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SENATE PUBLIC SAFETY AND HOMELAND SECURITY  
2005 - 2006 SESSION

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## **Senate Public Safety and Homeland Security Committee**

### **2005 Rules**

1. Quorum of the Committee shall be Five (5) members.
2. The Chairman shall determine which bills and resolutions are to be considered and the order in which said measures are considered; the Chairman shall have the authority to call a bill, resolution, substitute, or amendment for debate and explanation only.
3. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full committee at such time as shall be designated by the Chairman.
4. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
5. The Chairman reserves the right to delay action on substitutes and amendments not provided to the Chairman at least 24 hours prior to hearing.
6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report in writing, setting forth concise reasons for their dissent.
7. These rules may be amended upon a motion duly made and subsequently approved by a quorum of the Committee, in a meeting called by the Chairman.
8. A bill, resolution, or other matter will be considered only after presentation by its principal author or a legislator whom he or she designates to do so. In the event that more than one member of the General Assembly has signed a measure, the principle author shall be the one whose name appeared first in the list of authors.
9. When these rules are silent on a specific issue, the Rules of the Senate, as adopted, shall govern.

Minutes of the  
Senate Public Safety and Homeland Security Committee  
January 26, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, January 26, 2005 in the LOB 307. Senator Kemp called the meeting to order at 2:30 p.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Chapman 3<sup>rd</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, and Seay 34<sup>th</sup>.

Senator Kemp, the Chairman welcomed everyone and introduced the staff and the Committee members.

Senator Butler 55<sup>th</sup> and Senator Tolleson, 20<sup>th</sup>, arrived at 2:40 p.m.

Senator Kemp praised Senator Rooney Bowen for all of his years of service as the Chairman to the Public Safety Committee.

Senator Kemp presented the rules to the Committee. Senator Seay made a motion for the adoption of the Committee Rules with a second from Senator Mullis. The rules were unanimously adopted.

Senator Kemp introduced Eddy Buckholts, President of the Georgia Mutual Aid Group and the EMA Director for the City of Forest Park and Hugh Futrell, President of the Georgia Fire Chiefs Association. They gave a short presentation to the Committee.

The meeting adjourned at 2:55 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman,  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
February 2, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 2, 2005 in LOB 307. Senator Kemp 30<sup>th</sup>, the Chairman, called the meeting to order at 2:30 p.m.

Present were Senators Kemp 46<sup>th</sup>, Chapman 3<sup>rd</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, Seay 34<sup>th</sup>, and Tolleson 20<sup>th</sup>.

Senator Butler arrived at 2:45 p.m.

**SB 64 (Sen. Douglas, 17<sup>th</sup>) Law Enforcement Motor Vehicles; blue lights on roof; enforce requirement.**

Senator Douglas said that this bill is to remove the requirement to have the light bar on police cars. It was instituted by 2001 session and until then it had been used voluntarily for police departments and law enforcement departments. He said that state troopers and the sheriffs associations were in agreement with this bill. He showed the Committee posters of the cars without the bar across the top.

Al Wilson, a GA State Trooper said they were getting more and more complaints about aggressive drivers, using emergency lanes for passing lanes, tailgating, cutting in and out on motorists. Those things never occur in plain sight of law enforcement officers. Using slick top car, it gives a tool to observe that unhampered behavior. He said that this bill is not about unmarked cars.

Senator Kemp said he is putting the bill in a subcommittee to get more input from everyone. He said that he is not putting it in a subcommittee for it to die, but to get more information and have some more input.

Senator Kemp appointed Senator Chapman 3<sup>rd</sup>, as Chairman and Senator Carter 13<sup>th</sup>, and Senator Seay 34<sup>th</sup> as the members.

**SB 58 (Sen. Hamrick, 30<sup>th</sup>) Street Gang Terrorism/Prevention; change/add certain definitions.**

Senator Hamrick introduced Jason Deal, a District Attorney for the Northeastern Judicial Circuit to speak to the bill. He introduced some officers that wanted to talk to the Committee about gangs and how they affect the community. He introduced Mario Silva, President of the Georgia Association of Gang Investigators, and Sgt. Hosea' Diaz, Gwinnett County, and Charlie Rider, an Officer in DeKalb County.

After some discussion by the committee, Senator Kemp thanked the officers for coming and he told them that he appreciated the job they did for the community and the state.

Senator Hamrick continued to present his bill and he said that with the Youth and Crime Study Committee he chaired during the interim, that he learned more about gangs and the problems.

He said that Jason Deal told him that the gang prosecution is not used very often because it is not written well enough to use.

Sandra Michaels from the GA Association of Criminal Defense Lawyers spoke out against the bill and said that the language was too broad. She said that she worked on the original gang bill that passed a few years ago. She said that she didn't feel there was a problem because gangs are being prosecuted and she thought that this was unfair.

Katherine Huffman from the Southeastern Center for Human Rights also spoke against the bill.

Senator Hamrick said that since there were a lot of questions and some spoke against the bill, he would not request a vote at this time and he would continue working on the bill.

Senator Kemp told Senator Hamrick that he appreciated his concern and to let him know when he wanted the bill back on the agenda.

**SB 59 (Sen. Hamrick, 30<sup>th</sup>) County Diversion Centers; establishment; county governing authority**

Senator Hamrick said that he was withdrawing this bill and would talk to Senator Kemp about it later.

Senator Kemp introduced Mike Sherberger, Director of GEMA and Interim Director of Homeland Security to speak to the Committee. Mike Sherberger then introduced Bill Kitchens to talk about a real effective business partnership Business Executives for National Security (BENS). He introduced Conrad H. Busch, Executive Director of BENS Group, Atlanta Region.

Conrad Busch talked about BENS and explained their organization. He said that it is a national non-partisan, nonprofit organization of senior business executives applying their expertise and leadership to the national security apparatus. The organization is highly regarded for its' proven record of using business skills and best practices to achieve measurable, demonstrable results. It is well qualified and staffed to help address the terrorist threats that menace our nation. BENS is working on several homeland security projects with Mike Sherberger and his folks.

Senator Kemp thanked them for coming and speaking to the Committee. Senator Kemp said that one of his goals, as Chairman, was to make the public more aware of what is happening with Homeland Security in the state.

After some questions by Committee members, the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
February 9, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 9, 2005 in the LOB 307. Senator Kemp called the meeting to order at 2:30 p.m.

Present were Senators Kemp, 46<sup>th</sup>, Chapman 3<sup>rd</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, and Tolleson 20<sup>th</sup>.

**SB 93 (Sen. Harp, 29th) Motor Vehicles; use of materials covering license plates; prohibit**

Senator Harp presented his bill to the Committee and he presented some photographs of people using their hands to cover a license plate. The covers that are being put on license obscure photographic equipment from taking pictures of the license. He said because of armed robberies are taking place in banks and convenience stores, security cameras are unable to get the tag numbers because of the coatings.

He said that DOT came to him and asked him to amend the bill to include body parts in the bill. On line 3 after plastic, insert a comma, after material, insert a comma, and add "or body parts. Also on line 11 after "other material" insert a comma and add "or any part of his or her body". On line 14, take out "not to exceed" and the line reads, "punished by a fine of \$1,000.00."

Senator Seay made a motion that **SB 93 do pass by substitute**. Senator Tolleson seconded the motion and the bill passed unanimously.

**SB 64 (Sen. Douglas, 17th) Substitute--To repeal the requirement that officers enforcing traffic law have a blue light on the roof of their vehicles.**

Senator Kemp said that this bill had been in a sub-committee and it was passed out unanimously.

Senator Douglas said there had been some misunderstanding about this bill and he wanted to clear it up. It is not an effort to get unmarked cars on the road, it is to make the light bar optional for departments and agencies. He said it was supported by the Sheriff's Association and State Troopers and the Association of Chiefs of Police.

Senator Douglas showed some photographs of cars without the light bar. He said the bars would still be on the front and back of the cars, just not on top.

Richard Ashmore with the Georgia State Patrol was introduced by Senator Douglas to speak for the bill.

After some discussion, Senator Tolleson, 20<sup>th</sup> made a motion that **SB 64 do pass by substitute**. Senator Seay, 34<sup>th</sup> seconded the motion and the bill passed unanimously.

**SB 58 (Sen. Hamrick, 30<sup>th</sup>) Substitute. Relating to definitions regarding street gang terrorism and prevention**

Senator Hamrick introduced Jason Deal, a District Attorney for the Northeastern Judicial Circuit to explain the changes to the bill.

Sandra Michaels with the GA Defense Lawyers Association spoke and said she agreed with some of the changes, but still did not approve.

Jason Deal said it is not illegal to be a member of a gang, but it is illegal to be a member of a gang and go out and commit a criminal offense.

Senator Miles left at 3:10 p.m.

After some discussion by the Committee, Senator Carter made a motion that **SB58 do pass by substitute**. Senator Tolleson seconded the motion and SB58 passed with a vote of 3-2; Senator Butler, 55<sup>th</sup> and Senator Seay, 34<sup>th</sup> voting no.

**SB 117 (Sen. Heath, 31<sup>st</sup>) To provide any license plate issued in the year 1970 or before shall be an authentic historical plate.**

Senator Tolleson left at 3:25 p.m.

Senator Heath said that he knows of no opposition to this bill.

Doug Hooper the Director of Motor Vehicle Safety Department. He talked about the changes to the data base and that he has a question on the effective date. Senator Kemp said they would check on that and fix it on the floor.

Senator Chapman, 3<sup>rd</sup>, made a motion that **SB117 do pass**. The motion was seconded by Senator Seay, 34<sup>th</sup> and the bill passed unanimously.

The meeting adjourned at 3:30 p.m.

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
February 16, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 16, 2005 in LOB 307. Senator Kemp, the Chairman, called the meeting to order at 2:35 p.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Butler 55<sup>th</sup>, Carter 13<sup>th</sup>, Seay 34<sup>th</sup>, and Tolleson 20<sup>th</sup>.

**SB 69 (Sen. Mullis, 53<sup>rd</sup>) License Plates; Special: Choose Life, Inc., provide insurance; renewal, fees.**

Senator Mullis presented his bill to the Committee.

Senator Chapman 3<sup>rd</sup>, arrived at 2:40p.m.

Senator Miles 43<sup>rd</sup>, arrived at 2:45 p.m.

Maggie Garrett with the ACLU spoke against the bill. After much discussion, Senator Tolleson made a motion that **SB 69 do pass**. Senator Mullis seconded the motion and SB 69 passed by a vote of 4 - 3, with Senators Carter, Chapman, Mullis and Tolleson voting yea and Senators Butler, Miles and Seay voting nay.

**SB 142 (Sen. Mullis, 53<sup>rd</sup>) Plates, Prestige License, promote foundation of Atlanta Braves professional sports team**

Senator Mullis presented his bill and Senator Miles made a motion that **SB 142 do pass**. Senator Seay seconded the motion and SB 142 passed unanimously.

**SB 146 (Sen. Mullis, 53<sup>rd</sup>) GBI; Change Directors title; Antiterrorism Task Force; change certain provisions.**

Senator Mullis explained that all this bill does is change the title from "Director of Investigation" to GBI Director.

John Bankhead from the GBI, spoke in favor of this bill.

Senator Tolleson made a motion that **SB 146 do pass**. Senator Carter seconded the motion and SB 146 passed unanimously.

**SB 168 (Sen. Rogers, 21<sup>st</sup>) Substitute--License Plates; (NASCAR) logo; support Governor's Highway Safety Program**

Senator Rogers presented his bill to the Committee and Senator Carter made a motion that **SB168 do pass by substitute**. Senator Mullis seconded the motion and SB168 passed unanimously.

**HB 151 (Rep. Martin, 47<sup>th</sup>) Drivers' Licenses; information available to insurers; extend pilot program**

Representative Martin explained that this bill would limit some information given to insurers when requesting a driving history.

Senator Mullis made a motion that **HB151 do pass**. Senator Butler seconded the motion and the bill passed unanimously.

Meeting was adjourned at 3:15 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
February 23, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, February 23, 2005 in LOB 306. The meeting started in this room because LOB 307 was still occupied by another committee. Senator Kemp, the Chairman, called the meeting to order at 12:10 p.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Butler 55<sup>th</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, and Seay 34<sup>th</sup>.

**SB 126 (Sen. Chance, 16<sup>th</sup>) Special License Plate; promotion Georgia Center for Book; insurance, renewal**

Senator Tolleson arrived at 12:18p.m.

Senator Chance said that he was contacted by GA Counsel of Public Libraries to try and come up with an inexpensive way to support all of the libraries. He said that he came up with a license plate and the proceeds would go to them. He said that one of the goals would be to get more Georgia authors involved to get their books in our libraries.

Senator Mullis made a motion that **SB126 do pass**. Senator Miles seconded the motion and SB126 passed unanimously.

**SR 86 (Sen. Chance, 16<sup>th</sup>) Special License Plate promoting Georgia Center for book; donations**

Senator Chance said that this bill is a companion to SB 126 because they have to have a constitutional amendment to make sure that the funds are allocated properly.

Senator Seay made a motion that **SR 86 do pass**. Senator Butler seconded the motion and SR 86 passed unanimously.

Senator Mullis left at 12:25 p.m.

**SB 205 (Sen. Cagle, 49<sup>th</sup>) Alcoholic Beverages; unlawful to consume under 21 years; suspend driver's license**

Senator Cagle said this bill deals with underage drinking and the problems. He said that no person under 21 years of age shall knowingly consume alcohol beverage. He said it deals with those who are actually purchasing the alcohol and giving it to the under 21 age group. Senator Cagle said he found that there is an abundance of kids under the age of 21 consuming alcohol and that it is being purchased for them. He said it would be attached to

their driver's license and lose them for 6 months. He said he thought it would curb the underage drinking and the way to get to them is through their license.

After some lengthy discussion by the Committee, Senator Miles made a motion that [SB 205](#) **do pass**. Senator Seay seconded the motion and SB 205 passed unanimously.

Senator Chapman arrived at 12:35 p.m.

The Committee moved to LOB 307 to continue the meeting.

Senator Mullis arrived 12:40 p.m.

### **[SB 175](#) (Sen. Mullis, 53<sup>rd</sup>) Brady Law; regulations; comprehensive revision**

Senator Mullis presented a substitute and he introduced Vernon Keenan, Director of the GBI and John Bankhead, Director of Public Affairs with the GBI to present the bill and talk about the substitute.

John Bankhead said that the state is repealing the state rating of instant gun check. The FBI does it now at no charge, the code section adds one main component. He said what they are trying to do is to submit to FBI the involuntarily hospitalization data base so they can use it to disqualify potential gun buyers.

Vernon Keenan explained the program and how the state is losing money for these checks. FBI operates national background check program. The state is duplicating what the FBI does. There are 33 states that use the FBI program. If the bill passes, it would be turned over to the FBI to do these background checks.

He said they had worked with the Governor to eliminate the GBI program and the responsibility of the background checks to be turned over to the FBI.

John Thomas with the National Rifle Association spoke in favor of the bill.

Speaking against the bill:

Alice Johnson, Georgians for Gun Safety

Betsy Brevard, President of Georgians for Gun Safety

Paul McKeon, Georgians for Gun Safety

Marguerite Russell, GA Coalition Against Domestic Violence

Shirley Brittain, Atlanta Police Department

Kathleen Allen, Jean Child's Young Institute For Youth Leadership

Senator Seay left at 1:05 p.m. and returned at 1:07 p.m.

Vernon Keenan answered questions from members of the Committee.

Senator Seay left at 1:25 p.m. and returned at 1:35 p.m.

Senator Carter left at 1:32 p.m.

Senator Tolleson made a motion that **SB175 do pass by substitute**. Senator Carter seconded the motion and SB175 passed unanimously.

Senator Butler presented 3 amendments:

AM280475—it would restore some of the language

AM280473—puts back in law the current proposed section, the reporting responsibility for the GBI to report to the Speaker of the House and President Pro Tem.

AM280474—will not give programs over to FBI until all of the records have been completed.

Senator Carter returned at 1:37 p.m.

Vernon Keenan spoke in opposition to all of the proposed amendments.

Senator Butler made a motion to pass Amendment 280473. Senator Seay seconded the motion and it failed with a vote of 4 - 3 with Senators Mullis, Chapman, Tolleson and Carter voting nay.

Senator Butler made a motion to pass Amendment 280474. Senator Seay seconded the motion and it failed with a vote of 4 - 3 with Senators Mullis, Chapman, Tolleson and Carter voting nay.

Senator Butler made a motion to pass Amendment 280475. Senator Miles seconded the motion and it failed with a vote of 4 - 3 with Senators Mullis, Chapman, Tolleson and Carter voting nay.

Meeting adjourned at 1:50 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
February 25, 2005

The Senate Public Safety and Homeland Security Committee met on Friday, February 25, 2005 in LOB 307. Senator Kemp, the Chairman, called the meeting to order at 12:30 p.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Chapman 3<sup>rd</sup>, Carter 13<sup>th</sup>, and Tolleson 20<sup>th</sup>.

**SB 28 (Sen. Henson, 41<sup>st</sup>) Substitute--Commercial Drivers' Licenses; change certain definitions**

Senator Henson said this bill amends the definition of commercial motor vehicle to specify that the vehicle is designed or used to transport passengers. It also defines recreational vehicle as one used for personal pleasure, travel or hobby by an individual or family.

Senator Mullis made a motion that **SB 28 do pass by substitute** and Senator Tolleson seconded the motion and SB 28 passed unanimously.

**SB 27 (Sen. Henson, 41<sup>st</sup>) Substitute--Private Military Vehicles; registration; implement rules and regulations**

Senator Henson said that this bill would allow you to register an antique vehicle with the military ID number. This would allow the vehicle to look authentic and not have a new tag on the old vehicle.

Senator Chapman made a motion that **SB 27 do pass by substitute.** Senator Tolleson seconded the motion and SB 27 passed unanimously.

**SB 178 (Sen. Douglas, 17<sup>th</sup>) Emergency Vehicles Equipment; restrictions to use blue lights; exceptions**

Senator Douglas said this bill was supported by the Police Organizations all over the state, the Sheriff's Association, and the State Troopers.

After some discussion by the Committee, Senator Tolleson made a motion that **SB 178 do pass.** Senator Mullis seconded the motion and SB 178 passed unanimously.

**SB 239 (Sen. Mullis, 53<sup>rd</sup>) Plates; Prestige License; promote foundation of Atlanta Falcons**

Senator Mullis said that some of the proceeds from the sale of this tag would go to charities to help children in Georgia.

Senator Tolleson made a motion that **SB 239 do pass**. Senator Carter seconded the motion and SB 239 passed unanimously.

Meeting adjourned at 12:40 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
March 1, 2005

The Senate Public Safety and Homeland Security Committee met on Tuesday, March 1, 2005 in LOB 307. Senator Kemp 30<sup>th</sup>, the Chairman, called the meeting to order at 10:05 a.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Miles 43<sup>rd</sup>, Seay 34<sup>th</sup>, and Tolleson 20<sup>th</sup>.

**SB 259 (Sen. Johnson, 1<sup>st</sup>) Firearms; discharging on Sunday; repeal revision**

Senator Johnson said that this law was outdated and he would like to have it taken off the books. He said that Georgia was the only state in the country that was passed in 1898 that said you could not willfully shoot your gun on Sunday. You can shoot it the other 6 days, but not on Sunday. He said there was basically no purpose for this law. It has nothing to do with local ordinances.

Senator Butler arrived at 10:00 a.m.

Senator Mullis 53<sup>rd</sup> made a motion that **SB259 do pass** and Senator Seay 34<sup>th</sup> seconded the motion. SB259 passed unanimously.

**SB 255 (Sen. Douglas, 17<sup>th</sup>) License Plates; Special; family member serving in military.**

Senator Douglas said this license plate is for family members who have family serving in the military.

Senator Tolleson 20<sup>th</sup> made a motion that **SB255 do pass** and Senator Seay 34<sup>th</sup> seconded the motion. SB255 passed unanimously.

**SB 257 (Sen. Douglas 17<sup>th</sup>) License Plates Special; supporting Georgia troops**

Senator Douglas presented his bill and Senator Mullis, 53<sup>rd</sup> made a motion that **SB257 do pass**. Senator Tolleson, 20<sup>th</sup> seconded the motion and the bill passed unanimously.

**SB 226 (Sen. Smith, 52<sup>nd</sup>) Substitute--Joshua's Law; create Georgia Driver's Education Commission**

Senator Smith introduced Allen Brown, the father of Joshua who was killed in an automobile accident in July, 2003. Senator Smith said that hundreds of teens lose their lives due to car accidents.

He said that one or more of three factors are involved in every fatal accident and that is intoxication, speed and inexperience. In the past years, drivers education has not been taught due to lack of funding. Senator Smith said that he didn't want to create unfunded mandates on schools and did not want to impose a new tax burden.

He said that a creative way to partner private foundation and private donors and private money with a public funding source to use a criminal surcharge fine on backgrounds on those who get DUI's and traffic citations to help fund education for new drivers. Money will create a commission, the Georgia Driver's Education Commission that will consist of 9 members. It will consist of the Governor's Highway Safety to the list of people on the Commission. The commission will be empowered to accept private donations and a source of public funding.

He said the funding would be used for driver simulators so that regardless of where you are, the same training will be used.

This creates the Georgia Driver's Education Commission that receives the funding from the criminal surcharges. To make sure that it is properly implemented, the surcharges and fines will begin to be accessed on July 1, 2005 for a one year period to build the fund and to implement the other part on July, 2006.

Senator Smith said that DMVS believes that it will cost about \$150,000 to implement on their side and then about \$100,000 - \$125,000 a year after that to maintain the program.

He said that he had requested a fiscal note but one had not been received, but he does expect to receive it soon.

Senator Smith said that the bill does have 46 sponsors out of the 56 Senators and he said he appreciated the response he has received to this bill.

Mr. Allen Brown spoke briefly to the Committee.

Les Hammond from DMVS spoke to the Committee about the changes in the age requirement.

Senator Butler left at 10:35 a.m.

Bob Dallas from the Governor's Office of Highway Safety and Ted Baggett from the GA Municipal Association spoke in favor of the bill.

Senator Tolleson made a motion that **[SB226](#) do pass by substitute.** Senator Mullis seconded the motion and the bill passed unanimously.

**SB 273 (Sen. Goggans, 7th) Driver's License; Class C; change definitions**

Senator Goggans said that his bill change the definitions of Class C classifications. He said when one holds a Class C license, they are prohibited from doing 2 things and that is driving a vehicle in excess of 26,000 pounds and from pulling a trailer in excess of 10,000 pounds.

He said that pulling a trailer is the problem because if you hook up a trailer to a pickup truck, you can be ticketed. It will allow a Class C driver to pull a trailer in excess of 10,000 pounds provided that the combined weight of the vehicle and trailer is still less than 26,000 pounds. It will put Georgia's Class C license in line with the federal guidelines.

Senator Mills made a motion that **SB273 do pass**. Senator Mullis seconded the motion and SB273 passed unanimously.

Senator Kemp said that Representative Hill could not be here today and that we will hold HB20 till another meeting.

**HB 289 (Day, 163<sup>rd</sup>) Paroles and Pardons, Board of; allow certain employees to assist law enforcement.**

Tolleson left at 10:55 a.m.

Senator Kemp said that Representative Day could not be at the meeting and Danny Hunter, Director of Field Operations with the Department of Pardons and Paroles was going to explain the bill and then the Committee could vote on it at another meeting.

Meeting adjourned at 11:00 a.m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
March 3, 2005

The Senate Public Safety and Homeland Security Committee met on Thursday, March 3, 2005 in LOB 307. Senator Kemp, the Chairman, called the meeting to order 12:30 p.m.

Present were Senators Kemp 46<sup>th</sup>, Chapman 3<sup>rd</sup>, Butler 55<sup>th</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, and Tolleson 20<sup>th</sup>.

**SB 151 (Sen. Kemp, 46<sup>th</sup>) Georgia Peach Officers Standards/ Training Council; change membership.**

Senator Kemp presented his bill and he said it re-establishes the Georgia Peach Officers Standards Training Council to change the membership from 19 to 20.

Terry Norris, Executive Vice President of the Georgia Sheriff's Association and Al Wilson, Captain of the Georgia State Patrol spoke out against this legislation.

Senator Kemp said that since there was opposition to this bill, he would put it in a sub-committee that could get more feedback from local law enforcement. He said he would appoint it at another time.

**SB 267 (Sen. Unterman, 45<sup>th</sup>) Substitute--Disabled Persons; parking permits; provide annual renewal.**

Senator Unterman presented her bill to the Committee.

Senator Seay arrived at 12:40p.m.

After some discussion, Senator Miles made a motion that **SB267 do pass by substitute**. Senator Butler seconded the motion and SB267 passed unanimously.

**SB 308 (Sen. Mullis, 53<sup>rd</sup>)—Georgia Firefighter Standards/Training Council; powers functions provide definitions**

Senator Mullis explained that this bill was a housekeeping bill that extends SB169, previously passed into law, to include firefighters stationed at airports. He said that the firefighters were accidentally overlooked in that legislation.

Senator Mullis said that he would like to offer an amendment on page 2, line 31 section 2, paragraph 4, he wants to insert “decertification’s”.

Senator Seay made a motion to accept the amendment and Senator Tolleson seconded the motion. The amendment passed unanimously. Senator Seay made a motion that **SB308 do pass as amended**. Senator Chapman seconded the motion and SB308 passed unanimously.

**SB 263 (Sen. Douglas, 17<sup>th</sup>)—Firearms Dealers; transfer authority of regulation**

Senator Douglas said that this bill was to bring the licensing of firearms under the Department of Revenue from the Department of Public Safety.

Captain Al Wilson, from the GA State Patrol and Commissioner Bart Graham, from the Department of Revenue spoke in favor of the bill.

Senator Butler left at 1:05 p.m.

George Hills from the GA Gun Owners Association spoke out against the bill.

After more discussion, Senator Carter made a motion that **SB263 do pass**. Senator Miles made a motion to table the bill. Senator Kemp asked for a second to Senator Carter's motion and Seay seconded the motion. Senator Kemp then asked for a vote. After much hesitation from the Committee for a vote, Senator Douglas, the author, said that he was withdrawing the bill because of the opposition.

Meeting adjourned at 1:20 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
March 9, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, March 9, 2005, in LOB 307. Senator Kemp, the Chairman, called the meeting to order at 2:30 p.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Chapman 3<sup>rd</sup>, Carter 13<sup>th</sup>, and Miles 43<sup>rd</sup>.

**HB 20 (Rep. Hill, 21<sup>st</sup>) Motor vehicles; window tint restrictions; provisions**

Representative Hill presented his bill and he said that he had the support of the Sheriff's Association.

After some discussion, Senator Mullis made a motion that **HB 20 do pass**. Senator Tolleson seconded the motion and HB 20 passed unanimously.

**HB 289 (Rep. Burke Day, 163<sup>rd</sup>) Pardons and Paroles; Board of; allow certain employees to assist law employees.**

Representative Jay Neal, 1<sup>st</sup> presented the bill for Representative Day who could not attend. Danny Hunter with the Pardons and Paroles Department spoke in favor of the bill.

Senator Miles made a motion that **HB289 do pass**. Senator Chapman seconded the motion and HB 289 passed unanimously.

Senator Kemp told the Committee that **SB 151–Georgia Peach Officer Standards/Training Council; change membership**, and **SB 240–Fines/Forfeitures; payment of traffic fines to Public Safety; appropriations**; would be put in study committees. Senator Chapman will be the Chairman of the study committee for SB151 and the members will be Senator Seay and Senator Carter.

Senator Mullis will be the Chairman of the study committee for SB240 and the members will be Senator Miles and Senator Carter.

Meeting adjourned at 2:45 p. m.

Respectfully submitted,

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
March 16, 2005

The Senate Public Safety and Homeland Security Committee met on Wednesday, March 16, 2005 in LOB307. Senator Kemp, the Chairman, called the meeting to order at 2:30 p.m.

Present were Senators Kemp 46<sup>th</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, Seay 34<sup>th</sup>, and Tolleson 20<sup>th</sup>.

**HB 458 (Rep. Smith, 129<sup>th</sup>) Commercial Transportation Advisory Committee; create**

Representative Smith presented his bill and after some questions by the members, Senator Tolleson made a motion that **HB458 do pass**. Senator Miles seconded the motion and HB458 passed unanimously.

Senator Kemp introduced Terry Norris with Georgia Sheriff's Association to speak to the Committee about having hearings across Georgia to look at courthouse security.

Senator Butler arrived at 2:40 p.m.

He said that courthouse security is provided by the elected sheriffs and funded by the local taxpayers.

Senator Kemp thanked him and said that he looks forward to working with him in the future on these hearings.

**SR 431 (Sen. Carter, 13<sup>th</sup>) Substitute--Security for State/County Buildings; create Senate Study Committee**

Senator Carter said that this bill would actually allow the Committee to create the study committee to look at state facilities as well as county courthouses.

Senator Miles made a motion that **SR431 do pass by substitute**. Senator Seay seconded the motion and SR431 passed unanimously.

**HB 455 (Rep. Murphy, 23<sup>rd</sup>) Motor Vehicles; new and used dealers; temporary license plates; amend provisions**

Senator Mullis arrived at 3:50 p.m.

Representative Murphy presented his bill and said that it limits the number of dealer plates that the automobile industry can receive.

Senator Carter left at 3:52 p.m.

After some discussion, Senator Mullis made a motion that [HB455](#) do pass. Senator Tolleson seconded the motion and HB455 passed unanimously.

**[HB 367](#) (Rep. Rice, 51<sup>st</sup>) Driver Training and commercial driver training schools; licensing provisions.**

Representative Rice offered a substitute to the Committee. Les Hammond with the Department of Medical Safety spoke in favor of the bill.

After explaining his substitute, Senator Mullis made a motion to adopt the substitute for HB367. Senator Seay seconded the motion and the substitute was adopted.

Senator Mullis made a motion that [HB367](#) do pass by substitute. Senator Seay seconded the motion and HB367 passed unanimously.

Meeting adjourned at 3:30 p.m.

Respectfully submitted

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary

Minutes of the  
Senate Public Safety and Homeland Security Committee  
March 17, 2005

The Senate Public Safety and Homeland Security Committee met on Thursday, March 17, 2005 in LOB 310. Senator Kemp, the Chairman, called the meeting to order at 3:35 p.m.

Present were Senators Kemp 46<sup>th</sup>, Mullis 53<sup>rd</sup>, Chapman 3<sup>rd</sup>, Carter 13<sup>th</sup>, Miles 43<sup>rd</sup>, and Seay 34<sup>th</sup>.

**HB 557 (Rep. Burkhalter, 50<sup>th</sup>) County police; inspection of roads and bridges; repeal.**

Senator Kemp presented this bill for Representative Burkhalter since he could not be at the meeting.

Senator Seay made a motion that **HB557 do pass**. Senator Mullis seconded the motion and HB557 passed unanimously.

**HB 521 (Rep. Crawford, 127<sup>th</sup>) Sheriff's; qualifications; certified peace officers**

Representative Crawford presented his bill to the Committee and there being no discussion, Senator Mullis made a motion that **HB521 do pass**. Senator Seay seconded the motion and HB521 passed unanimously.

**HB 364 (Rep. Williams, 4<sup>th</sup>) Substitute-- Motor vehicles; certificate of title.**

Representative Williams presented his bill to the Committee and Senator Mullis made a motion that **HB364 do pass by substitute**. Senator Seay seconded the motion and HB364 passed unanimously.

**HB 613 (Rep. Wix, 33<sup>rd</sup>) Drivers' Licenses; bioptic drivers; change renewal period.**

Representative Wix presented his bill and Senator Chapman made a motion that **HB613 do pass**. Senator Miles seconded the motion and the HB613 passed unanimously.

**HB 577 (Rep. Loudermilk, 14<sup>th</sup>) Substitute--Drivers' Licenses; provide for destruction of certain fingerprint records; prohibit requirement.**

Senator Carter left at 3:45 p.m.

Representative Loudermilk presented his bill. Maggie Garrett from the ACLU spoke and said that they are in support of this bill.

Senator Butler arrived at 3:53 p.m.

Senator Miles made a motion that [HB577](#) do pass. Senator Seay seconded the motion and HB577 passed with a vote of 5 yeas. Senator Butler said she would not vote since she arrived right before the vote.

### [HB 501](#) (Rep. Scott, 153<sup>rd</sup>) Department of Driver Services

Representative Scott and Joy Hawkins from the Governor's office, presented the bill.

Senator Carter returned at 4:00 p.m.

Those speaking against the bill:

Becky Vaughn, Georgia Council on Substance Abuse

Dan Ray, Tax Commissioner from Rockdale County

Representative Alan Powell presented a minority report to the committee and spoke against the bill.

Those speaking in favor of the bill:

Bob Dallas, Governor's Department of Highway Safety

Bart Graham, Commissioner of Revenue

Bob Dallas presented a substitute to the Committee with changes on the following sections:

Section 17-6, pages 55-56 and 57

Section 17-7, page 58

Section 17-8, page 59

Section 17-10, page 60

Section 17-11, page 61

Section 17-13, page 62

Section 17-23, page 74

Section 17-24, page 74

Section 18-5, page 77

After many questions and much discussion, Senator Mullis made a motion to adopt the substitute for HB501. Senator Carter seconded the motion and the substitute was adopted.

Senator Mullis made a motion that [HB501](#) **do pass by substitute**. Senator Carter seconded the motion that HB501 do pass by substitute. The motion passed by a vote of 4 -2 with Senators Mullis, Chapman, Carter and Miles voting yea and Senators Butler and Seay voting nay.

Meeting adjourned at 4:30 p.m.

Respectfully submitted:

/s/ Senator Jeff Chapman  
Secretary

/s/ Betty Conner  
Recording Secretary