

# State Institutions and Property Committee

2009-2010

**Senator Johnny Grant - Chairman**, 25<sup>th</sup> District  
PO Box 1458, Milledgeville, GA 31059  
**312-A CLOB 404-656-0082**

**Senator Doug Stoner - Vice Chairman**, 6<sup>th</sup> District  
PO Box 1781, Smyrna, GA 30081  
**121 E CAP 404-463-2518**

**Senator Valencia Seay - Secretary**, 34<sup>th</sup> District  
PO Box 960008, Riverdale, GA 30274  
**420-B CAP 404-656-5095**

**Senator Vincent Fort**, 39<sup>th</sup> District  
PO Box 42967, Atlanta, GA 30311  
**305-B 404-656-5091**

**Senator J.B. Powell**, 23<sup>rd</sup> District  
228 Church Street, Blyth, GA 30805  
**320-A CLOB 404-463-1314**

**Senator Gail Buckner**, 44<sup>th</sup> District  
1834 Carla Drive, Morrow, GA 30260  
**313-A CLOB 404-463-5260**

**Senator Curt Thompson**, 5<sup>th</sup> District  
6320 Glenbrook Drive, Tucker, GA 30084  
**323-B CLOB 404-463-1318**

**Senator Tommie Williams**, 19<sup>th</sup> District – Ex-Officio  
148 Williams Ave, Lyons, GA 30436  
**321 CAP 404-656-0089**

## **RULES**

### **STATE INSTITUTIONS & PROPERTY 2009**

1. A quorum for the Committee shall be four (4) members.
2. A bill or resolution will be considered only after notification of the principal author or others whom he/she may designate. The principal author shall be the legislator whose name appears first on the list of authors.
3. The Committee shall convene, recess, and adjourn upon the order of the Chair.
4. The Committee will not consider for the first time any measure originating in the Senate the final five (5) days of the session, except upon written petition signed by not less than five (5) members of the Committee.
5. The rules of the Senate shall prevail in all matters not covered by Committee rules.
6. These rules may be amended upon motion duly made and subsequently approved by three-fourths of the members of the Committee provided that written notice has been given 48 hours prior to the Committee meeting.
7. Any member(s) of the Committee who disagrees with the majority report of the Committee shall have the privilege to file a minority report.
8. Subcommittees shall have the authority to consider measures assigned to them and to make recommendations thereon to the full Committee, but no measure will be returned to the full Senate except after consideration by full Committee.

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, January 27, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Stoner, (6<sup>th</sup>), Vice-Chair  
Seay, (34<sup>th</sup>), Secretary  
Fort, (39<sup>th</sup>)

**Note: Senators Buckner, (44<sup>th</sup>), Powell, (23<sup>rd</sup>), Thompson, (5<sup>th</sup>), and Williams, (19<sup>th</sup>), were absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 2:04 p.m. The Chairman introduced himself and the members of the committee followed with introductions. The Rules of the committee were discussed. Senator Seay, (34<sup>th</sup>), made a motion to adopt the Rules and Senator Stoner, (6<sup>th</sup>), seconded the motion. The motion carried 3:0.

**SB 24 (Sen. Grant 25<sup>th</sup>) Probation Management Act; probationers; provide comprehensive provisions**

Senator Grant, (25<sup>th</sup>), presented the bill to the committee and offered a substitute to provide for the bill to become law upon the Governor's signature. Mr. Michael Nail, Georgia Department of Corrections, spoke in support of the bill. Senator Seay, (34<sup>th</sup>), made a motion that **SB 24 "DO PASS BY SUBSTITUTE"**. Senator Stoner, (6<sup>th</sup>), seconded the motion. The bill passed 3:0.

With no further business, the meeting was adjourned at 2:17 p.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, February 3, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Seay, (34<sup>th</sup>), Secretary  
Buckner, (44<sup>th</sup>)  
Powell, (23<sup>rd</sup>)

**Note: Senators Stoner, (6<sup>th</sup>), Fort, (39<sup>th</sup>), Thompson, (5<sup>th</sup>), and Williams, (19<sup>th</sup>), were absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 2:03 p.m.

**SB 65 (Grant, 25<sup>th</sup>) Probation Detention Center; sentencing and confinement of certain defendants; permit credit for time**

Senator Grant, (25<sup>th</sup>), presented the bill to the committee. Mr. Michael Nail, Georgia Department of Corrections, spoke in support of the bill. Senator Seay, (34<sup>th</sup>), made a motion that **SB 65 “DO PASS”**. Senator Buckner, (44<sup>th</sup>), seconded the motion. The bill passed 3:0

With no further business, the meeting was adjourned at 2:08 p.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, February 17, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Stoner, (6<sup>th</sup>), Vice-Chair  
Seay, (34<sup>th</sup>), Secretary  
Buckner, (44<sup>th</sup>)  
Fort, (39<sup>th</sup>)  
Powell, (23<sup>rd</sup>)

**Note: Senator Williams, (19<sup>th</sup>), was absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 2:06 p.m.

**SB 64 (Senator Reed, 35<sup>th</sup>) Detention; provide certain incarcerated persons shall be tested for HIV prior to release; notice; counseling**

Chairman Grant only heard testimony on this bill. Mr. Allan Adams from the Georgia Department of Corrections testified against the bill. Ms. Michelle Morgan, from the Georgia Department of Corrections, provided medical testimony. Ms. Sara Totonchi, from Southern Centers for Human Rights, spoke in favor of the bill.

**Note: Senator Thompson, (5<sup>th</sup>), left at 2:12 p.m.**

**SR 178 (Senator Smith, 52<sup>nd</sup>) Capitol Arts Standards Commission; urged to authorize the placement of Admiral John Henry Towers portrait in the state capitol**

Senator Smith, (52<sup>nd</sup>), presented the bill to the committee. Senator Fort, (39<sup>th</sup>), made a motion that **SR 178 “DO PASS”**. Senator Seay, (34<sup>th</sup>), seconded the motion. The bill passed 5-0

With no further business, the meeting was adjourned at 2:35 p.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, February 24, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Stoner, (6<sup>th</sup>), Vice-Chair  
Seay, (34<sup>th</sup>), Secretary  
Buckner, (44<sup>th</sup>)

**Note: Senators Fort, (39<sup>th</sup>), Powell, (23<sup>rd</sup>), Thompson, (5<sup>th</sup>), and Williams, (19<sup>th</sup>), were absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 2:09 p.m.

**SR 294 (Senator Grant, 25<sup>th</sup>) Property Conveyance; authorizing 12 counties; Baldwin, Wilkinson, Bibb, Camden, Cherokee, Clarke, Emanuel, Fulton, Gordon, Gwinnett**  
Senator Grant, (25<sup>th</sup>), presented the bill to the committee. Frank Smith, from the State Properties Commission, spoke in support of the bill. Senator Seay, (34<sup>th</sup>), made a motion that **SR 294 “DO PASS”**. Senator Buckner, (44<sup>th</sup>) seconded the motion. The bill passed 3:0

With no further business, the meeting was adjourned at 2:11 p.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, March 3, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Stoner, (6<sup>th</sup>), Vice-Chair  
Seay, (34<sup>th</sup>), Secretary  
Buckner, (44<sup>th</sup>)

**Note: Senators Fort, (39<sup>th</sup>), Powell, (23<sup>rd</sup>), Thompson, (5<sup>th</sup>), and Williams, (19<sup>th</sup>), were absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 9:06 a.m.

**SB 64 (Senator Reed, 35<sup>th</sup>) Detention; provide certain incarcerated persons shall be tested for HIV prior to release; notice; counseling**

Senator Reed, (35<sup>th</sup>), presented the bill to the committee and offered a substitute. Alan Adams, Georgia Department of Corrections, spoke to the bill. He agreed that this bill does provide a public health service, but voiced a concern that it not become an unfunded mandate and that the bill be tied to appropriations. Senator Seay, (34<sup>th</sup>), made a motion that **SB 64 “DO PASS BY SUBSTITUTE”**. Senator Buckner, (44<sup>th</sup>) seconded the motion. The bill passed 3:0.

**HR 279 (Representative Barnard, 166<sup>th</sup>) State of Georgia property; certain counties; nonexclusive easements; authorize**

Representative Barnard, (166<sup>th</sup>), presented the bill to the committee. Frank Smith, from the State Properties Commission, spoke in support of the bill. Senator Stoner, (6<sup>th</sup>), made a motion that **HR 279 “DO PASS”**. Senator Seay, (34<sup>th</sup>), seconded the motion. The bill passed 3:0.

**SB 193 (Senator Grant, 25<sup>th</sup>) Sentence/Punishment; authorize Corrections Dept.; participation in transitional center; offender's final year of incarceration**

Senator Grant, (25<sup>th</sup>), presented the bill to the committee. Michael Nail, Department of Corrections, spoke in support of the bill. Sara Totonchi, Southern Center for Human Rights, also spoke in support of the bill. Senator Seay, (34<sup>th</sup>), made a motion that **SB 193 “DO PASS”**. Senator Stoner, (6<sup>th</sup>) seconded the motion. The bill passed 3:0.

With no further business, the meeting was adjourned at 9:28 a.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, March 17, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Seay, (34<sup>th</sup>), Secretary  
Buckner, (44<sup>th</sup>)  
Fort, (39<sup>th</sup>)  
Thompson, (5<sup>th</sup>)

**Note: Senators Stoner, (6<sup>th</sup>), Powell, (23<sup>rd</sup>), and Williams, (19<sup>th</sup>), were absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 2:06 p.m.

**HB 170 (Representative Lane, 167<sup>th</sup>) State owned marshland or water bottoms; change annual rental fees; provisions**

Representative Lane, (167<sup>th</sup>), presented the bill to the committee and offered a substitute. Tom Parker, Georgia Transmission Corporation, spoke in favor of the bill. Senator Seay, (34<sup>th</sup>), made a motion that **HB 170 “DO PASS BY SUBSTITUTE”**. Senator Buckner, (44<sup>th</sup>), seconded the motion. The bill passed 3:1 with Sen. Fort, (39<sup>th</sup>), casting the dissenting vote.

**HB 226 (Representative Cheokas, 134<sup>th</sup>) Probation detention centers; sentencing and confinement; change provisions**

Representative Cheokas, (134<sup>th</sup>), presented the bill to the committee. Senator Seay, (34<sup>th</sup>), made a motion that **HB 226 “DO PASS”**. Senator Fort, (39<sup>th</sup>), seconded the motion. The bill passed 4:0.

**HB 344 (Representative Davis, 109<sup>th</sup>) Probation; Department of Corrections; collections of additional fees; authorize**

Representative Davis, (109<sup>th</sup>), presented the bill to the committee. Michael Nails, Department of Corrections, spoke in favor of the bill. Sen. Seay, (34<sup>th</sup>), raised some concerns regarding the fee structure in the bill. The Chairman did not call for a motion and asked the sponsor to work to address the concerns raised by the committee.

With no further business, the meeting was adjourned at 2:35 p.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**STATE INSTITUTIONS & PROPERTY COMMITTEE** met in Room 310 of the Coverdell Legislative Office Building, March 26, 2009.

**MEMBERS PRESENT:** Grant, (25<sup>th</sup>), Chair  
Seay, (34<sup>th</sup>), Secretary  
Buckner, (44<sup>th</sup>)  
Powell, (23<sup>rd</sup>)

**Note: Senators Stoner, (6<sup>th</sup>), Fort, (39<sup>th</sup>) Thompson, (5<sup>th</sup>), and Williams, (19<sup>th</sup>), were absent.**

Chairman Grant, (25<sup>th</sup>), called the meeting to order at 2:31 p.m.

**HB 344 (Representative Davis, 109<sup>th</sup>) Probation; Department of Corrections; collections of additional fees; authorize**

Representative Davis, (109<sup>th</sup>), presented the bill to the committee and offered a substitute. Senator Seay, (34<sup>th</sup>), made a motion that **HB 344 “DO PASS BY SUBSTITUTE”**. Senator Powell, (23<sup>rd</sup>), seconded the motion. The bill passed 3:0

With no further business, the meeting was adjourned at 2:34 p.m.

Respectfully Submitted,

/s/ Senator Valencia Seay of the 34<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

May 8, 2009

Mr. Bob Ewing  
Secretary of the Senate  
353 State Capitol Bldg.  
Atlanta, GA 30334

Dear Mr. Ewing,

I hereby submit the following bills upon which no action was taken by the Senate State Institutions and Property Committee during the 2009 Legislative session of the Georgia General Assembly.

[Senate Bill 254](#)  
[Senate Resolution 510](#)

Sincerely,

/s/ Donna Yeomans  
Recording Secretary  
Senate State Institutions and Property Committee