ,499B

Tract:0313.05

DEKALB

Tract:0201.

Tract:0202. www.libtool.com.cn

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,114 ,115 ,116 ,117
 ,118 ,119 ,120 ,121 ,122 ,123A, 124 ,126 ,127

Tract:0203.

Tract:0204.

Tract:0206.

Block: 101

Tract:0207.

Block: 214A

Tract:0214.01

Tract:0214.02

Tract:0214.03

Block: 108 ,109 ,117B,118B,120B,121B,122 ,123

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,306 ,307B,308B,309 ,310 ,311 , 312 ,313 ,314 ,315
 ,316 ,317 ,318 ,319 ,320 ,321 ,322 , 323 ,324 ,325 ,326 ,327 ,328 ,329 ,330
 ,331 ,332 ,333 , 334

Tract:0215.

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,114 ,115 ,116 ,117
 ,118 ,119 ,120 ,121 ,122 ,123 , 124 ,125 ,126 ,127 ,128 ,129 ,130 ,131 ,132
 ,133 ,199

Block Group:2

Tract:0216.03

Tract:0224.01

Tract:0224.02

Tract:0224.03

Block: 102 ,108 ,401A,402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 , 410 ,411 ,412 ,413
 ,414 ,415 ,420

Tract:0225.

Block: 613

FULTON

Tract:0001.

Tract:0002.

Tract:0004.

Tract:0005.

Tract:0006.

Tract:0007.

Tract:0008.

Tract:0010.95

Tract:0011.

Tract:0012.

Tract:0013.

Tract:0014.

Tract:0015.

Tract:0016.

Tract:0017.

Tract:0018.

Tract:0019.

Tract:0020.

Tract:0021.

Tract:0022.

Tract:0023.

Tract:0024.

Tract:0025.

Tract:0026.
Tract:0027.
Tract:0028.
Tract:0029.
Tract:0030.
Tract:0031.
Tract:0032.
Tract:0033.
Tract:0035.
Tract:0036.
Tract:0037.
Tract:0038.
Tract:0039.
Tract:0040.
Tract:0041.
Tract:0042.95
Tract:0043.
Tract:0044.
Tract:0046.95
Tract:0048.
Tract:0049.95
Tract:0050.
Tract:0052.
Tract:0053.
Tract:0055.01
Tract:0055.02
Tract:0056.
Tract:0057.
Tract:0058.
Tract:0060.
Tract:0061.
Tract:0062.
Tract:0063.
Tract:0064.
Tract:0065.
Tract:0066.01
Tract:0066.02
Tract:0067.
Tract:0068.01
Tract:0068.02
Tract:0069.
Tract:0070.
Tract:0071.
Tract:0072.
Tract:0073.
Tract:0074.
Tract:0075.
Tract:0076.01
Tract:0076.02
Tract:0077.01
Tract:0077.02
Tract:0078.02
Tract:0078.03
Tract:0078.04
Tract:0079.
Tract:0080.
Tract:0081.01

Tract:0081.02
Tract:0082.01
Tract:0082.02
Tract:0083.01
Tract:0083.02
Tract:0084.
Tract:0085.
Tract:0086.01
Tract:0086.02
Tract:0087.01
Tract:0087.02
Tract:0088.
Tract:0089.
Tract:0090.
Tract:0091.
Tract:0092.
Tract:0093.
Tract:0094.01
Tract:0094.02
Tract:0095.
Tract:0096.
Tract:0097.
Tract:0098.
Tract:0099.
Tract:0100.
Tract:0101.01
Tract:0101.03
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block Group:7
 Block: 802 ,803 ,805 ,806 ,807 ,808 ,809 ,810 ,811 ,812 ,815 , 816 ,817 ,818 ,819 ,820
 ,821 ,822
Tract:0102.01
Tract:0102.03
 Block Group:1
 Block Group:2
 Block: 305 ,306 ,307
Tract:0102.04
Tract:0102.05
Tract:0103.01
Tract:0103.02
Tract:0104.
Tract:0105.03
Tract:0105.04
Tract:0105.05
Tract:0105.06
Tract:0106.01
Tract:0106.02
Tract:0107.
Tract:0108.
Tract:0109.
Tract:0110.
Tract:0111.

Tract:0112.01

Tract:0112.02

Tract:0113.01

www.libTract:0113.02

District No. 6

COBB

Tract:0301.98

Tract:0302.03

Tract:0302.04

Tract:0302.05

Tract:0302.06

Tract:0302.07

Tract:0303.02

Tract:0303.07

Tract:0303.09

Tract:0303.10

Tract:0303.11

Tract:0303.12

Tract:0303.13

Tract:0303.14

Tract:0303.15

Tract:0303.16

Tract:0303.17

Tract:0303.18

Tract:0303.19

Tract:0303.20

Tract:0303.21

Tract:0304.01

Tract:0304.02

Tract:0304.04

Tract:0304.05

Tract:0304.06

Tract:0305.01

Tract:0305.02

Tract:0305.03

Tract:0306.

Tract:0307.

Tract:0308.

Tract:0309.01

Tract:0309.02

Tract:0309.03

Tract:0310.01

Tract:0310.02

Tract:0310.03

Tract:0311.01

Tract:0311.03

Tract:0311.05

Tract:0311.06

Tract:0311.07

Tract:0311.08

Tract:0311.09

Tract:0312.02

Tract:0312.03

Tract:0312.04

Tract:0313.01

Tract:0313.02

Block: 304 ,305 ,307 ,309 ,310 ,311 ,314 ,315 ,317 ,318

Block Group:4

Block Group:5

Tract:0313.04

Block Group:1

Block: 303 ,304 ,305 ,306 ,307 ,309 ,310 ,311 ,313 ,314 ,315 , 316 ,317 ,318 ,326 ,327
 ,401 ,402 ,403 ,404 ,405 ,406 , 407 ,408 ,409 ,410 ,411 ,412 ,413 ,414 ,415
 ,421A,423 , 426 ,499A

Block Group:5

Tract:0314.03

Tract:0314.04

Tract:0314.98

Tract:0315.01

Tract:0315.02

Tract:0316.97

Tract:0316.98

DOUGLAS

FULTON

Tract:0101.03

Block: 804 ,813 ,814

Tract:0101.05

Tract:0102.03

Block: 301 ,302 ,303 ,304 ,399 ,399

Block Group:4

Block Group:5

Block Group:6

Block Group:7

Block Group:8

Block Group:9

Tract:0114.03

Tract:0114.04

Tract:0114.05

Tract:0114.06

Tract:0114.07

Tract:0114.08

Block Group:1

Block: 201A,201B,202 ,203A,203B,203C,204 ,205 ,206A,207 ,208A, 299 ,301A,302
 ,303 ,304 ,305 ,306 ,399A,399B,399C

Block Group:4

Block Group:5

Block Group:6

Tract:0115.

Tract:0116.01

Tract:0116.02

Tract:0116.03

Block: 101 ,102 ,103 ,104

Block Group:2

Block: 902 ,903

District No. 7

BARTOW

CARROLL

CATOOSA

CHATTOOGA

DADE

FLOYD

GORDON

HARALSON
 HEARD
 MURRAY
 PAULDING
 POLK
 WALKER
 WHITFIELD

District No. 8

ATKINSON
 BEN_HILL
 BERRIEN
 BIBB
 BLECKLEY
 CLINCH
 COFFEE
 COOK
 DODGE
 ECHOLS
 HOUSTON
 IRWIN
 JEFF_DAVIS
 LANIER
 LOWNDES
 MONTGOMERY
 PULASKI
 TELFAIR
 TIFT
 TOOMBS
 WARE
 WHEELER
 WILCOX

District No. 9

BANKS
 CHEROKEE
 CLARKE
 DAWSON
 FANNIN
 FORSYTH
 FRANKLIN
 GILMER
 GWINNETT

Tract:0501.01

Tract:0501.02

Tract:0502.02

Tract:0502.04

Block: 101 ,102 ,103 ,104

Block Group:5

Block Group:6

Tract:0506.01

Block: 101 ,102 ,103 ,104 ,105A,105B,105C,105D,106 ,107A,107B, 107C,107D,108 ,109 ,110 ,111 ,112 ,113 ,114 ,115 ,116 , 117 ,118 ,119 ,120 ,121 ,122 ,123 ,124A,124B,124C,124D, 125A,125B,126 ,127 ,128 ,129 ,130 ,131 ,132 ,133 ,134 , 135 ,136 ,137 ,138 ,139 ,140 ,141 ,142 ,143 ,144 ,145 , 146 ,147 ,148A,148B,148C,148D,149 ,150 ,151 ,152 ,153 , 154 ,155 ,156 ,157 ,158 ,159 ,160 ,161 ,162 ,165 ,166 , 167 ,199A,199C,199D,199E

Block Group:2
 Block: 301 ,302 ,303 ,304 ,305 ,307 ,308
 HABERSHAM
 HALL www.libtool.com.cn
 JACKSON
 LUMPKIN
 MADISON
 PICKENS
 RABUN
 STEPHENS
 TOWNS
 UNION
 WHITE

District No. 10
 BURKE
 COLUMBIA
 ELBERT
 EMANUEL
 HART
 JENKINS
 LAURENS
 LINCOLN
 MCDUFFIE
 NEWTON
 OCONEE
 OGLETHORPE
 RICHMOND
 ROCKDALE
 TREUTLEN
 WALTON
 WILKES

District No. 11

BALDWIN
 BUTTS
 CLAYTON

Tract:0401.

Tract:0402.

Block Group:1

Block Group:2

Block: 919 ,920

Tract:0403.01

Tract:0403.02

Tract:0403.03

Tract:0404.01

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116
 ,117 ,118 ,119 ,120 ,121 ,122 , 123A,123B,123C,124 ,125 ,126 ,127 ,130 ,131
 ,132 ,199 ,199

Block Group:2

Block: 301 ,302A,302B,303 ,304 ,305 ,306 ,307 ,308 ,309 ,310 , 311 ,312 ,313 ,314
 ,315 ,323A,323B,323C,338 ,419A,419B,
 422A,422B,501A,501B,501C,502A,502B,502C,505A,505B,514A, 514B,599B

Tract:0404.02

Block Group:1

Block Group:2

Block Group:3

Block: 401 ,402 ,404 ,407 ,501 ,505
 Block Group:8
 Block Group:9
 Tract:0405.03 [tbtool.com.cn](http://www.tbtool.com.cn)
 Block: 401
 Tract:0405.04
 Tract:0405.05
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
DEKALB That part of Block 601B which lies north of a branch of Camp Creek
 Tract:0205.
 Tract:0206.
 Block: 102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 ,112 , 113
 Block Group:2
 Block Group:3
 Tract:0207.
 Block Group:1
 Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212 ,213 ,214B,215
 ,216
 Tract:0208.
 Tract:0209.
 Tract:0219.03
 Block: 339F,342B,343B
 Tract:0219.04
 Block: 202 ,203 ,204 ,205
 Block Group:3
 Block: 401B,402 ,403
 Tract:0219.05
 Block: 104A,105 ,106 ,107 ,108 ,109 ,110 ,111 ,112
 Block Group:2
 Block Group:4
 Block Group:5
 Block: 901B,902 ,903 ,904 ,999 ,999
 Tract:0220.01
 Block: 403 ,404 ,406 ,407 ,418 ,419 ,420 ,424 ,426 ,427 ,428 , 429 ,430 ,431 ,432
 Tract:0220.02
 Tract:0220.04
 Block: 101A,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115
 ,202B,203 ,204 ,205 ,206 ,207 ,208 , 209 ,210 ,211 ,212 ,213 ,214 ,215 ,216
 ,217 ,218 ,299
 Tract:0220.05
 Tract:0221.
 Tract:0225.
 Block: 309 ,316 ,317 ,318 ,319 ,320
 Block Group:4
 Block Group:5
 Block: 601 ,602 ,603 ,604 ,605 ,606 ,607 ,608 ,609 ,610 ,611 , 612A,614 ,701 ,702
 Tract:0227.
 Tract:0228.
 Block: 105 ,107 ,108 ,109 ,110 ,111 ,112 ,113 ,114
 Block Group:2
 Block Group:3
 Block: 403 ,404 ,405 ,409 ,414
 Tract:0229.
 Block: 102 ,103 ,109

Block Group:2
Block Group:3
Block Group:4
Block Group:5
Block Group:6
Tract:0230.
Block: 104C,205B,205C,209 ,210B
Tract:0231.01
Tract:0231.02
Block: 105B,110B,113B,114C,115B,116B
Block Group:2
Block Group:3
Tract:0231.03
Tract:0231.05
Block Group:1
Block Group:2
Block Group:3
Block: 401 ,402 ,403 ,404 ,405B,406 ,407 ,408 ,411 ,412
Block Group:5
Tract:0231.06
Tract:0232.03
Tract:0232.04
Block: 204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 ,212 ,213 ,214 , 215 ,216 ,218 ,219 ,220
,221 ,222 ,223
Block Group:3
Tract:0232.05
Block: 116 ,117
Block Group:4
Block: 501 ,502 ,503 ,504 ,509 ,510 ,511 ,512 ,513 ,514 ,515 , 516 ,517 ,518 ,519 ,520
,521 ,522 ,599 ,599
Tract:0232.06
Tract:0232.07
Tract:0233.03
Block: 105A,106A,110A
Block Group:2
Block Group:3
Block: 401A,407A,407B,409 ,410 ,411A,412 ,413 ,414 ,415A,415B, 416 ,417 ,418 ,419
,420 ,421A,421B,422 ,499B, 499C
Tract:0233.05
Tract:0233.06
Block Group:3
Block Group:4
Block: 507 ,508 ,509A
Tract:0233.07
Tract:0233.08
Tract:0234.03
Tract:0234.04
Tract:0234.05
Tract:0234.07
Tract:0234.08
Tract:0234.09
Tract:0235.01
Tract:0235.02
Tract:0235.03
Tract:0236.
Tract:0237.
Tract:0238.01

Tract:0238.02

Tract:0238.03

Tract:0239.98

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GREENE

HANCOCK

HENRY

JASPER

JEFFERSON

JOHNSON

MORGAN

PUTNAM

TALIAFERRO

TWIGGS

WARREN

WASHINGTON

WILKINSON

Representative Smith of the 169th moved that the House adopt the report of the Committee of Conference on HB 8EX.

On the motion, the roll call was ordered and the vote was as follows:

N Ashe	N Crews	N Hugley	N Parham	N Smith, W
N Bailey	N Culbreth	N Irvin	N Parrish	N Smyre
N Baker	Y Cummings	N James	N Parsons	N Snelling
N Bannister	N Davis, G	Y Jamieson	E Pelote	Y Snow
N Barfoot	N Davis, M	N Jenkins	Y Pery	Y Stallings
N Bergeron	N Day	N Johnson, G	N Pinholster	N Stancil, F
Y Barnard	N DeLoach, B	N Johnson, J	Polak	N Stancil, S
N Barnes	N DeLoach, G	N Johnston	N Porter	N Stanley, L
N Bates	N Dix	N Jones	Y Poston	N Stanley, P
N Benefield	N Dixon, H	N Joyce	N Powell	N Stephenson
N Birdsong	N Dixon, S	N Kaye	Y Purcell, A	N Streat
N Bordeaux	Y Dobbs	N Kinnamon	N Purcell, B	N Taylor
Bostick	N Ehrhart	N Klein	N Randall	N Teague
N Breedlove	N Epps	N Ladd	N Randolph	N Teper
N Brooks, D	N Evans	N Lakly	Ray	N Thomas
N Brooks, T	N Falls	Y Lane	N Reaves	N Tillman
N Brown, G	N Felton	N Lawrence	N Reichert	N Titus
N Brown, J	N Floyd	N Lee	N Roberts	N Towery
N Brush	Y Godbee	N Lewis	N Rogers	N Trense
N Buck	N Golden	N Lifsey	N Royal	Turnquest
N Buckner	N Goodwin	N Lord	N Sanders	Y Twiggs
N Bunn	Greene	N Lucas	N Sauder	N Walker, L
N Burkhalter	N Grindley	N Maddox	N Scoggins	N Walker, R.L
N Byrd	N Hanner	N Mann	Y Shanahan	N Wall
N Campbell	N Harbin	Y Martin	N Shaw	N Watson
N Canty	N Harris	N McBee	N Sherrill	N Watts
Carter	N Hart	N McCall	N Shipp	N Westmoreland
N Chambless	N Heard	N McClinton	Y Simpson	N Whitaker
N Channell	N Heckstall	N McKinney	N Sinkfield	N White
Y Childers	N Hegstrom	E Mills	N Skipper	N Wiles
N Coker	N Hembree	N Mobley, B	Y Smith, C	N Williams, B
N Coleman, B	N Henson	N Mobley, J	N Smith, C.W	N Williams, J
N Coleman, T	N Holland	N Mosley	N Smith, L	N Williams, R
N Connell	N Holmes	N Mueller	Y Smith, P	N Woods
N Cox	N Howard	N O'Neal	Y Smith, T	N Yates
N Crawford	N Hudson	N Orrock	N Smith, V	Murphy, Spkr

On the motion, the ayes were 19, nays 152.

The motion was lost.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has rejected the report of the Committee of Conference on the following bill of the House:

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HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The following Resolution of the House was read:

HR 75EX. By Representative Murphy of the 18th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn sine die at 3:00 P.M. on Friday, September 8, 1995.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

N Ashe	N Crews	N Hugley	Parham	N Smith, W
Y Bailey	Y Culbreth	N Irvin	Y Parrish	N Smyre
N Baker	Y Cummings	N James	N Parsons	N Snelling
N Bannister	N Davis, G	N Jamieson	E Pelote	Snow
Y Barfoot	N Davis, M	Y Jenkins	N Perry	Y Stallings
Y Bargerone	N Day	N Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	N Johnson, J	Polak	N Stancil, S
Y Barnes	N DeLoach, G	N Johnston	N Porter	N Stanley, L
N Bates	N Dix	N Jones	N Poston	N Stanley, P
Y Benefield	Dixon, H	Y Joyce	N Powell	N Stephenson
Y Birdsong	Y Dixon, S	N Kaye	Y Purcell, A	N Streat
Y Bordeaux	Y Dobbs	Y Kinnamon	N Purcell, B	N Taylor
Bostick	Ehrhart	N Klein	Y Randall	N Teague
N Breedlove	N Epps	N Ladd	N Randolph	Y Teper
N Brooks, D	N Evans	N Lakly	Ray	N Thomas
N Brooks, T	N Falls	N Lane	Y Reaves	N Tillman
N Brown, G	N Felton	N Lawrence	Y Reichert	N Titus
N Brown, J	Y Floyd	Y Lee	N Roberts	N Towery
N Brush	N Godbee	N Lewis	Y Rogers	N Trense
Y Buck	N Golden	N Lifsey	Y Royal	Turnquest
N Buckner	N Goodwin	Y Lord	N Sanders	Y Twiggs
Bunn	Greene	N Lucas	N Sauder	Y Walker, L
N Burkhalter	N Grindley	N Maddox	N Scoggins	N Walker, R.L
Y Byrd	Hanner	N Mann	Y Shanahan	N Wall
N Campbell	N Harbin	Y Martin	Shaw	Y Watson
N Canty	N Harris	N McBee	Y Sherrill	Y Watts
Carter	N Hart	N McCall	N Shipp	N Westmoreland
Y Chambliss	N Heard	N McClinton	Y Simpson	N Whitaker
N Channell	N Heckstall	N McKinney	N Sinkfield	N White
Y Childers	Y Hegstrom	E Mills	Y Skipper	N Wiles
N Coker	N Hembree	N Mobley, B	Y Smith, C	N Williams, B
N Coleman, B	Y Henson	N Mobley, J	N Smith, C.W	N Williams, J
Y Coleman, T	N Holland	Y Mosley	N Smith, L	N Williams, R
Y Connell	N Holmes	N Mueller	Y Smith, P	N Woods
Y Cox	N Howard	N O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	Orrick	N Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 50, nays 113.

The Resolution was lost.

Representative Bunn of the 74th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "nay" thereon.

Representative Walker of the 141st moved that the House do now adjourn until 9:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 9:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia**Friday, September 8, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 9:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Representative Ron Crews, District 78, Tucker, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

Representative Irvin of the 45th arose to a point of personal privilege and addressed the House.

Representative Irvin of the 45th moved that the first Committee of Conference on HB 8EX be dissolved and that a second Committee of Conference be appointed.

On the motion, the Speaker announced the call of the roll and the vote was as follows:

Y Ashe	Bordeaux	Burkhalter	N Connell	Y Dix
N Bailey	Bostick	N Byrd	N Cox	N Dixon, H
Y Baker	Y Breedlove	Campbell	Y Crawford	N Dixon, S
Y Bannister	Brooks, D	N Canty	Y Crews	N Dobbs
N Barfoot	N Brooks, T	Carter	N Culbreth	Y Ehrhart
N Bargeron	N Brown, G	N Chambliss	N Cummings	Epps
Barnard	Y Brown, J	N Channell	Davis, G	Evans
E Barnes	Y Brush	N Childers	Y Davis, M	Y Falls
N Bates	N Buck	Y Coker	N Day	Felton
N Benefield	N Buckner	Coleman, B	DeLoach, B	N Floyd
Birdsong	Y Bunn	N Coleman, T	Y DeLoach, G	N Godbee

N Golden	Jones	Y Mueller	Scoggins	N Taylor
Goodwin	Joyce	N O'Neal	Shanahan	N Teague
Greene	Kaye	N Orrock	E Shaw	Y Teper
Y Grindley	N Kinnamon	Parham	N Sherrill	N Thomas
N Hanner	Y Klein	N Parrish	Shipp	N Tillman
Harbin	Y Ladd	Y Parsons	Simpson	Y Titus
Y Harris	Y Lakly	E Pelote	Sinkfield	Towery
N Hart	N Lane	N Perry	N Skipper	Y Trense
N Heard	Lawrence	Y Pinholster	N Smith, C	Turnquest
Heckstall	N Lee	Polak	Y Smith, C.W	Twiggs
N Hegstrom	N Lewis	Porter	N Smith, L	N Walker, L
Y Hembree	Y Lifsey	N Poston	N Smith, P	Y Walker, R.L
Henson	N Lord	N Powell	N Smith, T	Wall
N Holland	N Lucas	N Purcell, A	E Smith, V	N Watson
N Holmes	Y Maddox	N Purcell, B	Y Smith, W	N Watts
N Howard	Y Mann	N Randall	N Smyre	Westmoreland
N Hudson	N Martin	N Randolph	Y Snelling	Y Whitaker
N Hugley	N McBee	Ray	Snow	N White
Y Irvin	McCall	N Reaves	N Stallings	Y Wiles
James	N McClinton	N Reichert	N Stancil, F	Williams, B
Y Jamieson	N McKinney	Roberts	Y Stancil, S	Williams, J
N Jenkins	E Mills	N Rogers	Stanley, L	Williams, R
Johnson, G	Mobley, B	N Royal	N Stanley, P	Y Woods
Johnson, J	N Mobley, J	Y Sanders	Stephenson	Y Yates
Y Johnston	N Mosley	Y Sauder	N Streat	Murphy, Spkr

On the motion, the ayes were 43, nays 81.

The motion was lost.

Representative Wall of the 82nd was off the floor of the House when the roll was called on HB 8EX. He would like to be recorded as voting "nay"

The Speaker announced the House in recess until 11:30 o'clock this morning.

AFTERNOON SESSION

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The Speaker called the House to order.

The following Resolutions of the House were read and adopted:

- HR 76EX. By Representative Buckner of the 95th:
A resolution commending the Lake City Community Association.
- HR 77EX. By Representative Smith of the 109th:
A resolution commending the First Baptist Church.
- HR 79EX. By Representative Smith of the 109th:
A resolution expressing regret at the passing of David Bailey Woodward.

The following Resolution of the House was read and referred to the Committee on Judiciary:

- HR 78EX. By Representative Poston of the 3rd:
A resolution supporting full disclosure of lobbyists' expenditures.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

- SR 46EX. By Senators Ray of the 19th and Perdue of the 18th:
A resolution relative to adjournment.

The following Resolution of the Senate was read:

- SR 46EX. By Senators Ray of the 19th and Perdue of the 18th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn sine die at 5:00 P.M. on Friday, September 8, 1995.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

N Ashe
Y Bailey
N Baker

N Bannister
Y Barfoot
Y Bargeron

N Barnard
Y Barnes
N Bates

Y Benefield
Y Birdsong
Y Bordeaux

Y Bostick
N Breedlove
N Brooks, D

N Brooks, T	Y Ehrhart	Y Joyce	Y Polak	Y Snow
N Brown, G	N Epps	N Kaye	N Porter	Y Stallings
N Brown, J	N Evans	Y Kinnamon	N Poston	Y Stancil, F
Y Brush	N Falls	N Klein	N Powell	N Stancil, S
E Buck	N Felton	N Ladd	Y Purcell, A	Stanley, L
N Buckner	Y Floyd	N Lakly	N Purcell, B	N Stanley, P
N Bunn	Y Godbee	Y Lane	N Randall	Y Stephenson
E Burkhalter	N Golden	N Lawrence	N Randolph	Y Streat
N Byrd	N Goodwin	Y Lee	Ray	N Taylor
Campbell	Y Greene	N Lewis	Y Reaves	N Teague
N Canty	Y Grindley	Lifsey	Y Reichert	Y Teper
Y Carter	Y Hanner	Y Lord	Roberts	N Thomas
Y Chambless	Y Harbin	N Lucas	N Rogers	N Tillman
N Channell	N Harris	Maddox	Y Royal	Y Titus
Y Childers	N Hart	Y Mann	N Sanders	Y Towery
Y Coker	N Heard	Y Martin	Y Sauder	N Trense
Coleman, B	N Heckstall	Y McBee	Scoggins	Turnquest
Y Coleman, T	N Hegstrom	McCall	Y Shanahan	Y Twiggs
Y Connell	N Hembree	N McClinton	Y Shaw	Y Walker, L
Y Cox	Y Henson	N McKinney	Y Sherrill	Y Walker, R.L
E Crawford	Y Holland	E Mills	Y Shipp	N Wall
N Crews	N Holmes	N Mobley, B	Y Simpson	Y Watson
Y Culbreth	N Howard	N Mobley, J	N Sinkfield	Y Watts
Y Cummings	Y Hudson	Mosley	Y Skipper	N Westmoreland
N Davis, G	N Hugley	N Mueller	Y Smith, C	N Whitaker
N Davis, M	N Irvin	N O'Neal	N Smith, C.W	N White
N Day	N James	N Orrock	N Smith, L	Y Wiles
N DeLoach, B	N Jamieson	Y Parham	Y Smith, P	N Williams, B
N DeLoach, G	Y Jenkins	Y Parrish	Y Smith, T	N Williams, J
N Dix	N Johnson, G	Y Parsons	E Smith, V	Y Williams, R
Y Dixon, H	N Johnson, J	E Pelote	N Smith, W	Y Woods
N Dixon, S	N Johnston	Perry	N Smyre	N Yates
Y Dobbs	N Jones	N Pinholster	N Snelling	Murphy, Spkr

On the adoption of the Resolution, the ayes were 73, nays 88.

The Resolution was lost.

Due to a mechanical malfunction, the vote of Representative Mosley of the 171st was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Walker of the 141st served notice that at the proper time he would move that the House reconsider its action in failing to give the requisite constitutional majority to SR 46EX.

Representative Walker of the 141st moved that the House do now adjourn until 10:00 o'clock, tomorrow morning and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.

Representative Hall, Atlanta, Georgia
Saturday, September 9, 1995

www.libtool.com.cn

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Representative Tommy Smith, District 169, Alma, Georgia.

The members pledged allegiance to the flag.

Representative Bargeron of the 120th, Chairman of the Committee on Journals, 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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

Representative Walker of the 141st moved that the House reconsider its action in failing to give the requisite constitutional majority to the following resolution of the Senate:

SR 46EX. By Senators Ray of the 19th and Perdue of the 18th:

A resolution relative to adjournment sine die at 5:00 P.M. on Friday, September 8, 1995.

On the motion, the roll call was ordered and the vote was as follows:

N Ashe	Y Birdsong	Y Buckner	Y Coker	N Davis, M
Y Bailey	Y Bordeaux	N Bunn	Coleman, B	Day
N Baker	Bostick	N Burkhalter	Y Coleman, T	N DeLoach, B
N Bannister	Y Breedlove	Y Byrd	Y Connell	N DeLoach, G
Y Barfoot	N Brooks, D	Campbell	Y Cox	Dix
Y Bargeron	N Brooks, T	N Canty	E Crawford	Y Dixon, H
N Barnard	N Brown, G	Y Carter	N Crews	Y Dixon, S
Y Barnes	N Brown, J	Y Chambliss	Y Culbreth	Y Dobbs
Y Bates	Y Brush	Channell	Y Cummings	N Ehrhart
Y Benefield	E Buck	Y Childers	Davis, G	N Epps

N Evans	Y Jenkins	N Mobley, B	N Sanders	Y Streat
N Falls	N Johnson, G	Y Mobley, J	Y Sauder	N Taylor
N Felton	Y Johnson, J	Y Mosley	Y Scoggins	N Teague
Y Floyd	N Johnston	N Mueller	Y Shanahan	Y Teper
Y Godbee	Y Jones	N O'Neal	Y Shaw	N Thomas
Y Golden	Y Joyce	Y Orrock	Y Sherrill	N Tillman
Y Goodwin	Y Kaye	Y Parham	Y Shipp	Y Titus
Y Greene	Y Kinnamon	Y Parrish	Y Simpson	Y Towery
Y Grindley	N Klein	Y Parsons	N Sinkfield	N Trense
Y Hanner	N Ladd	E Pelote	Y Skipper	Turnquest
Y Harbin	N Lakly	Y Perry	Y Smith, C	Y Twiggs
Y Harris	Y Lane	N Pinholster	N Smith, C.W	Y Walker, L
N Hart	N Lawrence	Y Polak	Y Smith, L	Y Walker, R.L
N Heard	Y Lee	Y Porter	Y Smith, P	Wall
N Heckstall	Y Lewis	N Poston	Y Smith, T	Y Watson
Y Hegstrom	Y Lifsey	Y Powell	E Smith, V	Y Watts
N Hembree	Y Lord	Y Purcell, A	N Smith, W	N Westmoreland
E Henson	N Lucas	Y Purcell, B	N Smyre	N Whitaker
Y Holland	N Maddox	N Randall	N Snelling	N White
N Holmes	N Mann	N Randolph	Snow	Y Wiles
N Howard	Y Martin	Ray	Y Stallings	N Williams, B
Y Hudson	Y McBee	Y Reaves	Y Stancil, F	N Williams, J
N Hugley	Y McCall	Y Reichert	N Stancil, S	Y Williams, R
N Irvin	N McClinton	N Roberts	N Stanley, L	N Woods
N James	N McKinney	N Rogers	Stanley, P	N Yates
N Jamieson	N Mills	Y Royal	Stephenson	Murphy, Spkr

On the motion, the ayes were 82, nays 70.

The motion prevailed.

The Speaker announced the House in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Speaker called the House to order.

The following Resolution of the House was read:

HR 80EX. By Representative Murphy of the 18th

A RESOLUTION

Providing for the adjournment of the House of Representatives until Monday, September 11, 1995, or in the alternative, providing for the General Assembly to recess until Monday, September 11, 1995.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES and subject to concurrence therein by the Senate BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

- (1) Upon adoption of this resolution by the House of Representatives, the House of Representatives shall stand adjourned from 5:00 P.M., Saturday, September 9, 1995, until 1:30 P.M., Monday, September 11, 1995; and
- (2) If the Senate adopts and concurs in this resolution, the General Assembly shall recess at 5:00 P.M., Saturday, September 9, 1995, and shall reconvene at 1:30 P.M. on Monday, September 11, 1995.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

Y Ashe	Y Crews	Y Hugley	Y Parham	Y Smith, W
Y Bailey	Y Culbreth	Y Irvin	Y Parrish	Y Smyre
Y Baker	Y Cummings	Y James	Y Parsons	Y Snelling
Y Bannister	Y Davis, G	Y Jamieson	E Pelote	Snow
Y Barfoot	Y Davis, M	Y Jenkins	Y Perry	Y Stallings
Y Bargeron	Y Day	Y Johnson, G	Y Pinholster	Y Stancil, F
Y Barnard	Y DeLoach, B	Y Johnson, J	Y Polak	Y Stancil, S
Y Barnes	Y DeLoach, G	Y Johnston	Y Porter	Y Stanley, L
Y Bates	Dix	Jones	Y Poston	Y Stanley, P
Y Benefield	Y Dixon, H	Joyce	Y Powell	Stephenson
Y Birdsong	Y Dixon, S	Y Kaye	Y Purcell, A	Streat
Y Bordeaux	Y Dobbs	Y Kinnamon	Y Purcell, B	Y Taylor
Y Bostick	Y Ehrhart	Y Klein	Y Randall	Y Teague
Y Breedlove	Y Epps	Y Ladd	Y Randolph	Y Teper
Y Brooks, D	Y Evans	Y Lakly	Ray	Y Thomas
Y Brooks, T	Y Falls	Y Lane	Y Reaves	Y Tillman
Y Brown, G	Y Felton	Y Lawrence	Y Reichert	Y Titus
Y Brown, J	Y Floyd	Y Lee	Y Roberts	Towery
Y Brush	Y Godbee	Y Lewis	Y Rogers	Y Trense
E Buck	Y Golden	Lifsey	Y Royal	Y Turnquest
Y Buckner	Goodwin	Y Lord	Y Sanders	Y Twiggs
Y Bunn	Y Greene	Y Lucas	Y Sauder	Y Walker, L
Y Burkhalter	Y Grindley	Y Maddox	Y Scoggins	Y Walker, R.L
Y Byrd	Y Hanner	Y Mann	Y Shanahan	Wall
Y Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
Y Canty	E Harris	Y McBee	Sherrill	Y Watts
Y Carter	Y Hart	McCall	Y Shipp	Y Westmoreland
Y Chambliss	Y Heard	Y McClinton	Y Simpson	Y Whitaker
Y Channell	Y Heckstall	McKinney	Y Sinkfield	Y White
Y Childers	Y Hegstrom	Y Mills	Y Skipper	Y Wiles
Y Coker	Y Hembree	Y Mobley, B	Y Smith, C	Williams, B
Y Coleman, B	E Henson	Y Mobley, J	Y Smith, C.W	Y Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Williams, R
Y Connell	Y Holmes	Y Mueller	Smith, P	Y Woods
Y Cox	Y Howard	Y O'Neal	Y Smith, T	Y Yates
E Crawford	Y Hudson	Y Orrock	E Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 148, nays 0.

The Resolution was adopted.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

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Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 80EX. By Representative Murphy of the 18th:

A resolution relative to adjournment.

Pursuant to HR 80EX, adopted by the House and Senate, the House adjourned until 1:30 o'clock, P.M., Monday, September 11, 1995.

Representative Hall, Atlanta, Georgia**Monday, September 11, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 1:30 o'clock, P.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Ashe	Crawford	Jamieson	Mosley	Smyre
Bailey	Crews	Jenkins	Mueller	Snelling
Bannister	Culbreth	Johnson, G	O'Neal	Stallings
Barfoot	Cummings	Johnson, J	Orrock	Stancil, F
Barnard	Davis, G	Johnston	Parrish	Stancil, S
Barnes	Davis, M	Jones	Parsons	Stanley, L
Benefield	Day	Joyce	Perry	Stanley, P
Birdsong	DeLoach, B	Kinnamon	Pinholster	Streat
Bostick	DeLoach, G	Klein	Poston	Taylor
Breedlove	Dix	Ladd	Powell	Teague
Brooks, D	Dobbs	Lakly	Purcell, B	Teper
Brooks, T	Ehrhart	Lane	Randall	Thomas
Brown, G	Evans	Lawrence	Randolph	Trense
Brown, J	Felton	Lee	Reaves	Turnquest
Brush	Floyd	Lewis	Reichert	Twiggs
Buck	Godbee	Lifsey	Royal	Walker, L
Buckner	Grindley	Lord	Sanders	Walker, R.L
Bunn	Harbin	Maddox	Sauder	Wall
Burkhalter	Harris	Mann	Shanahan	Watson
Chambless	Heard	Martin	Shipp	Westmoreland
Channell	Hegstrom	McBee	Sinkfield	Wiles
Childers	Hembree	McCall	Skipper	Williams, B
Coker	Howard	McClinton	Smith, C.W	Williams, J
Coleman, B	Hudson	McKinney	Smith, P	Williams, R
Connell	Hugley	Mills	Smith, T	Woods
Cox	Irvin	Mobley, J	Smith, W	Murphy, Spkr

The following members were off the floor of the House when the roll was called:

Representatives Epps of the 131st, Mobley of the 69th, Bates of the 179th, Kaye of the 37th, Titus of the 180th, Roberts of the 162nd, Whitaker of the 7th, Heckstall of the 55th, Henson of the 65th, Bordeaux of the 151st, Dixon of the 150th, Polak of the 67th, Simpson of the 101st, Scoggins of the 24th, Hart of the 116th, Parham of the 122nd, Porter of the 143rd, Campbell of the 42nd, Tillman of the 173rd, Shaw of the 176th, Carter of the 166th, Dixon of the 168th, James of the 140th, Smith of the 109th, Rogers of the 20th, Falls of the 125th, White of the 161st, Byrd of the 170th, Stephenson of the 25th, Smith of the 175th, Purcell of the 147th, Greene of the 158th, Snow of the 2nd, Golden of the 177th, Holland of the 157th, Canty of the 52nd, Sherrill of the 62nd, Smith of the 102nd and Yates of the 106th.

They wish to be recorded as present.

Prayer was offered by Mr. Bill Nigut, Atlanta, Georgia.

The members pledged allegiance to the flag.

Representative Byrd of the 170th, Vice-Chairman of the Committee on Journals, 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.

Pursuant to Rule 58, Representative Irvin of the 45th served notice that at the next regular meeting of the House he would submit a procedural motion instructing the Committee on Legislative and Congressional Reapportionment to report the following Bill back to the House: w.libtool.com.cn

HB 23EX. By Representatives Lawrence of the 64th, Irvin of the 45th, Ehrhart of the 36th, Pinholster of the 15th, Mueller of the 152nd and others:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts.

On the motion, the roll call was ordered and the vote was as follows:

Y Ashe	Y Crews	N Hugley	N Parham	Y Smith, W
N Bailey	N Culbreth	Y Irvin	N Parrish	N Smyre
N Baker	N Cummings	James	Y Parsons	Y Snelling
Y Bannister	Davis, G	Jamieson	E Pelote	Snow
N Barfoot	Y Davis, M	N Jenkins	N Perry	N Stallings
Bargeron	Y Day	Y Johnson, G	Y Pinholster	N Stancil, F
Y Barnard	Y DeLoach, B	Y Johnson, J	N Polak	Y Stancil, S
N Barnes	Y DeLoach, G	Y Johnston	Porter	N Stanley, L
N Bates	Y Dix	N Jones	N Poston	Y Stanley, P
N Benefield	Dixon, H	Y Joyce	N Powell	Stephenson
N Birdsong	N Dixon, S	Y Kaye	Purcell, A	N Streat
N Bordeaux	N Dobbs	Y Kinnamon	N Purcell, B	N Taylor
N Bostick	Y Ehrhart	Y Klein	N Randall	Y Teague
Y Breedlove	N Epps	Y Ladd	N Randolph	N Teper
Y Brooks, D	Y Evans	Y Lakly	Ray	N Thomas
Y Brooks, T	E Falls	N Lane	N Reaves	Tillman
Y Brown, G	Y Felton	Y Lawrence	N Reichert	Y Titus
Y Brown, J	N Floyd	N Lee	Y Roberts	Y Towery
Y Brush	N Godbee	N Lewis	Rogers	Y Trense
N Buck	Golden	Y Lifsey	N Royal	N Turnquest
N Buckner	Goodwin	N Lord	Y Sanders	N Twiggs
Y Bunn	Greene	Lucas	Y Sauder	N Walker, L
Y Burkhalter	Y Grindley	Y Maddox	N Scoggins	Y Walker, R.L.
Byrd	N Hanner	Y Mann	N Shanahan	Y Wall
Campbell	Y Harbin	N Martin	Shaw	N Watson
Y Canty	Y Harris	N McBee	E Sherrill	Watts
Carter	Hart	N McCall	Y Shipp	Y Westmoreland
N Chambliss	N Heard	N McClintock	N Simpson	Y Whitaker
N Channell	N Heckstall	McKinney	N Sinkfield	Y White
N Childers	N Hegstrom	Y Mills	N Skipper	Y Wiles
Y Coker	Y Hembree	N Mobley, B	Smith, C	Y Williams, B
Y Coleman, B	N Henson	N Mobley, J	Y Smith, C.W	Y Williams, J
Coleman, T	N Holland	N Mosley	Smith, L	Y Williams, R
N Connell	Holmes	Y Mueller	N Smith, P	Y Woods
N Cox	N Howard	N O'Neal	N Smith, T	Y Yates
Y Crawford	N Hudson	N Orrock	E Smith, V	Murphy, Spkr

Pursuant to Rule 58, the above vote is a procedural vote and not a vote on the merits of HB 23EX.

On the motion, the ayes were 70, nays 78.

The motion was lost.

The following members were off the floor of the House during the preceding roll call:

Representatives Smith of the 109th, Carter of the 166th, Byrd of the 170th and Purcell of the 147th would like to be recorded as voting "nay" thereon.

Representatives McKinney of the 51st, Campbell of the 42nd and Falls of the 125th would like to be recorded as voting "aye" thereon.

September 11, 1995

Pursuant to Rule 137 of the Rules of the House of Representatives, I hereby file this entry into the Journal of the House to explain my "no" vote on today's motion to instruct the House Reapportionment Committee to pass H.B. 23EX, pursuant to Rule 58.

H.B. 23EX represents the "Gingrich-Lewis" map for congressional reapportionment. To vote for this map would be giving the inherent power this General Assembly holds to create congressional district lines over to the incumbent congressional delegation. To do so is in direct opposition of the public opinion, now consensus, that we should not act to perpetuate an incumbent congress, and through campaign finance reform and other measures we should act to level the playing field between challenger and incumbent.

Respectfully submitted,
/s/ McCracken Poston, Jr.
Dist 3

Sept. 11, 1995
2:02 PM

Mr. Speaker:

Under Rule 137 of the House I wish to place in the House Record an explanation of my vote on HB 23EX.

I voted "yes" because, as stated in Rule 58, it was a procedural vote to instruct the Committee to report the Amicus Plan back to the House. It was not a "yes" vote on the plan, which I do not support.

/s/ Barbara J. Bunn
House District 74

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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

The following Bill of the House was taken up for the purpose of considering the 2nd report of the Committee of Conference thereon:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The following 2nd report of the Committee of Conference was read:

COMMITTEE OF CONFERENCE REPORT ON HB 8EX
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The Committee of Conference on HB 8EX recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 8EX be adopted.

FOR THE SENATE:

/s/ Blitch
 Senator, 7th District

/s/ Jack Hill
 Senator, 4th District

/s/ Charles W Walker
 Senator, 22nd District

Respectfully submitted,

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ Tommy Smith
 Representative, 169th District

David E. Lucas
 Representative, 124th District

/s/ Tim Perry
 Representative, 11th District

A BILL

To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts; to provide for the election of members of Congress; to provide for the continuation of present congressional districts until a certain time; to make certain provisions relative to certain boards and bodies; to provide for continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, is amended by striking Code Section 21-2-3, relating to definitions and descriptions for use in designating congressional districts, and inserting in its place the following:

“21-2-3.

For purposes of this article:

- (1) The terms ‘Tract,’ ‘Block,’ and ‘VTD’ ‘Block Group’ shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia.
- (2) The term ‘Precinct’ is synonymous with the term ‘voting precinct’ and means a geographical area, established in accordance with Article 7 of this chapter, within which all electors vote at one polling place.
- (3) Whenever the description of any congressional district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 1990 for the State of Georgia.
- (4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any congressional district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control.

~~(6)~~(2) Any part of the State of Georgia which is described in subsection (a) of Code Section 21-2-4 as being included in a particular congressional district shall nevertheless not be included within such congressional district if such part is not contiguous to such ~~congressional district~~. Such noncontiguous part shall instead be included within that congressional district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia.”

SECTION 2.

Said article is further amended by striking the description of the 11 congressional districts immediately following the second sentence of subsection (a) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the description of the 11 congressional districts attached to this Act and made a part hereof and further identified as “Operator: state Client: congress Plan: conf3.”

SECTION 3.

Said article is further amended by striking subsection (c) of Code Section 21-2-4, relating to the composition of congressional districts of Georgia, and inserting in its place the following:

“(c) The first members elected pursuant to the provisions of this Code section shall be those who are elected to take office in January, ~~1993~~ 1997. Successors to those members and future successors shall likewise be elected under the provisions of this Code section. Until that time the members of the United States House of Representatives elected in ~~1990~~ 1994 shall continue to serve and, for all purposes relative to membership in the House of Representatives, the composition of congressional districts from which such members were elected shall remain the same. The provisions of this Code section shall be effective for the primaries and elections of ~~1992~~ 1996 for the purpose of electing the members in ~~1992~~ 1996 who are to take office in ~~1993~~ 1997. For the purpose of appointing or electing members of boards or bodies where such are made on the basis of congressional districts, the provisions of this Code section shall be effective January 1, ~~1993~~ 1997.”

SECTION 4.

Said article is further amended by striking Code Section 21-2-4.1, relating to continuation in office, dismissal, or appointment of members of constitutional or statutory boards or bodies for which membership is based on residency within a congressional district, and inserting in its place the following:

“21-2-4.1.

Any member of any constitutional or statutory board or body who is in office on January 1, ~~1993~~ 1997, and who was appointed on the basis of residency within a congressional district shall serve out the term for which the member was appointed and shall represent the congressional district created by this chapter in which the member resides unless more members of the board or body than authorized by the applicable constitutional provision or statute reside within the same congressional district. In the event any congressional district created by this chapter has residing therein more members of any such board or body than the number of members specified by the applicable constitutional provision or statute, the appointing authority shall designate which member or members representing the congressional district shall continue to serve as a member or members of the board or body. Any member not designated for continued membership shall cease to hold office as of ~~the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1~~ January 1, 1997. If a congressional district created by this chapter is not represented on a board or body as specified by the applicable constitutional provision or statute, a vacancy shall exist. Such vacancy shall be filled ~~as of the time specified in subparagraph (d)(2)(C) of Code Section 1-3-1~~ by the appointing authority appointing to the board or body a member or members from the congressional district which does not have sufficient representation. In the case of an appointment to fill a vacancy created by the displacement of a member from a congressional district on the basis of residency, the initial appointment shall be for a term ending on the date on which the term

of the member removed by the appointing authority in accordance with the foregoing requirement would have ended. The initial term of all other appointments to fill a vacancy as provided for in this Code section shall be set by the appointing authority in accordance with the schedule of expiration dates established by law for the terms of members of the board or body.”

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

District No. 1

APPLING
BACON
BRANTLEY
BRYAN
CAMDEN
CHARLTON
CHATHAM
EVANS
GLYNN
JEFF DAVIS
LIBERTY
LONG
MCINTOSH
MONTGOMERY
PIERCE
TATTNALL
TOOMBS
TREUTLEN
WARE
WAYNE
WHEELER

District No. 2

BAKER
BROOKS
CALHOUN
CHATTAHOOCHEE
CLAY
CRAWFORD
DECATUR
DOOLY
DOUGHERTY
EARLY
GRADY
LEE
LOWNDES
MACON
MARION
MILLER
MITCHELL
MUSCOGEE
Tract:0001.
Tract:0011.

Block: 201 ,202 ,203 ,204 ,206 ,207 ,208 ,221
 Tract:0012.
 Block Group:3
 Block Group:4
 Tract:0015.
 Block Group:4
 Tract:0016.
 Block: 605 ,607 ,608 ,609 ,610 ,611 ,612 ,613 ,614 ,616 ,617 , 618 ,699A
 Tract:0018.
 Block: 102 ,103 ,104 ,107 ,108 ,109 ,110 ,111 ,112 ,115 ,202 , 203 ,206 ,207 ,208 ,209
 ,210 ,211 ,212 ,213 ,214 ,215
 Block Group:3
 Block Group:4
 Tract:0019.
 Block: 120 ,121 ,122
 Block Group:2
 Tract:0020.
 Tract:0022.
 Tract:0023.
 Tract:0024.
 Tract:0025.
 Tract:0026.
 Tract:0027.
 Tract:0028.
 Tract:0029.01
 Tract:0029.02
 Tract:0030.
 Tract:0031.
 Tract:0032.
 Tract:0033.
 Tract:0034.
 Tract:0106.02
 Tract:0106.04
 Tract:0106.05
 Tract:0106.06
 Tract:0107.01
 Tract:0107.02
 Tract:0107.03
 Tract:0108.
 Tract:0109.

PEACH
 QUITMAN
 RANDOLPH
 SCHLEY
 SEMINOLE
 STEWART
 SUMTER
 TAYLOR
 TERRELL
 THOMAS
 WEBSTER

District No. 3

CLAYTON

Tract:0402.
 Block: 901 ,902 ,903 ,904 ,905 ,906 ,907 ,908A,908B,909 ,910 , 911 ,912 ,913 ,914
 ,915 ,916 ,917 ,918 ,921 ,922 ,923 , 933 ,999, 999

Tract:0403.01

Tract:0403.02

Tract:0403.03

Tract:0403.04 [tbtool.com.cn](http://www.tbtool.com.cn)

Tract:0403.05

Tract:0404.01

Tract:0404.02

Tract:0404.03

Tract:0404.05

Block: 101 ,102 ,103 ,104 ,105 ,109 ,110 ,119A,119B,120 ,121 , 122 ,123 ,124 ,126
 ,127 ,128 ,129 ,199 ,201 ,202 ,203 ,204 , 205 ,208 ,216 ,217 ,218 ,219 ,220
 ,221 ,222 ,223 ,224 , 225 ,228

Block Group:3

Tract:0404.06

Tract:0405.05

Block Group:6, except that part of Block 601B which lies north of a branch of
 Camp Creek.

Tract:0405.07

Tract:0405.08

Tract:0406.03

Tract:0406.04

Tract:0406.05

Tract:0406.06

Tract:0406.07

Tract:0406.08

COWETA

FAYETTE

HARRIS

HENRY

LAMAR

MERIWETHER

MUSCOGEE

Tract:0002.

Tract:0003.

Tract:0004.

Tract:0005.

Tract:0006.

Tract:0008.

Tract:0009.

Tract:0010.

Tract:0011.

Block Group:1

Block: 210 ,211 ,212 ,213 ,214 ,215 ,216 ,217 ,218 ,219 ,220

Block Group:3

Tract:0012.

Block Group:1

Block Group:2

Tract:0013.

Tract:0014.

Tract:0015.

Block Group:1

Block Group:2

Block Group:3

Tract:0016.

Block Group:1

Block Group:2

Block Group:3

Block Group:4
Block Group:5
Block: 601 ,602 ,603 ,604 ,606 ,615 ,699B
Tract:0018.
Block: 101 ,105 ,106 ,113 ,114 ,201
Tract:0019.
Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116
,117 ,132
Tract:0021.
Tract:0101.02
Tract:0101.03
Tract:0101.04
Tract:0102.01
Tract:0102.02
Tract:0103.01
Tract:0103.02
Tract:0104.01
Tract:0104.02
Tract:0105.
Tract:0110.

PIKE
SPALDING
TALBOT
TROUP
UPSON

District No. 4

DEKALB

Tract:0201.
Tract:0202.
Tract:0203.
Tract:0204.
Tract:0206.
Block: 101
Tract:0207.
Block: 214A
Tract:0211.
Tract:0212.02
Tract:0212.04
Tract:0212.05
Tract:0212.07
Tract:0212.08
Tract:0212.09
Tract:0212.10
Tract:0212.11
Tract:0212.12
Tract:0213.01
Tract:0213.02
Tract:0213.03
Tract:0213.04
Tract:0214.01
Tract:0214.02
Tract:0214.03
Tract:0214.04
Tract:0215.
Tract:0216.01
Tract:0216.02

Tract:0216.03

Tract:0217.02

Tract:0217.03

Tract:0217.04

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207A,208

Block Group:3

Tract:0218.05

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,211 ,212 , 213 ,214 ,215 ,216 ,217 ,218 ,219 ,220 ,221 ,222 ,223 , 224 ,225 ,226 ,227 ,228 ,230 ,231 ,232 ,233 ,234

Tract:0218.06

Block: 101 ,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115 ,116 ,117 ,118 ,119 ,120 ,121 ,122 , 123 ,124 ,125 ,126 ,127 ,128 ,129 ,130 ,131 ,132 ,133 , 134 ,135 ,136 ,138

Block Group:3

Tract:0218.08

Tract:0218.09

Tract:0218.10

Tract:0218.98

Tract:0219.02

Block Group:1

Block Group:2

Block Group:3

Tract:0222.

Block: 609A,610A

Tract:0223.01

Tract:0223.02

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,306 ,307 ,308 ,309 ,311 ,312 , 314

Tract:0224.01

Tract:0224.02

Tract:0224.03

Tract:0225.

Block Group:1

Block Group:2

Block: 303 ,304 ,313 ,314 ,315 ,408 ,412

Block Group:5

Block Group:6

Block Group:7

Tract:0226.

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,304A,305 ,306 ,307 ,308 ,309 ,310 ,311 , 312 ,313 ,314 ,315 ,316 ,319 ,321 ,322

Block Group:4

Block Group:5

Tract:0228.

Block: 101 ,102 ,103 ,104 ,106 ,115 ,401 ,402

FULTON

Tract:0114.08

Block: 201A,202 ,203A,501A,501B,501C,601A,602A

Block Group:8

Tract:0114.09

Block Group:1

Block Group:4

Tract:0116.01

Block: 303A,305A,305B,503A,504A,504F
 Block Group:7
 Tract:0116.02
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block: 701 ,702 ,703 ,704A,704B,704C,705A,705B,705C,706 ,707A,
 707B,708A,709A,709B,710
 Block Group:9
 Tract:0116.03

GWINNETT

District No. 5

CLAYTON

Tract:0401.

Tract:0402.

Block Group:1

Block Group:2

Block: 919 ,920

Tract:0404.05

Block: 106 ,107 ,108 ,206 ,207 ,227

Tract:0405.03

Tract:0405.04

Tract:0405.05

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Tract:0405.06 That part of Block 601B which lies north of a branch of Camp Creek.
 COBB

Tract:0303.21

Block: 404A,406A,407 ,408A,409 ,410 ,411

Tract:0310.01

Block: 910C,910D,910E,910L,925A,925B,926

Tract:0311.01

Block Group:2

Block: 301 ,304 ,305 ,306 ,307 ,308 ,309 ,310

Tract:0311.03

Tract:0311.05

Block: 139A,139B,139C,199,199,609A

Tract:0311.07

Block Group:2

Block: 301 ,302 ,303 ,304 ,305 ,306A,306B,306C,306D,306E,307A, 307B,308
 ,309A,309B,310 ,311 ,312 ,313 ,314 ,315A,316 ,
 317A,317B,317C,318A,318B,318C,319 ,320 ,321A,321B,322 , 323A,323B,324
 ,325 ,326 ,327 ,328 ,329 ,330 ,399 ,399 ,416A,418A

Tract:0311.08

Block Group:1

Block Group:2

Block: 312 ,313A,313B,313C,314A,314B,315 ,316 ,317 ,318 ,320A,
 320B,321A,321B,322 ,399

Block Group:4

Tract:0311.09

Tract:0312.02

Block: 304 ,306 ,307 ,308 ,311 ,312 ,313 ,314 ,315 ,316 ,317 , 318 ,319A,319B,320
 ,321 ,322 ,323 ,324A,324B,325A,325B, 326 ,327 ,328 ,329 ,330
 ,331A,331B,335 ,338 ,341 ,399A,399B

Block Group:4

Block: 501 ,502 ,503 ,504 ,505 ,506 ,507 ,508 ,509 ,510 ,511 , 513 ,514 ,526 ,527
,601A,601B,601C,602 ,603A,603B,604 , 605A,605B,605C,606
www.607A,607B,608A,608B,608C,608D,609A,
609B,610A,611B,612A,612B,612C,613A,613B,613C,613D,613E, 613F,650,699

Tract:0312.03

Block: 101A,101B,107A,108 ,110A,516A,517 ,518 ,519 ,520 ,521A

Tract:0312.04

Block: 501A,501B,502 ,503 ,504A,504B,504C,504D,505 ,506A,506B, 507A,507B,508
,513 ,514 ,515 ,516A,516B,516C,516D,517 , 518A,518B,519A,519B,519C,520
,521 ,528 ,529 ,530A,530B, 531A,531B,532

Tract:0313.01

Block: 101B,155B,155C,156 ,901A,905A,905B

Tract:0313.02

Block Group:1

Block Group:2

Block: 301 ,302 ,303 ,306 ,308 ,312 ,313 ,319 ,320 ,321 ,322 , 323 ,324

Block Group:4

Block Group:5

Block Group:9

Tract:0313.04

Block: 301 ,451 ,454 ,455

Tract:0313.05

FULTON

Tract:0001.

Tract:0002.

Tract:0004.

Tract:0005.

Tract:0006.

Tract:0007.

Tract:0008.

Tract:0010.95

Tract:0011.

Tract:0012.

Tract:0013.

Tract:0014.

Tract:0015.

Tract:0019.

Tract:0020.

Tract:0021.

Tract:0022.

Tract:0023.

Tract:0024.

Tract:0025.

Tract:0026.

Tract:0027.

Tract:0035.

Block: 103 ,107 ,108 ,109 ,110 ,111 ,112 ,113 ,114 ,115 ,116 , 117 ,119 ,120 ,121 ,122
,123 ,124 ,125 ,126 ,127 ,128 , 129 ,130 ,131A,131B,132 ,133 ,134 ,135 ,136
,137 ,138 , 139 ,140 ,141 ,142

Block Group:2

Tract:0036.

Tract:0037.

Tract:0038.

Tract:0039.

Tract:0040.

Tract:0041.

Tract:0042.95
Tract:0043.
Tract:0044.
Tract:0046.95
Tract:0048.
Tract:0049.95
 Block Group:1
 Block Group:2
 Block Group:3
 Block: 601 ,609 ,613
Tract:0053.
 Block: 401
Tract:0055.01
Tract:0055.02
Tract:0056.
Tract:0057.
Tract:0058.
Tract:0060.
Tract:0061.
Tract:0062.
Tract:0063.
Tract:0065.
Tract:0066.01
Tract:0066.02
Tract:0067.
Tract:0068.02
Tract:0070.
Tract:0071.
Tract:0072.
Tract:0073.
Tract:0074.
Tract:0075.
Tract:0076.01
Tract:0076.02
Tract:0077.01
Tract:0077.02
Tract:0078.02
Tract:0078.03
Tract:0078.04
Tract:0079.
Tract:0080.
Tract:0081.01
Tract:0081.02
Tract:0082.01
Tract:0082.02
Tract:0083.01
Tract:0083.02
Tract:0084.
Tract:0085.
Tract:0086.01
Tract:0086.02
Tract:0087.01
Tract:0087.02
Tract:0088.
Tract:0089.
Tract:0090.
Tract:0091.

Tract:0092.
 Tract:0093.
 Tract:0094.01
 Tract:0094.02
 Tract:0095.
 Tract:0096.
 Tract:0097.
 Tract:0098.
 Tract:0099.
 Tract:0100.
 Tract:0101.01
 Tract:0101.03
 Block Group:1
 Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block Group:7
 Block: 802 ,803 ,805 ,806 ,807 ,808 ,809 ,810 ,811 ,812 ,815 , 816 ,817 ,818 ,819 ,820
 ,821 ,822
 Tract:0102.01
 Tract:0102.03
 Block Group:1
 Tract:0102.04
 Block Group:3
 Block Group:4
 Block Group:5
 Block: 601 ,605 ,699
 Block Group:7
 Block Group:8
 Tract:0102.05
 Block Group:2
 Block Group:3
 Block Group:4
 Block: 501 ,503 ,504 ,505 ,506 ,507 ,508 ,509 ,510 ,511 ,512 , 513 ,514
 Block Group:7
 Tract:0103.01
 Tract:0103.02
 Tract:0104.
 Tract:0105.03
 Tract:0105.04
 Tract:0105.05
 Tract:0105.06
 Tract:0106.01
 Tract:0106.02
 Tract:0107.
 Tract:0108.
 Tract:0109.
 Tract:0110.
 Tract:0111.
 Tract:0112.01
 Tract:0112.02
 Tract:0113.01
 Tract:0113.02

CHEROKEE

Tract:0907.

Block: 511

Tract:0908. libtool.com.cn

Block: 799

Tract:0909.03

Tract:0910.01

Block: 101A,101B,101C,102A,102B,103 ,104A,104B,104C,104D,105 ,
106A,106B,106C,107A,107B,108 ,109A,109B,110A,110B,110C, 111A,111B,112
,113 ,114 ,199

Block Group:2

Block Group:3

Tract:0910.02

Block Group:1

Block Group:2

Block: 301 ,302 ,311 ,312 ,313 ,314 ,315 ,316A,316B,317A,317B,399

Tract:0910.03

Block Group:1

Block Group:2

COBB

Tract:0301.98

Tract:0302.03

Tract:0302.04

Tract:0302.05

Tract:0302.06

Tract:0302.07

Tract:0303.02

Tract:0303.07

Tract:0303.09

Tract:0303.10

Tract:0303.11

Tract:0303.12

Tract:0303.13

Tract:0303.14

Tract:0303.15

Tract:0303.16

Tract:0303.17

Tract:0303.18

Tract:0303.19

Tract:0303.20

Tract:0303.21

Block Group:2

Block Group:3

Block: 401 ,402A,402B,402C,403A,403B,403C,404B,405B,406B, 408B,412 ,413

Block Group:5

Block Group:6

Block Group:9

Tract:0304.01

Tract:0304.02

Tract:0304.04

Tract:0304.05

Tract:0304.06

Tract:0305.01

Tract:0305.02

Tract:0305.03

Tract:0306.

Tract:0307.

Tract:0308.

Tract:0309.01

Tract:0309.02

Tract:0309.03 [tbtool.com.cn](http://www.tbtool.com.cn)

Tract:0310.01

Block Group:1

Block Group:2

Block: 901 ,902 ,903 ,904 ,905 ,906 ,907A,907B,908A,908B,909A,
909B,910A,910B,910F,910G,910H,910J,910K,910M,910N,910P, 911 ,912 ,913
,914 ,915A,915B,915C,915D,916 ,917 ,918 , 919A,919B,920 ,921 ,922 ,923
,924A,924B,924C,999

Tract:0310.02

Tract:0310.03

Tract:0311.01

Block Group:1

Block: 302 ,303 ,311 ,312 ,313 ,314 ,315

Tract:0311.05

Block: 101 ,102 ,103 ,104 ,105A,105B,106 ,107A,107B,108 ,109 , 110 ,111 ,112 ,113
,114 ,115 ,116A,116B,116C,116D,116E, 116F,116G,117 ,118 ,119 ,120 ,121
,122 ,123 ,124A,124B, 125 ,126A,126B,126C,127 ,128A,128B,129
,130A,130B,130C, 131 ,132 ,134
,135A,135B,135C,136A,136B,136C,137A,137B, 138 ,601 ,602 ,603 ,604 ,605
,606 ,607 ,608 ,609B,610 , 611 ,612 ,613 ,614 ,615 ,616 ,617 ,618 ,619 ,620
,621 , 622 ,623 ,624 ,625 ,627 ,699 ,699

Tract:0311.06

Tract:0311.07

Block: 315B,401A,401B,402 ,403 ,404 ,405 ,406 ,407 ,408 , 409B,409C,409D,410 ,411
,412 ,413 ,414 ,415 ,416B,417 , 418B,419 ,420 ,421A,421B,422 ,499

Tract:0311.08

Block: 301 ,302 ,303A,303B,304 ,305 ,306 ,307 ,308 ,309 ,310A, 310B,311 ,319

Tract:0312.02

Block: 301 ,302 ,303 ,305 ,309 ,310 ,399C ,528 ,529 ,530 ,610B,611A

Tract:0312.03

Block: 102 ,103 ,104 ,105 ,106 ,107B,107C,109 ,110B,111 ,112 , 113 ,114 ,115 ,501
,502 ,503 ,504 ,505 ,506 ,507 ,508 , 509 ,510 ,511 ,512 ,513 ,514 ,515
,516B,521B,522 ,523 , 524 ,525 ,526 ,527 ,528 ,529 ,530 ,531 ,532 ,533 ,534
,599A,599B

Tract:0312.04

Block Group:2

Block: 509 ,510 ,511 ,512 ,522 ,523 ,524 ,525 ,526 ,527

Tract:0313.01

Block: 101A,102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 , 112 ,113 ,114 ,115
,116 ,117 ,118 ,119 ,155A

Block Group:2

Block Group:3

Block Group:4

Block: 901B,902 ,903 ,904 ,905C,906 ,907 ,908 ,911 ,912 ,913 ,999

Tract:0313.02

Block: 304 ,305 ,307 ,309 ,310 ,311 ,314 ,315 ,317 ,318

Tract:0313.04

Block Group:1

Block: 302 ,303 ,304 ,305 ,306 ,307 ,308 ,309 ,310 ,311 ,312 , 313 ,314 ,315 ,316 ,317
,318 ,326 ,327 ,328 ,330 ,331 , 332 ,333 ,399 ,401 ,402 ,403 ,404 ,405 ,406
,407 ,408 ,409 , 410 ,411 ,412 ,413 ,414 ,415 ,416 ,417 ,418 ,419 ,420 ,
421A,421B,422 ,423 ,424 ,425 ,426 ,427 ,428 ,429 ,430 , 431 ,432 ,433 ,434
,435 ,436 ,437 ,438 ,439 ,440 ,441 , 442 ,443 ,444 ,445 ,446 ,447 ,448 ,449
,450 ,452 ,453 ,499A,499B

Block Group:5
 Tract:0314.03
 Tract:0314.04
 Tract:0314.98
 Tract:0315.01
 Tract:0315.02
 Tract:0316.97
 Tract:0316.98

DOUGLAS
 FULTON

Tract:0101.03
 Block: 801 ,804 ,813 ,814
 Tract:0101.05
 Tract:0101.06
 Tract:0101.07
 Tract:0101.08
 Tract:0102.03

Block Group:2
 Block Group:3
 Block Group:4
 Block Group:5
 Block Group:6
 Block Group:7
 Block Group:8
 Block Group:9

Tract:0102.04
 Block Group:1
 Block Group:2
 Block: 602 ,603 ,604 ,606 ,607 ,608 ,609 ,610 ,611 ,612 ,613 , 614 ,615 ,616 ,617 ,618
 Tract:0102.05
 Block: 502

Tract:0114.03
 Tract:0114.04
 Tract:0114.05
 Tract:0114.06
 Tract:0114.07
 Tract:0114.08

Block Group:1
 Block: 201B,201C,203B,203C,203D,204 ,205 ,206A,206B,207 ,208A, 208B,299
 Block Group:3
 Block Group:4
 Block: 501D,502 ,601B,602B,602C,603 ,604 ,605 ,606 ,607 ,608 ,699

Tract:0114.09
 Block Group:2
 Block Group:3
 Block Group:5
 Block Group:6
 Block Group:7

Tract:0114.10
 Tract:0114.11
 Tract:0115.

Tract:0116.01
 Block Group:1
 Block Group:2
 Block: 301 ,302A,302B,302C,303B,304A,304B,305C,305D,306 ,307 , 308 ,309 ,310 ,311 ,399
 Block Group:4

Block: 501 ,502 ,503B,504B,504C,504D,504E,505A,505B,506

Block Group:6

Tract:0116.02

Block: 708B,708C,709C,709D

District No. 7

BARTOW
CARROLL
CATOOSA
CHATTOOGA
DADE
FLOYD
GORDON
HARALSON
HEARD
MURRAY
PAULDING
POLK
WALKER
WHITFIELD

District No. 8

ATKINSON
BEN_HILL
BERRIEN
BIBB
BLECKLEY
CLINCH
COFFEE
COLQUITT
COOK
CRISP
DODGE
ECHOLS
HOUSTON
IRWIN
JONES
LANIER
LAURENS
PULASKI
TELFAIR
TIFT
TURNER
TWIGGS
WILCOX
WORTH

District No. 9

BANKS
BARROW
CHEROKEE
Tract:0901.
Tract:0902.
Tract:0903.
Tract:0904.
Tract:0905.

Tract:0906.

Tract:0907.

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block: 501A,501B,502A,502B,502C,503A,503B,503C,503D,504A,504B, 504C,505 ,506 ,507 ,508 ,509 ,510 ,599A,599B

Block Group:6

Tract:0908.

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Block Group:6

Block: 701 ,702 ,703 ,704 ,705

Tract:0909.01

Tract:0909.02

Tract:0910.01

Tract:0910.02

Block: 303 ,304 ,305 ,306 ,307 ,308 ,309 ,310

Tract:0910.03

Block Group:3

Tract:0911.01

Tract:0911.03

Tract:0911.98

Tract:0912.98

- CLARKE
- DAWSON
- FANNIN
- FORSYTH
- FRANKLIN
- GILMER
- HABERSHAM
- HALL
- HART
- JACKSON
- LUMPKIN
- MADISON
- PICKENS
- RABUN
- STEPHENS
- TOWNS
- UNION
- WHITE

District No. 10

- BULLOCH
- BURKE
- CANDLER
- COLUMBIA
- EFFINGHAM
- ELBERT
- EMANUEL
- GLASCOCK
- JEFFERSON

JENKINS
 JOHNSON
 LINCOLN
 MCDUFFIE
 MORGAN
 OCONEE
 OGLETHORPE
 RICHMOND
 SCREVEN
 WALTON
 WASHINGTON
 WILKES
 WILKINSON

District No. 11

BALDWIN
 BUTTS
 DEKALB

Tract:0205.

Tract:0206.

Block: 102 ,103 ,104 ,105 ,106 ,107 ,108 ,109 ,110 ,111 ,112 , 113

Block Group:2

Block Group:3

Tract:0207.

Block Group:1

Block: 201 ,202 ,203 ,204 ,205 ,206 ,207 ,208 ,209 ,210 ,211 , 212 ,213 ,214B,215
 ,216

Tract:0208.

Tract:0209.

Tract:0217.04

Block: 207B,209 ,210 ,211 ,212 ,213 ,214 ,215 ,216 ,217 ,218

Block Group:9

Tract:0218.05

Block: 210 ,229

Block Group:4

Tract:0218.06

Block: 137 ,139, 199

Tract:0219.02

Block Group:4

Tract:0219.03

Tract:0219.04

Tract:0219.05

Tract:0220.01

Tract:0220.02

Tract:0220.04

Tract:0220.05

Tract:0221.

Tract:0222.

Block Group:1

Block Group:2

Block Group:3

Block Group:4

Block Group:5

Block: 601 ,602 ,603 ,604 ,605 ,606 ,607 ,608 ,609B,610B,611 , 612 ,613 ,614

Tract:0223.02

Block: 310

Tract:0225.

Block: 309 ,316 ,317 ,318 ,319 ,320 ,401 ,402 ,403 ,404 ,405 , 406 ,411
Tract:0226.

Block: 304B

Tract:0227. www.libtool.com.cn

Tract:0228.

Block: 105 ,107 ,108 ,109 ,110 ,111 ,112 ,113 ,114

Block Group:2

Block Group:3

Block: 403 ,404 ,405 ,409 ,414

Tract:0229.

Tract:0230.

Tract:0231.01

Tract:0231.02

Tract:0231.03

Tract:0231.05

Tract:0231.06

Tract:0232.03

Tract:0232.04

Tract:0232.05

Tract:0232.06

Tract:0232.07

Tract:0233.02

Tract:0233.03

Tract:0233.05

Tract:0233.06

Tract:0233.07

Tract:0233.08

Tract:0234.03

Tract:0234.04

Tract:0234.05

Tract:0234.07

Tract:0234.08

Tract:0234.09

Tract:0235.01

Tract:0235.02

Tract:0235.03

Tract:0236.

Tract:0237.

Tract:0238.01

Tract:0238.02

Tract:0238.03

Tract:0239.98

FULTON

Tract:0016.

Tract:0017.

Tract:0018.

Tract:0028.

Tract:0029.

Tract:0030.

Tract:0031.

Tract:0032.

Tract:0033.

Tract:0035.

Block: 101 ,102 ,104 ,105 ,106 ,118

Tract:0049.95

Block Group:4

Block Group:5

Block: 602 ,603 ,604 ,605 ,606 ,607 ,608 ,610 ,611 ,612

Tract:0050.

Tract:0052.

Tract:0053. libtool.com.cn

Block Group:1

Block Group:2

Block Group:3

Block: 402 ,403 ,404 ,405 ,406 ,407 ,408 ,409 ,410 ,411

Block Group:5

Tract:0064.

Tract:0068.01

Tract:0069.

GREENE

HANCOCK

JASPER

MONROE

NEWTON

PUTNAM

ROCKDALE

TALIAFERRO

WARREN

Representative Smith of the 169th moved that the House adopt the 2nd report of the Committee of Conference on HB 8EX.

On the motion, the roll call was ordered and the vote was as follows:

N Ashe	N Crews	N Hugley	N Parham	N Smith, W
N Bailey	N Culbreth	N Irvin	N Parrish	N Smyre
N Baker	Y Cummings	James	N Parsons	N Snelling
N Bannister	N Davis, G	Y Jamieson	E Pelote	Snow
Y Barfoot	N Davis, M	N Jenkins	Y Perry	N Stallings
Y Bargeron	N Day	Y Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	N Johnson, J	N Polak	N Stancil, S
N Barnes	Y DeLoach, G	N Johnston	Y Porter	N Stanley, L
N Bates	N Dix	N Jones	Y Poston	N Stanley, P
Y Benefield	Dixon, H	N Joyce	Powell	Stephenson
Y Birdsong	N Dixon, S	N Kaye	Purcell, A	N Streat
N Bordeaux	N Dobbs	N Kinnamon	N Purcell, B	N Taylor
N Bostick	N Ehrhart	N Klein	N Randall	N Teague
Y Breedlove	N Epps	N Ladd	N Randolph	N Teper
N Brooks, D	N Evans	Y Lakly	Ray	N Thomas
N Brooks, T	E Falls	N Lane	Y Reaves	Tillman
N Brown, G	N Felton	N Lawrence	Y Reichert	N Titus
N Brown, J	N Floyd	Y Lee	N Roberts	N Towyery
N Brush	Godbee	Y Lewis	Rogers	N Trense
N Buck	Golden	N Lifsey	N Royal	N Turnquest
Y Buckner	Goodwin	Lord	N Sanders	Y Twiggs
N Bunn	Greene	Lucas	N Sauder	N Walker, L
N Burkhalter	N Grindley	N Maddox	N Scoggins	N Walker, R.L.
Byrd	Hanner	N Mann	Y Shanahan	Y Wall
N Campbell	N Harbin	N Martin	Shaw	N Watson
N Canty	N Harris	N McBee	E Sherrill	Watts
Carter	N Hart	N McCall	N Shipp	Y Westmoreland
N Chambless	N Heard	N McClinton	Y Simpson	N Whitaker
N Channell	N Heckstall	N McKinney	N Sinkfield	N White
Y Childers	N Hegstrom	N Mills	Y Skipper	N Wiles
N Coker	N Hembree	N Mobley, B	Smith, C	N Williams, B
N Coleman, B	N Henson	N Mobley, J	N Smith, C.W	N Williams, J
Coleman, T	N Holland	N Mosley	Smith, L	N Williams, R
N Connell	Holmes	N Mueller	Y Smith, P	N Woods
N Cox	N Howard	N O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	N Orrock	E Smith, V	Murphy, Spkr

On the motion, the ayes were 28, nays 122.

The motion was lost and the 2nd report of the Committee of Conference was rejected.

The following members were off the floor of the House during the preceding roll call:

Representatives Smith of the 109th, Carter of the 166th, Purcell of the 147th, Byrd of the 170th and Falls of the 125th would like to be recorded as voting "nay" thereon.

Representatives Smith of the 175th, Stephenson of the 25th, Powell of the 23rd and Rogers of the 20th would like to be recorded as voting "aye" thereon.

The following Resolutions of the House were read and adopted:

HR 81EX. By Representatives Kinnamon of the 4th and Mann of the 5th:

A resolution commending Leigh Ann Scott.

HR 82EX. By Representatives Mosley of the 171st, Byrd of the 170th and Falls of the 125th:

A resolution congratulating the family of Leonard and Quinelle Perkins on their selection as the Odum Family of the Year.

HR 83EX. By Representative Bailey of the 93rd:

A resolution recognizing the 30th anniversary of St. Philip Benizi Catholic Church.

HR 84EX. By Representative Buckner of the 95th:

A resolution commending the Clayton Community Bible Church and Youth Ranch.

HR 85EX. By Representatives Mueller of the 152nd, Day of the 153rd, Dixon of the 150th, Stancil of the 16th and Irvin of the 45th:

A resolution congratulating Pauline and Clyde Tucker, Sr., on their fiftieth wedding anniversary.

HR 86EX. By Representative Byrd of the 170th:

A resolution commending Leslie Mills.

HR 87EX. By Representative Byrd of the 170th:

A resolution commending Mrs. Ethelyn S. Creech.

HR 88EX. By Representatives Mobley of the 69th, Randolph of the 72nd and Baker of the 70th:

A resolution commending Ms. Vivian Moore.

HR 89EX. By Representatives Mobley of the 69th, Randolph of the 72nd, Baker of the 70th and Turnquest of the 73rd:

A resolution commending Rev. George O. McCalep, Jr.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has rejected the report of the second Committee of Conference on the following bill of the House:

HB 8EX. By Representatives Smith of the 169th, Holland of the 157th and Perry of the 11th:

A bill to amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to general provisions regarding elections and primaries generally, so as to provide definitions and descriptions for use in designating congressional districts; to provide for the description of congressional districts.

The Speaker announced the House in recess until 8:30 o'clock this evening.

EVENING SESSION

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The Speaker called the House to order.

The following Resolution of the House was read:

HR 90EX. By Representatives Murphy of the 18th, Coleman of the 142nd, Buck of the 135th, Benefield of the 96th, Birdsong of the 123rd and others

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn sine die at 12:00 midnight on Monday, September 11, 1995.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

N Ashe	N Crews	N Hugley	Parham	N Smith, W
Y Bailey	Y Culbreth	N Irvin	Y Parrish	N Smyre
N Baker	Y Cummings	N James	Y Parsons	N Snelling
N Bannister	Davis, G	N Jamieson	E Pelote	Y Snow
Y Barfoot	N Davis, M	Y Jenkins	Perry	Y Stallings
Bargeron	N Day	N Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	Y Johnson, J	Y Polak	N Stancil, S
Y Barnes	N DeLoach, G	N Johnston	N Porter	N Stanley, L
Y Bates	N Dix	N Jones	N Poston	N Stanley, P
Y Benefield	Y Dixon, H	E Joyce	Y Powell	Y Stephenson
Y Birdsong	Y Dixon, S	N Kaye	Y Purcell, A	Y Streat
Y Bordeaux	Y Dobbs	Y Kinnamon	Y Purcell, B	N Taylor
Bostick	N Ehrhart	N Klein	N Randall	N Teague
Y Breedlove	N Epps	N Ladd	N Randolph	Y Teper
N Brooks, D	N Evans	N Lakly	Ray	N Thomas
N Brooks, T	N Falls	Y Lane	Y Reaves	N Tillman
N Brown, G	N Felton	N Lawrence	Y Reichert	Y Titus
N Brown, J	Y Floyd	Y Lee	N Roberts	Y Towery
Y Brush	Godbee	Y Lewis	Y Rogers	N Trense
Y Buck	Y Golden	Y Lifsey	Y Royal	N Turnquest
N Buckner	N Goodwin	Y Lord	N Sanders	Y Twiggs
N Bunn	Y Greene	Y Lucas	Y Sauder	Y Walker, L
N Burkhalter	Y Grindley	N Maddox	Y Scoggins	Y Walker, R.L
Y Byrd	Y Hanner	N Mann	Y Shanahan	N Wall
N Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
N Canty	N Harris	Y McBee	Y Sherrill	Watts
Y Carter	N Hart	Y McCall	Shipp	N Westmoreland
Y Chambliss	N Heard	N McClinton	Y Simpson	N Whitaker
Y Channell	N Heckstall	N McKinney	N Sinkfield	N White
Y Childers	Y Hegstrom	N Mills	Y Skipper	Y Wiles
Y Coker	N Hembree	N Mobley, B	Y Smith, C	N Williams, B
N Coleman, B	Y Henson	Y Mobley, J	N Smith, C.W	Y Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Y Williams, R
Y Connell	Holmes	N Mueller	Y Smith, P	Woods
Y Cox	N Howard	N O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	Y Orrock	N Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 85, nays 81.

The Resolution, having failed to receive the requisite constitutional majority, was lost.

Representative Woods of the 32nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Walker of the 141st moved that the House do now adjourn until 1:30 o'clock, tomorrow afternoon and the motion prevailed.

The Speaker announced the House adjourned until 1:30 o'clock, tomorrow afternoon.

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Representative Hall, Atlanta, Georgia**Tuesday, September 12, 1995**www.libtool.com.cn

The House met pursuant to adjournment at 1:30 o'clock, P.M., this day and was called to order by the Speaker.

By unanimous consent, the call of the roll was dispensed with.

Prayer was offered by Representative Len Walker, District 87, Loganville, Georgia.

The members pledged allegiance to the flag.

Representative Mosley of the 171st, Secretary of the Committee on Journals, 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.

Pursuant to Rule 58, Representative Evans of the 28th served notice that at the next regular meeting of the House he would submit a procedural motion instructing the Committee on Legislative and Congressional Reapportionment to report the following Bill back to the House:

HB 5EX. By Representatives Lawrence of the 64th, Irvin of the 45th, Ehrhart of the 36th, Ladd of the 59th and Bannister of the 77th:

A bill to amend Code Section 21-2-4 of the Official Code of Georgia Annotated, relating to the composition of congressional districts of Georgia, so as to change the description of such districts.

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.
7. That the Speaker may in his discretion call up any Bill on the General Calendar in any order that he desires.

The following Resolution of the House was read:

HR 91EX. By Representative Murphy of the 18th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the General Assembly shall adjourn sine die at 3:00 P.M. on Tuesday, September 12, 1995.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

N Ashe	N Crews	Y Hugley	Parham	N Smith, W
Y Bailey	Y Culbreth	N Irvin	Y Parrish	Y Smyre
Baker	Y Cummings	Y James	Y Parsons	N Snelling
N Bannister	Y Davis, G	N Jamieson	E Pelote	Y Snow
Y Barfoot	N Davis, M	Y Jenkins	N Perry	Y Stallings
Bargeron	Y Day	N Johnson, G	N Pinholster	Y Stancil, F
N Barnard	N DeLoach, B	Y Johnson, J	Y Polak	N Stancil, S
Y Barnes	DeLoach, G	N Johnston	Y Porter	Stanley, L
Y Bates	N Dix	Y Jones	N Poston	N Stanley, P
Y Benefield	Y Dixon, H	E Joyce	Y Powell	Stephenson
Y Birdsong	Y Dixon, S	N Kaye	Y Purcell, A	Y Streat
E Bordeaux	Y Dobbs	Y Kinnamon	Purcell, B	Y Taylor
Bostick	Y Ehrhart	N Klein	Y Randall	N Teague
Y Breedlove	Epps	N Ladd	N Randolph	Y Teper
N Brooks, D	N Evans	N Lakly	Ray	Y Thomas
Y Brooks, T	N Falls	Y Lane	Y Reaves	Y Tillman
Y Brown, G	N Felton	N Lawrence	Y Reichert	Y Titus
N Brown, J	Y Floyd	Y Lee	N Roberts	Y Towery
Y Brush	Y Godbee	Y Lewis	Y Rogers	N Trense
Y Buck	Y Golden	Y Lifsey	Y Royal	Y Turnquest
Y Buckner	Goodwin	Y Lord	N Sanders	Twiggs
N Bunn	Greene	Lucas	Y Sauder	Y Walker, L
Burkhalter	Y Grindley	N Maddox	Y Scoggins	Y Walker, R.L
Byrd	Y Hanner	N Mann	Shanahan	N Wall
Campbell	Y Harbin	Y Martin	Y Shaw	Y Watson
Canty	N Harris	Y McBee	Y Sherrill	E Watts
Y Carter	Hart	Y McCall	Y Shipp	N Westmoreland
Y Chambliss	Y Heard	Y McClintone	Y Simpson	N Whitaker
Y Channell	N Heckstall	Y McKinney	Y Sinkfield	N White
Y Childers	Y Hegstrom	N Mills	Y Skipper	Y Wiles
Y Coker	N Hembree	Y Mobley, B	Y Smith, C	N Williams, B
Y Coleman, B	Y Henson	Y Mobley, J	N Smith, C.W	Y Williams, J
Y Coleman, T	Y Holland	Y Mosley	Y Smith, L	Y Williams, R
Y Connell	Holmes	N Mueller	Y Smith, P	Y Woods
Y Cox	Howard	Y O'Neal	Y Smith, T	N Yates
N Crawford	Y Hudson	Orrock	N Smith, V	Murphy, Spkr

On the adoption of the Resolution, the ayes were 102, nays 50.

The Resolution was adopted.

Due to a mechanical malfunction, the vote of Representatives Byrd of the 170th, Baker of the 70th, Lucas of the 124th and Shanahan of the 10th was not recorded on the preceding roll call. They wished to be recorded as voting "aye" thereon.

Due to a mechanical malfunction, the vote of Representative Epps of the 131st was not recorded on the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Brooks of the 54th arose to a point of personal privilege and addressed the House.

Representative Walker of the 141st arose to a point of personal privilege and addressed the House.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 91EX. By Representative Murphy of the 18th:

A resolution relative to adjournment.

Pursuant to HR 91EX, adopted by the House and Senate, the Speaker announced the House adjourned sine die.

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OF THE

HOUSE OF REPRESENTATIVES

REGULAR SESSION

1996

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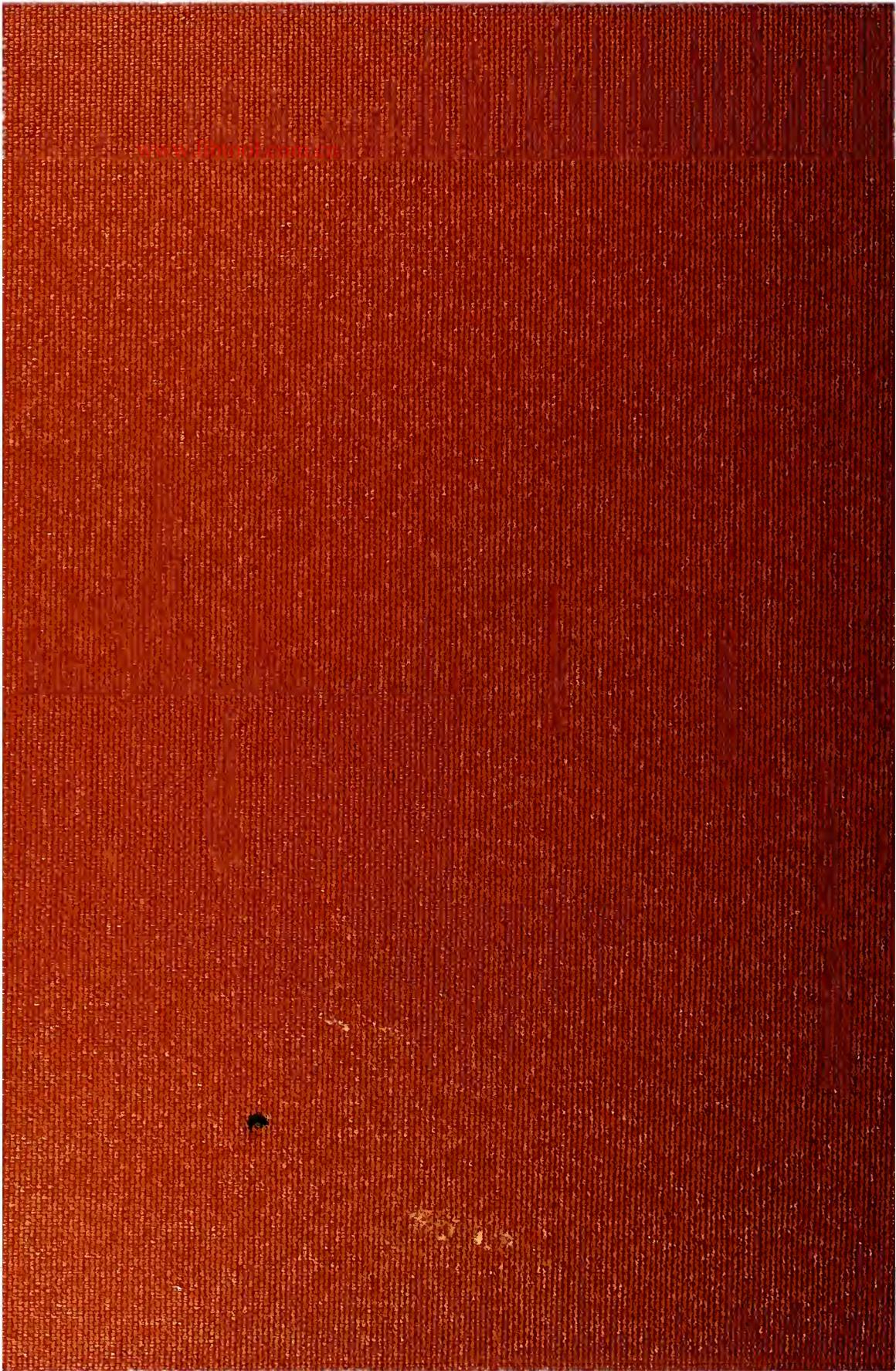
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