

**Senate Public Safety Committee  
2010**

**Senator Jack Murphy, 27<sup>th</sup>  
Chairman  
Room 304, CLOB**

**3830 Adams Road  
Cumming, GA 30041**

**Senator John Crosby, 13<sup>th</sup>  
Vice Chairman  
Room 324, CLOB**

**P. O. Box 891  
Tifton, GA 31793**

**Senator Jeff Chapman, 3<sup>rd</sup>  
Secretary  
110 State Capitol**

**P. O. Box 3119  
Brunswick, GA 31521**

**Senator Gloria Butler, 55<sup>th</sup>  
Room 420 State Capitol**

**6241 Southland Trace  
Stone Mountain, GA 30087**

**Senator Earl "Buddy" Carter, 1<sup>st</sup>  
Room 302, CLOB**

**406 Purple Finch Drive  
Pooler, GA 31322**

**Senator Emanuel Jones, 10<sup>th</sup>  
Room 420 State Capitol**

**P. O. Box 370244  
Decatur, GA 30037**

**Senator Valencia Seay, 34<sup>th</sup>  
Room 420 State Capitol**

**P. O. Box 960008  
Riverdale, GA 30274**

**Senator Freddie Powell Sims, 12<sup>th</sup>  
Room 305 CLOB**

**5377 Goose Hollow Road  
Dawson, GA 31742**

**Senator John Douglas, 17<sup>th</sup>, Ex-Officio  
Room 302 CLOB**

**295 Nicklaus Circle  
Social Circle, GA 30025**

**Senator Johnny Grant, 25<sup>th</sup>, Ex-Officio  
Room 321 CLOB  
1458**

**P. O. Box 1458  
Milledgeville, GA 31059-**

**Senator William Jackson, 24<sup>th</sup>, Ex-Officio  
Room 319 CLOB**

**P. O. Box 528  
Appling, GA 30802**

**Senator Jeff Mullis, 53<sup>rd</sup>, Ex-Officio  
Room 421 State Capitol**

**212 English Avenue  
Chicamauga, GA 30707**

## **Senate Public Safety Committee**

### **2010 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 the 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  
**Senate Public Safety Committee**  
January 25, 2010

The Senate Public Safety Committee held their first meeting on Monday, January 25, 2010 at 2:00 p.m. in Room 307 Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Jeff Mullis, 53<sup>rd</sup>, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Johnny Grant, 25<sup>th</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy opened the meeting by welcoming the committee members and visitors back to the Public Safety Committee. Chairman Murphy called upon Senator Chapman, 3<sup>rd</sup>, to open the meeting with a prayer.

**SB 306 (Heath, 31<sup>st</sup>) Rules of Road; wearing device impairs hearing; exemption**

Chairman Murphy called upon Senator Heath, 31<sup>st</sup> to speak to his legislation. Senator Heath stated that his legislation regards updating the Georgia Code 40-6-250 because the language was written many years ago before cell phones were in use. The legislation will make it possible by an exemption to use head sets for hands free cell phone use. This would include head sets and devices such as blue tooth. After brief discussion, Senator Seay moved “**SB 136 Do Pass**” and Senator Butler seconded. The motion passed unanimously.

**SB 52 (Harp, 29<sup>th</sup>) Penal Institutions; registry for persons convicted of certain theft crimes; definitions**

Chairman Murphy announced to the Committee that Senator Harp has requested that the Chairman hold this legislation in committee so that he can make a few changes. The legislation will be heard at a later committee meeting.

**SR 513 (Mullis, 53<sup>rd</sup>) Joint Georgia State Fire Services Study Committee; create**

Chairman Murphy called upon Senator Mullis to speak to his legislation. Senator Mullis stated that the legislation creates the Joint Georgia State Fire Services Study Committee. He hopes that this will consolidate, streamline services, and cut costs. Senator Mullis stated that the date 2009 should be changed on the last page to 2010 by a Committee Substitute.

Chairman Murphy called upon Senator Seay for a motion. She stated that she supports the legislation and moved “[SR 513](#) Do Pass by Substitute.” Senator Jones seconded the motion. The motion passed unanimously.

**[SR 570](#) (Orrock, 36<sup>th</sup>) State of Georgia; express support for comprehensive immigration reform**

Chairman Murphy called upon Senator Orrock to speak to her legislation. Senator Orrock stated that this resolution urges Congress to complete comprehensive immigration reform because our present policies are ineffective. She stated that there are approximately 11 million illegal immigrants in the country at this time. At the present time the states are enacting legislation dealing with the situation, but she stated that it should be solved in Washington by legislation rejecting efforts to enact unfair and ineffective immigration policies.

Chairman Murphy called upon Senators Crosby, Douglas, Jones, Mullis, and Seay for questions and comments regarding the legislation, and then he stated that he would like to put the bill in a Subcommittee for further study and recommendations. Senator Murphy appointed Senator Mullis, Senator Crosby, and Senator Seay to the Subcommittee. Senator Mullis will serve as Chairman of the Subcommittee on [SR 570](#), and he will report back to the full committee as soon as possible.

Chairman Murphy asked Rev. Frank Mulcahy if he would be willing to wait to testify regarding the legislation until the Subcommittee has met, and Rev. Mulcahy stated that he would wait.

There was no further business before the Committee, and Chairman Murphy adjourned the meeting at 2:45 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
February 1, 2010

The Senate Public Safety Committee held a meeting on Monday, February 1, 2010 at 2:00 p.m. in Room 310 Coverdell Legislative Office Building. This meeting had to be changed to this location at the last minute as another committee was still having their meeting in Room 307.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Johnny Grant, 25<sup>th</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy opened the meeting by thanking everyone for coming to the meeting and he apologized for having to change meeting rooms at the last minute. Chairman Murphy called upon Senator Douglas, 17<sup>th</sup>, to open the meeting with a prayer.

**[SB 318](#) (Murphy, 27<sup>th</sup>) Civil Practice, provide for affidavit; law enforcement professionals**

Chairman Murphy stated that after the meeting notice was posted, he has decided to hold his bill in Committee until the next meeting. He stated that he wanted to discuss the bill with several people and perhaps make a few changes in the legislation before the next meeting.

**[SB 324](#) (Grant, 25<sup>th</sup>) Georgia Peace Officer Standards and Training Council**

Chairman Murphy called upon Senator Grant to speak to his legislation. Senator Grant stated that this is a simple bill which amends Code Section 35-8-7 of the Official Code of Georgia Annotated. It gives the Georgia Peace Officer Standards and Training Council the explicit authority to collect fees. These fees will be paid by the officers rather than being paid by the state and this will save the state \$250,000 per year.

Chairman Murphy called upon Mr. Ken Vance for questions regarding the legislation. After questions from Senators Murphy, Seay, and Carter, Senator Jones moved “**[SB 324](#) Do Pass,” and Senator Seay seconded the motion. The motion passed unanimously.**

**SB 287 (Hill, Judson, 32<sup>nd</sup>) Drivers' License; instructional permit; stolen or forged; issued new number**

Chairman Murphy called upon Senator Judson Hill to speak to his legislation. Senator Hill stated that currently when a person loses a driver's license, they are issued a new license with the same number. If the old license is found, it could be used by someone else. This legislation proposes to change the driver's license number when it is lost or stolen, so that the old license number is invalid.

Chairman Murphy called upon Senator Grant, 25<sup>th</sup> for a question. Senator Grant asked if this change of license number could be used by drivers to get multiple licenses or be manipulated by them.

Chairman Murphy called upon Les Hammond, lobbyist for the Department of Public Safety, if the Department had fines or jail time for misuse of the new license number. Mr. Hammond stated that investigators from the Department of Public Safety will prosecute to the limit for such an offense.

Chairman Murphy called upon Senator Douglas for a motion. Senator Douglas moved "**SB 287 Do Pass**" and Senator Crosby seconded the motion. The motion passed unanimously.

There was no further business, and Chairman Murphy adjourned the meeting at 2:35 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Joint meeting House Motor Vehicles and Senate Public Safety Committees**  
February 3, 2010

The Senate Public Safety Committee and the House Motor Vehicles Committee held a Joint meeting on Wednesday, February 3, 2010 at 4:00 p.m. in Room 506 of the Coverdell Legislative Office Building.

Senate Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, and Senator Buddy Carter, 1<sup>st</sup>.

House Motor Vehicles Committee Chairman Tom Rice, 51<sup>st</sup> opened the meeting at 4:00 p.m. by thanking everyone for coming to the Joint Meeting of the House and Senate.

**SB 350 (Murphy, 27<sup>th</sup>) Motor vehicles; provide limitation; the amount charged; motor vehicle registration**

**HB 1071 (Rep. Harden, 28<sup>th</sup>) Motor vehicles; limit charge for registration records; provisions**

Chairman Rice stated that there are two bills in play at the present time regarding the subject of this meeting, HB 1071 and SB 350 which address the same issue. The reason or issue regards automobile VIN data to provide to customers who contact Polk and Experian for recall notices. The Georgia Department of Revenue had been negotiating a new contract with both companies and bargaining stalled in October because a reasonable rate could not be reached. The Department of Revenue cut off service to Polk and Experian.

Chairman Rice called upon Mr. Tim Salton, Government Relations of R. L. Polk Company to speak before the Joint Committee. Mr. Salton also introduced Ms. Maria Strollo Zach; they provide research and market analysis for Polk. They stated that they have not been getting data from the state and this puts drivers at risk whose vehicles have been recalled. They stated that Georgia's fees are already expensive at \$.04 and the state offered a 100% increase in their rates to \$.08.

Chairman Rice called upon Senator Carter, 1<sup>st</sup> for a question. Senator Carter asked if they are trying to make a profit. Mr. Salton stated that the recall costs cannot be passed along to the customers. Chairman Rice then called upon Rep. Powell, 29<sup>th</sup> for a question. Representative Powell asked a question regarding what the true cost is to provide this information from the Georgia Department of Revenue, as the DOR has not been able to give a definitive answer. Chairman Murphy stated that he would like for the Department of Revenue to find out what is the cost of providing this information on VIN records.

Page 2, Joint Senate Public Safety and House Motor Vehicles Committee meeting,  
February 3, 2010

Chairman Rice thanked Mr. Salton and Mrs. Zach for their testimony, and then called Mr. Ted Hotham and Mr. Bob Cucchi from Experian to testify before the committee.

Mr. Hotham stated that he was told that the Department of Revenue asks the Georgia Technology Authority to provide the data, and they have stated that it is less than \$.08. Mr. Hotham also said that Georgia's price is significantly higher than other states. Chairman Rice asked Mr. Hotham if he was told that Bart Graham is trying to recover the cost for the state, and Mr. Hotham replied that Mr. Graham is trying to recover costs.

Chairman Rice called upon Senator Butler for a question. Senator Butler asked Mr. Hotham if they were at the mercy of the state to provide information for our citizens for automobile recalls, and he stated that they were.

Chairman Rice thanked Mr. Hotham and Mr. Cucchi for their testimony. He then called Mr. Jeff McCord, Director of Government Relations and Mr. Joe Webb, Chief Financial Officer from Georgia Technology Authority to testify before the Joint Committee.

Mr. McCord stated that they have recently changed their IT systems and the Department of Revenue process runs on the GTA network. He stated that he could not state the costs of the process.

Chairman Rice then called upon members of the Department of Revenue to speak to the Committee. These included Mr. Mack Chandler, Deputy Commissioner and Mr. Tim Mitchell, Director, Tax law and Policy. Mr. Chandler and Mr. Mitchell stated that the DOR is a not for profit organization and is audited each year for that reason. The Department of Revenue is ready to work with Polk and Experian when they determine the new real costs now that they are using G. T. A., and they will let the Committee know as soon as possible. Mr. Mitchell mentioned that it may be approximately \$.05.

There was no further business before the Committee, and Chairman Rice adjourned the meeting at 6:00 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
February 8, 2010

The Senate Public Safety Committee held a meeting on Monday, February 8, 2010 at 2:00 p.m. in Room 310 Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Jeff Mullis, 53<sup>rd</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy opened the meeting by thanking everyone for attending the meeting, and he called upon Senator Jackson, 24<sup>th</sup> to open the meeting with a prayer.

**SB 345 (Butterworth, 50<sup>th</sup>) Rules of the Road; allow races; sanctioned by local governing authority**

Chairman Murphy called upon Senator Butterworth to speak to his legislation. Senator Butterworth stated that this is an economic development bill which updates the current Official Code of Georgia in regard to auto racing. At the present time sports car racing on local roads is not allowed by counties or municipalities. Senator Butterworth stated that his legislation would permit racing on county, city, or local roads. GMA and ACCG were permitting the bill to be brought and would not be liable.

There were many questions for Senator Butterworth regarding the bill from Senators Douglas, Sims, Crosby, Seay, Grant, Bill Jackson, Butler, Chapman, Grant, Murphy, and Jones.

Senator Sims left the meeting at 2:30 p.m.

Senator Grant moved “**SB 345 Do Pass**,” and Senator Mullis seconded the motion. The motion passed 6-5. Voting in favor of the motion were Senators Grant, Mullis, Chapman, Crosby, Carter, and Murphy. Voting in opposition to the motion were Senators Douglas, Seay, Butler, Bill Jackson, and Jones.

**SB 318 (Murphy, 27<sup>th</sup>) Civil Practice; provide for affidavit; law enforcement professionals**

Chairman Murphy called upon Vice Chairman Crosby to serve as Chairman of the Committee meeting, since SB 318 is Senator Murphy's legislation. Vice Chairman Crosby called upon Senator Murphy to speak to his legislation.

Senator Murphy stated that this legislation was brought to him by the Police Officers' Association. It will provide for an affidavit to accompany complaints against law enforcement officers. Many other professional groups require an affidavit, and this measure will save the state and municipalities a lot of money. Senator Murphy stated that this legislation should curtail frivolous lawsuits against Peace Officers, and it does not supersede federal law.

Speaking to the Committee in favor of the legislation was Mr. Lance Larusso, an attorney from Marietta. Speaking in opposition to the legislation was Mr. Brian Spears, an attorney in Atlanta.

Senator Chapman, 3<sup>rd</sup> left the meeting in order to attend the Natural Resources Committee meeting.

Senator Douglas made a motion "SB 318 Do Pass," and Senator Bill Jackson seconded. The Chairman did not call for a vote on the motion, and Senator Douglas withdrew his motion. Senator Grant made a motion to **table SB 318**, and Senator Butler seconded. The motion passed unanimously.

**SB 360 (Murphy, 27<sup>th</sup>) Motor Vehicles; prohibit persons 18 years of age or younger from using wireless**

Chairman Murphy stated to the Committee that he is postponing hearing this bill at the present time, as there were questions from the Department of Motor Vehicle Safety regarding the legislation, and it will be heard at another meeting soon.

**SR 570 (Orrock, 36<sup>th</sup>) State of Georgia; express support for comprehensive immigration reform**

Chairman Murphy stated that Senator Orrock was called away to attend a funeral and was unable to attend the meeting today. This legislation will be heard in Committee at a later time.

Page 3, Senate Public Safety Committee, February 8, 2010

There was no further business, and Chairman Murphy adjourned the meeting at 3:00 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
February 10, 2010

The Senate Public Safety Committee held a meeting on Monday, February 10, 2010 at 4:00 p.m. in Room 307 Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Jeff Mullis, 53<sup>rd</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy opened the meeting by thanking everyone for coming to the meeting, and he called upon Senator Douglas, 17<sup>th</sup> to open the meeting with a prayer.

**SB 318 (Murphy, 27<sup>th</sup>) Civil Practice; provide for affidavit; law enforcement professionals**

Chairman Murphy stated that he will not be taking a vote on this bill today, and that this will be another hearing on the legislation.

Chairman Murphy began by stating that this legislation provides for an affidavit to be required before a person can file suit against a police officer. The affidavit will substantiate the case, help the court, and reduce the number of frivolous lawsuits against the police.

Chairman Murphy also stated that after conferring with both sides of this issue, he has a Substitute being drawn up that should be agreeable to both parties, and he will present the Substitute at a later meeting.

Chairman Murphy called upon Mr. Lance Larusso to continue his testimony which he started at the last meeting of the Public Safety Committee on February 8, 2010. Mr. Larusso stated that the Georgia Chiefs of Police were in agreement.

Senator Grant asked the Committee if this legislation could be extended to the Georgia State Patrol. Senator Crosby stated that the bill would help victims of frivolous lawsuits.

Senator Douglas left the meeting at 4:30 p.m.

Chairman Murphy called upon Mr. Frank Vincent Rotundo of the Georgia Association of Chiefs of Police. Chief Rotundo stated that when the police are sued it lowers morale and causes fear, and they want to get rid of frivolous lawsuits.

Page 2, Senate Public Safety Committee, February 10, 2010

Chairman Murphy then called upon Mr. Aaron Coalson of Lobbyists for Life and Liberty, and he spoke in opposition to the legislation.

Chairman Murphy then called upon Mr. Bill Clark of the Georgia Trial Lawyers who spoke in opposition to the legislation and stated that this legislation would not solve the problem of frivolous lawsuits.

Chairman Murphy stated that he would hear the bill at another meeting, and he adjourned the meeting at 5:10 p.m.

Respectfully Submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
February 16, 2010

The Senate Public Safety Committee held a meeting on Monday, February 16, 2010 at 9:30 a.m. in Room 450 of the Capitol.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Johnny Grant, 25<sup>th</sup>, and Senator Jeff Mullis, 53<sup>rd</sup>.

Chairman Murphy opened the meeting by thanking everyone for coming to the meeting, and he called upon Senator Jackson, 24<sup>th</sup>, to open the meeting with a prayer.

**SB 291 (Shafer, 48<sup>th</sup>) Firearms; laws concerning carrying of concealed weapons; revise comprehensively**

Chairman Murphy called upon Senator Shafer to speak to his legislation. Senator Shafer stated that he had a Substitute to SB 291 (LC 28 5098S), and he went through the changes that had been made in the Substitute from the original bill with the Committee.

Chairman Murphy called upon Senator Seay for a question. Senator Seay stated that the Atlanta airport is in her District # 34, and in keeping safety first, she would ask Chairman Murphy to hold the bill in Committee for further study, as she is concerned about citizens being able to drive up to the airport with a weapon in their car.

Senator Douglas stated that he would prefer for the Chairman to hold the bill as well.

Chairman Murphy called upon Mr. Todd Edwards from the Association of County Commissioners of Georgia for comments on the legislation. Mr. Edwards stated that their organization is neutral on the bill.

Speaking in concern about the legislation was Consuelo Campbell from the State Department of Behavioral Health and Developmental Disabilities.

Speaking in support of the legislation was Mr. Frank Rotundo of the Georgia Police Chiefs, Billy Grogan, Chief of Police of the City of Dunwoody, Mr. Raymon White, lobbyist representing the National Riflery Association, and Mr. Arty Geiger of Life and Liberty.

Chairman Murphy called upon Senator Bill Jackson for a motion. Senator Bill Jackson moved "SB 291 Do Pass" and Senator Carter seconded. Chairman Murphy did not call for a committee vote on the motion at this point.

Chairman Murphy called upon Senator Seay for a comment. Senator Seay stated that it was her intent to prolong the discussion regarding this bill and not end the meeting hastily. She wants to be sure that the constituents in District 34 are safe and that time is needed to study the issue.

Chairman Murphy stated that this bill has been out a long time and should have been studied by this time.

Chairman Murphy called upon Senator Shafer for a comment. Senator Shafer stated that he would agree to take Section 2 out of the legislation. This section permits firearms to be allowed in parks, historic sites, and recreational areas.

Chairman Murphy called upon Senator Douglas for a motion. Senator Douglas moved to amend the bill by striking Section 2. Senator Mullis seconded the motion. The motion passed unanimously.

Chairman Murphy then called upon Senator Douglas for another motion. Senator Douglas moved "**SB 291 Do Pass by Substitute.**" Senator Mullis seconded. The motion passed 6-2. Voting in favor of the motion were Senators Crosby, Carter, Bill Jackson, Mullis, Douglas, and Grant. Voting in opposition to the motion were Senators Seay and Butler.

There was no further business and Chairman Murphy adjourned the meeting at 10:15 a.m.

Respectfully submitted,

/s/ Senator Jack Murphy, 27<sup>th</sup>, Chairman

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
February 17, 2010

The Senate Public Safety Committee held a meeting on Wednesday, February 17, 2010 at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy opened the meeting by thanking everyone for attending the meeting, and he called upon Senator Crosby to open the meeting with a prayer.

**SB 295 (Seabaugh, 28<sup>th</sup>) Vehicles; prohibit municipalities; speed detection devices on federal aid**

Chairman Murphy called upon Senator Seabaugh to speak to his legislation. Senator Seabaugh stated to the Committee that he has a new Substitute to SB 295 (LC 34 2537S), and the legislation relates to the use of speed detection devices by police and traffic-control signal monitoring devices. It changes the provisions relating to investigations by the Commissioner of Public Safety. He stated that some police departments are using these devices to make revenue for their community.

Chairman Murphy called upon Senator Douglas for a question. Senator Douglas asked Senator Seabaugh if he can document that the police are using radar to raise revenue. Senator Seabaugh stated that some do abuse this. Senator Grant asked about the Substitute which states that a community cannot raise more than 35% of its budget from radar rather than the existing 40%.

After further questions and comments from Senators Sims, Crosby, Grant, and Douglas, the Chairman called upon Frank Rotundo, Chief of Police for the State of Georgia to speak to the legislation. Mr. Rotundo stated that he represents all the Chiefs of Police in the state, and they do not want to go below 40% on the fines. Therefore they are opposed to the legislation.

Speaking in opposition to the legislation was Mr. Ted Baggett representing the Georgia Municipal Association, Mr. Bob Dallas of the Governor's Office of Highway Safety, Megan Middleton of the City of Atlanta, and Sheriff Scott Berry of Oconee County, Athens area.

Chairman Murphy stated that due to the conflicting opinions on the bill, he will hold the bill in Committee for the present time and will not take a vote today.

**SB 373 (Grant, 25<sup>th</sup>) Peace Officers; investigate applicant's good moral character; certification**

Chairman Murphy called upon Senator Grant to speak to his legislation. Senator Grant stated that the legislation would require an employer to disclose employment related information to an investigating law enforcement agency when it is for the purpose of hiring, certifying, or continuing the certification of a peace officer.

Speaking in favor of the legislation were Mr. Frank Rotondo, Georgia Association of Chiefs of Police, Chief Billy Grogan of the Dunwoody Police Department, Chief Dwayne Orrick of the Cordele Police Department, Mr. Grady Dukes of the Police Benevolent Association, Sheriff Scott Berry of Oconee County, and Mr. Michael Caldwell, General Counsel of the Georgia Chiefs of Police.

Senator Grant thanked those who testified, and he stated that he would like to amend his legislation by adding "complete and accurate" to lines 55 and 62. Senator Grant made a motion to amend SB 373. Senator Douglas seconded, and the motion passed unanimously.

Chairman Murphy then called upon Senator Grant who moved "**SB 373 Do Pass by Substitute**" and Senator Seay seconded. The motion passed unanimously.

**SR 570 (Orrock, 36<sup>th</sup>) State of Georgia; express support for comprehensive immigration reform**

Chairman Murphy called upon Senator Orrock to speak to her legislation and thanked her for waiting patiently for a long time.

Senator Orrock stated that she has a Substitute (LC 35 1676S) which is a product of the Subcommittee on SR 570. This Subcommittee consisted of Senator Mullis, Chairman, and Senators Crosby, and Orrock.

Senator Orrock stated that the resolution calls on the federal government to reform immigration policies as the current system is broken.

Speaking in favor of the legislation was Rev. Frank Mulcahy of the Georgia Catholic conference. After comments and questions from Senators Douglas, Grant, and Carter, Senator Seay made a motion "SR 570 Do Pass". There was no second to the motion.

The Chairman then called upon D. A. King to speak to the legislation. Mr. King stated that he was opposed to the legislation, as he thought the language was a trick and the "comprehensive immigration reform" was suspicious.

Page 3, Minutes, Public Safety Committee, February 17, 2010

Senators Jones and Grant left the meeting.

Chairman Murphy called upon Senator Seay for a motion, and she moved “[SR 570](#) Do Pass” and Senator Butler seconded. After discussion with Chairman Murphy, Senator Seay withdrew her motion.

Chairman Murphy stated that since several Senators had already left the meeting and it was a late hour, he would like to hold the legislation until another meeting and perhaps the Resolution can be worked on again.

There was no further business, and Chairman Murphy adjourned the meeting at 6:15 p.m.

Respectfully submitted,

/s/ Senator Jack Murphy, 27<sup>th</sup>, Chairman

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 2, 2010

The Senate Public Safety Committee held a meeting on Tuesday, March 2, 2010 at 2:00 p.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Jeff Mullis, 53<sup>rd</sup>, Senator Buddy Carter, 1<sup>st</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy opened by thanking everyone for coming to the meeting, and he called upon Senator Douglas to open the meeting with a prayer.

**SB 318 (Murphy, 27<sup>th</sup>) Civil Practice; provide for affidavit; law enforcement professionals**

Chairman Murphy stated to the committee that he has a Substitute to SB 318, (LC 35 1739S) and the original bill was changed in this Substitute on line 64. The Chairman called upon Mr. Bill Clark of the Georgia Trial Lawyers Association to speak to the bill. He stated that the Substitute is a good compromise among the parties.

Chairman Murphy stated that there is an amendment to the Substitute that would be added after line 65 (g). The amendment would be (h) and would read as follows: "This code section shall not apply to an action filed in response to an employment decision made by a certified peace officer or his or her employing agency."

Chairman Murphy called upon Senator Douglas for a motion on the amendment. Senator Douglas moved "Do Pass" and Senator Crosby seconded. The motion passed unanimously.

Chairman Murphy then asked for a motion on the bill as amended. Senator Douglas moved "**SB 318 Do Pass by Substitute**" and Senator Carter seconded. The motion passed unanimously.

**SB 397 (Mullis, 53<sup>rd</sup>) Create a state-wide “Blue Alert” system to speed apprehension of violent criminals**

Chairman Murphy called upon Senator Mullis to speak to his legislation. Senator Mullis stated that he had a Substitute (LC 35 1743S) for SB 397, and he described to the Committee what the legislation does in regard to Blue Alerts. These alerts would be in effect to apprehend criminals who kill or seriously injure law enforcement officers and also to aid in the location of missing law enforcement officers. Chairman Murphy stated that this is a good first step.

Senator Douglas offered an amendment to the Substitute which would be in Section 1 (f) regarding notification of the Director of the Blue Alert System. Chairman Murphy asked for a motion on the Amendment. Senator Douglas moved “SB 397 Do Pass as amended,” and Senator Bill Jackson seconded. The motion passed unanimously. Chairman Murphy then asked for a motion on the bill as amended. Senator Carter moved “**SB 397 Do Pass by Substitute**” and Senator Douglas seconded the motion. The motion passed unanimously.

**SB 360 (Murphy, 27<sup>th</sup>) Motor Vehicles; prohibit persons 18 years of age or younger from using wireless**

Chairman Murphy stated that this legislation, SB 360, would be heard in Committee today, but he will not take a vote on it, as it is new legislation. He stated that the legislation will make it illegal for students under 18 to text while driving a car, and he wants everyone to have a chance to look at it before a vote is taken.

Chairman Murphy introduced Mr. Dave Belton from the Board of Education of Morgan County. Mr. Belton brought with him two students who were friends of Caleb Sorohan, a teenager from Morgan County, who was texting while driving and was killed recently in an auto accident. Mr. Belton stated that texting while driving is three times more dangerous than being drunk on alcohol, and it has become an epidemic among teenagers. He stated that law enforcement needs legislation in order to stop this problem. The legislation proposes to make it illegal for teenagers to text while driving.

Chairman Murphy asked the two friends of Caleb to speak regarding their friend who died in the accident. They testified about what a fine young man he was.

Chairman Murphy then called upon Senator Bill Jackson for a question. Senator Bill Jackson stated that he would like to see the legislation extended to all drivers, not just those under 18 years of age. Senator Mullis stated that texting is addictive, and the teens do not realize the danger.

Page 3, Senate Public Safety Committee, March 2, 2010

Chairman Murphy also called upon Senator Butler who stated that she has experienced her grandson texting and has found that he is not responsive while he is texting. Senator Bill Jackson stated that law enforcement might have difficulty proving texting.

After brief discussion with the visitors and questions from the Committee, Senator Murphy stated that he will bring this bill out at another meeting after everyone has had time to discuss the legislation.

There was no further business before the Committee, and the Chairman adjourned the meeting at 3:30 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 8, 2010

The Senate Public Safety Committee held a meeting on Monday, March 8, 2010 at 2:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Jeff Mullis, 53<sup>rd</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

**SB 360 (Murphy, 27<sup>th</sup>) Motor Vehicles; prohibit persons 18 years of age or younger from using wireless**

Chairman Murphy stated to the committee that he had worked on this bill and has brought a Substitute for SB 360 for the Committee to consider (LC 35 1775S.) This legislation amends O. C. G. A. 40.5.24. Senator Murphy has exempted cell phones from the Substitute. He stated that his objective is to try to get people to understand that it is unsafe to text while driving. Senator Murphy has changed the damages in line 72.

Senator Jones stated to the Committee that he feels this is an excellent bill and would like to see an educational component for more impact.

Chairman Murphy called upon Mr. Les Hammond from the Georgia Department of Driver Services to speak to the legislation. Mr. Hammond stated that the Department puts out a new handbook each year, and this Substitute is simplified and the original bill is more punitive.

Senator Bill Jackson stated that we over punish young people, and he is pleased that Senator Murphy has softened the legislation.

Senator Jones moved “**SB 360 Do Pass by Substitute,**” and Senator Sims seconded the motion. The motion passed unanimously.

**SR 570 (Orrock, 36<sup>th</sup>) State of Georgia; express support for comprehensive immigration reform**

Chairman Murphy called upon Senator Orrock to speak to her resolution. Senator Orrock stated that the resolution urges Congress to form a nationwide policy which they have delayed. She stated that Senator Crosby offered new language for the resolution in the Subcommittee in order to send a message to Congress, because the federal government is failing to act. She also stated that the states should get some of the billions of dollars to assist with illegal immigrants.

Chairman Murphy called upon Senator Mullis who served as Chairman of the Subcommittee on SR 570. Senator Mullis thanked Senators Orrock and Crosby for their cooperation in working out the problems in the resolution.

Chairman Murphy called upon Senator Douglas for a question. Senator Douglas asked what is meant by the phrase “comprehensive immigration reform?” He stated that he wonders if this means giving general amnesty to undocumented workers.

After brief comments from Senators Jones, Seay, Sims, Butler, and Mullis, Senator Jones moved “**SR 570 Do Pass by Substitute**” and Senator Seay seconded the motion. The motion passed 6-4.

Voting in favor of the motion were Senators Jones, Seay, Butler, Grant, Mullis, and Crosby. Voting in opposition were Senators Bill Jackson, Douglas, Carter, and Sims.

There was no further business before the Committee, and the Chairman adjourned the meeting at 2:45 p.m.

Respectfully submitted,

/s/ Senator Jack Murphy, 27<sup>th</sup>, Chairman

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 10, 2010

The Senate Public Safety Committee held a meeting on Wednesday, March 10, 2010 at 2:00 p.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Jeff Mullis, 53<sup>rd</sup>, and Senator Freddie Powell Sims, 12<sup>th</sup>.

Chairman Murphy began the meeting by welcoming General William T. Nesbitt, Adjutant General of the Georgia Department of Defense, to the committee meeting.

**SB 440 (Mullis, 53<sup>rd</sup>) Georgia Firefighter Standards/Training Council; change name**

Chairman Murphy called upon Senator Mullis to speak to his legislation. Senator Mullis stated that the legislation changes the name of the Georgia Firefighter Standards and Training Council to the Georgia Firefighter Minimum Standards Council.

Senator Mullis then introduced two guests who were attending the meeting: Chief Alan Shuman, State Fire Marshall, and Chief Craig Tulley, Fire Chief of Colquitt-Miller County Fire/EMS who were in support of the legislation.

After brief discussion among the Committee, Senator Bill Jackson moved “**SB 440 Do Pass**” and Senator Douglas seconded. The motion passed unanimously.

**SB 343 (Shafer, 48<sup>th</sup>) Public Administration; offenses; impersonating officer include firefighter**

Chairman Murphy called upon Senator Shafer to speak to the legislation. Senator Shafer stated that there is a problem in the state regarding volunteers who show up at fires and claim to be a fire fighter when they are not a trained fire fighter.

Senator Shafer stated that these people are thrill seekers who like to go to fires. The legislation provides that a person who falsely calls himself a firefighter, volunteer firefighter, or any public safety official can be punished by a fine of up to \$1,000 and imprisoned from one to five years. It also provides that these persons can be convicted of “impersonating an officer.” Senator Crosby stated that the legislation also provides that this punishment is left up to the discretion of the Judge in this case which is a good thing.

Senator Carter stated that the legislation should include any professional emergency medical services personnel as well. Senator Mullis stated that he would agree to amend the legislation to include emergency medical services personnel. Senator Mullis moved to amend the legislation to include emergency medical services personnel. Senator Carter seconded the motion. The motion passed. Voting in favor of the motion were Senators Mullis, Carter, Butler, Seay, Bill Jackson, Chapman, and Carter. Voting in opposition to the motion were Senators Douglas and Jones.

Chairman Murphy then asked for a motion on the bill as amended. Senator Seay moved “**SB 343 Do Pass by Substitute**” and Senator Butler seconded. The motion passed 7-2. Voting in favor of the motion were Senators Carter, Mullis, Butler, Seay, Bill Jackson, Chapman, and Crosby. Opposed to the motion were Senators Douglas and Jones.

**HB 545 (Rep. Willard, 49<sup>th</sup>) Commencement and service of civil actions; service of process; revise provisions**

Chairman Murphy stated that Representative Willard is not able to attend the meeting today as the House is in session. Therefore, he will hear this bill at a later time.

There was no further business and the Chairman adjourned the meeting at 2:45 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 16, 2010

The Senate Public Safety Committee held a meeting on Tuesday, March 16, 2010 at 1:00 p.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, and Senator Jeff Mullis, 53<sup>rd</sup>.

**SB 458 (Thomas, 54<sup>th</sup>) Safety belts in passenger vehicles; eliminate exceptions**

Chairman Murphy called upon Senator Thomas to speak to his legislation. Senator Thomas stated that he is again trying to close the loophole on seatbelts by requiring them to be used in pick up trucks. This will make Georgia eligible for federal grants, save the state money, saves disabilities for those injured, saves taxes, prevents trauma and deaths, and saves over \$17 million in Medicaid costs.

Senator Thomas stated that the legislation exempts requiring seatbelts on private property such as farms. The legislation has been endorsed by many organizations such as AAA, GMA, the Hospital Associations, Medical College of Georgia, State Farm, and the Junior Leagues of Georgia.

Senator Murphy stated that he applauds the efforts that Senator Thomas has made to pass this bill. Senator Bill Jackson stated that he admires the tenacity of Senator Thomas in getting this legislation passed, since it has taken several years. He believes it will be successful.

Speaking in favor of the legislation were Mr. Daniel Thompson from Children's Healthcare of Atlanta, Mr. Spencer Moore, Deputy Director of the Governor's Office of Highway Safety, and Ms. Tippi Burch, Chairperson of Public Affairs of the Junior League of Georgia.

Senator Butler asked Senator Thomas how much money the state would forego if this legislation is not passed and Senator Thomas stated that it would be approximately \$20 million.

Senator Seay moved "**SB 458 Do Pass**" and Senator Chapman seconded the motion. The motion passed unanimously.

Senator Murphy congratulated Senator Thomas on the passage of this legislation.

**SB 295 (Seabaugh, 28<sup>th</sup>) Vehicles; prohibit municipalities; speed detection devices on federal aid systems**

Chairman Murphy called upon Senator Seabaugh to speak to his legislation. Senator Seabaugh stated that he would ask the committee to put aside the issues regarding this bill from the last meeting. He has brought a Substitute for consideration by the committee which does not include the previous issues. (LC 34 2569S)

Senator Seabaugh stated that the legislation requires all law enforcement agencies to annually submit a report to the Commissioner of Community Affairs showing the amount of fines collected for speeding violations, not exceeding 17 mph over the established speed limit as well as the law enforcement agency's annual budget.

Senator Sims arrived at the meeting at 1:30 p.m.

Chairman Murphy called upon Senator Douglas for a question. Senator Douglas asked if this may be an unfunded mandate and stated that 17 mph is just 7 mph over the limit that the Georgia State Patrol gives in leniency. (10 mph over speed limit)

Senator Crosby asked if this is not included in the "Super Speeder" legislation from last year, and Chairman Murphy stated that it was not.

Chairman Murphy called upon Mr. Ted Baggett from the Georgia Municipal Association. Mr. Baggett stated that GMA opposes the legislation, as this is an unfunded mandate.

In closing, Senator Seabaugh stated that he does not believe that GMA seems to be concerned with obeying the law, and that it only has the potential for an unfunded mandate, but the public has the right to know how much is being collected in fines.

Senator Jones moved "**SB 295 Do Pass by Substitute**", and Senator Mullis seconded the motion. The motion passed 5-4. Voting in favor of the motion were Senators Jones, Mullis, Sims, Bill Jackson, and Chapman. Opposed to the motion were Senators Douglas, Crosby, Butler, and Seay.

There was no further business and the Chairman adjourned the meeting at 1:45 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 17, 2010

The Senate Public Safety Committee held a meeting on Thursday, March 17, 2010 at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator William Jackson, 24<sup>th</sup>, and Senator Jeff Mullis, 53<sup>rd</sup>.

**SB 410 (Douglas, 17<sup>th</sup>) Motor Vehicles; designate ambulances as emergency vehicles**

Chairman Murphy called upon Senator Douglas to speak to the legislation. Senator Douglas stated that this legislation exempts all ambulances, licensed by the state, from needing a permit to operate red emergency lights.

Senator Douglas called upon Mr. Josh Mackey, lobbyist for the Georgia Association of EMS to speak to the legislation. Mr. Mackey stated that their organization favors the legislation. After brief questions from Senators Butler and Chapman, Senator Mullis moved "SB 410 Do Pass" and Senator Carter seconded the motion. The motion passed unanimously.

**SB 419 (Ramsey, 43<sup>rd</sup>) Drivers' Licenses; notation; post traumatic stress disorder veterans**

Chairman Murphy called upon Senator Douglas to speak to this legislation, because Senator Ramsey was attending another committee meeting. Senator Douglas stated that the legislation calls for a voluntary notation on the driver's licenses of veterans indicating that the veteran has "Post Traumatic Stress Disorder" or PTSD. In order to have this placed on their license, a sworn statement from a physician or psychologist must be presented.

Senator Butler asked if this is a diagnosis that should be kept private and not placed on a license. Senator Carter also asked what was the purpose of the designation. Senator Douglas stated that the information could be used by police in an emergency in order to handle the situation in a better manner.

Chairman Murphy stated that the bill needs a start date, and he will hold the legislation until a later meeting when a Substitute can be prepared and Senator Ramsey can be present.

**HB 545 (Rep. Willard, 49<sup>th</sup>) Commencement and service of civil actions; service of process; revise provisions.**

Chairman Murphy called upon Representative Willard to speak to the legislation. Representative Willard stated that the legislation creates the profession of certified process server, and he introduced Mr. Haydon Stanley, lobbyist for the Georgia Apartment Association and Mr. Rusty Sewell, lobbyist for Georgia Capitol Partners. Mr. Sewell stated that Georgia law does not recognize private process servers, and there is a need for this profession beyond the Sheriff's offices.

Chairman Murphy called upon Mr. Mike Cuccaro from the Administrative Office of the Courts. Mr. Cuccaro stated that they support the legislation. Mr. Terry Norris of the Georgia Sheriff's Association stated that they oppose the legislation on a state-wide basis, as it is a public safety issue.

After questions and discussion among the committee members from Senators Bill Jackson, Carter, and Crosby, Chairman Murphy stated that the legislation needs further study and refinement, and he will hold the legislation until next week when a Substitute can be made that would be satisfactory with everyone.

There was no further business and Chairman Murphy adjourned the meeting at 5:00 p.m.

Respectfully Submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 22, 2010

The Senate Public Safety Committee held a meeting on Monday, March 22, 2010 at 9:00 a.m. in Room 125 of the Capitol.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator William Jackson, 24<sup>th</sup>, Senator Valencia Seay, 34<sup>th</sup>, Senator Freddie Powell Sims, 12<sup>th</sup>, Senator Emanuel Jones, 10<sup>th</sup>, Senator Johnny Grant, 25<sup>th</sup>, and Senator Jeff Mullis, 53<sup>rd</sup>.

**HB 545 (Rep. Willard, 49<sup>th</sup>) Commencement and service of civil actions; service of process; revise provisions**

Chairman Murphy called upon Representative Willard to speak to the legislation. Rep. Willard stated that he had a Substitute to HB 545 (LC 29 4302S) for consideration by the Public Safety Committee. He hoped that he has resolved some of the problems with the legislation that were mentioned at the last meeting.

Chairman Murphy called upon Mr. Oliver Hunter from the Georgia Sheriff's Association for comments. Mr. Hunter stated that he appreciated the changes that had been made, but they are philosophically opposed to the legislation, although the language in the legislation puts the process servers back into the hands of the sheriffs, as they have the final say so regarding servers in a particular county.

Senator Mullis stated to the committee that a sunset of July 1, 2015 for the legislation was put in on page 5, line 164 as a safeguard if this legislation was not successful. The General Assembly will be required to review the legislation in the 2013 session.

Senator Mullis moved "**HB 545 Do Pass**" and Senator Carter seconded. The motion passed unanimously.

**SB 419 (Ramsey, 43<sup>rd</sup>) Drivers' Licenses; notation; post traumatic stress disorder veterans**

Chairman Murphy stated to the committee and visitors that Senator Ramsey's bill was heard at the last meeting and needed some corrections. Senator Ramsey has brought a Substitute to SB 419 (LC 35 1841S) and the Chairman would like to vote on it today.

Senator Ramsey stated that he has added a start date of July 1, 2010, but the legislation has not been changed other than that. Senator Douglas and Senator Jones thanked Senator Ramsey for his legislation.

Senator Jones moved "**SB 419 Do Pass by Substitute**" and Senator Seay seconded. The motion passed unanimously.

**SB 526 (Davis, 22<sup>nd</sup>) Public Roads; provide for regulation of oversize and overweight loads on streets**

Chairman Murphy called upon Senator Davis to speak to his legislation. Senator Davis stated that he would like to call upon Mr. Keith Golden from the DOT to speak to the legislation.

Mr. Golden stated that this legislation is the DOT "housekeeping legislation" and will be a federal update for the EPD and amends various provisions related to oversized vehicles as well as updating statutes related to pedestrian hybrid beacons and variable speed limits. It also requires the establishment of driver training and a certification program for drivers of vehicles escorting oversize/overweight loads.

After questions and comments from Senators Murphy, Carter, Grant, Jones, Butler, Seay, Mullis, and Douglas, Senator Jones moved to amend the legislation on Page 3, Line 989 by adding "not." Senator Seay seconded the motion. The motion passed unanimously.

Chairman Murphy then asked the Committee for their pleasure on the bill as amended. Senator Butler moved "**SB 526 Do Pass by Substitute**" and Senator Jones seconded. The motion passed 9-1.

Voting in favor of the motion were Senators Crosby, Butler, Jones, Carter, Seay, Bill Jackson, Butler, Grant, and Mullis. Voting in opposition to the motion was Senator Douglas.

Page 3, Senate Public Safety Committee, March 22, 2010

There was no further business before the Committee and Chairman Murphy adjourned the meeting at 10:00 a.m.

Respectfully submitted,

/s/ Senator Jack Murphy, 27<sup>th</sup>, Chairman

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
March 31, 2010

The Senate Public Safety Committee held a meeting on Wednesday, March 31, 2010 at 4:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator Gloria Butler, 55<sup>th</sup>, Senator John Douglas, 17<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, Senator Johnny Grant, 25<sup>th</sup>, and Senator Jeff Mullis, 53<sup>rd</sup>.

**HB 958 (Rep. Day, 163<sup>rd</sup>) Georgia Ports Authority; traffic laws and enforcement by security guards; provisions**

Chairman Murphy called upon Representative Day to speak to the legislation. Representative Day stated that currently regular security guards of the Georgia Ports Authority are authorized to enforce, issue citations, and make arrests for traffic offenses occurring on any Ports Authority property. HB 958 will require that these individuals must be peace officers and be certified under the Georgia Peace Officer Standards and Training act.

Representative Day stated that there is a Grandfather Clause in the legislation which states that this legislation does not apply to persons hired by the Georgia Ports Authority for security purposes on March 18, 1991 or August 8, 1997, and the provisions under current law at the time that this legislation is adopted will continue to apply to such persons.

Chairman Murphy called upon Senator Douglas for a question. Senator Douglas asked about the exceptions of those who will be covered under Code Section 52-2-10 of the Official Code of Georgia which was in effect at that time.

Senator Mullis moved “**HB 958 Do Pass**” and Senator Douglas seconded the motion. The motion passed unanimously.

**HB 990 (Rep. Powell, 29<sup>th</sup>) Motor carriers; compatible with federal regulations; provisions**

Chairman Murphy called upon Representative Powell to speak to the legislation. Representative Powell stated that he has a Substitute to HB 990 (LC 34 2533S) and that the legislation is an annual compliance bill regarding fleet and commercial vehicles as well as motor carriers. He stated that it amends various provisions and updates several state statutes to meet requirements of the Federal Motor Carrier Safety Administration.

Chairman Murphy called upon Senator Grant who asked a question regarding Georgia qualifying for federal dollars with this legislation.

After brief discussion, Senator Douglas moved “**HB 990 Do Pass**” and Senator Mullis seconded the motion. The motion passed unanimously.

**HB 1224 (Rep. Hamilton, 23<sup>rd</sup>) Drivers’ licenses; defense for drivers; no vision condition restriction; provide**

Chairman Murphy called upon Representative Hamilton to speak to the legislation. Representative Hamilton stated that the legislation is a revision of current law regarding restricted vision endorsement, and it will allow drivers to have charges dismissed by presenting admissible medical evidence to the court that he or she no longer suffer from the vision condition that previously existed.

Representative Hamilton explained that he had a constituent who lost her license for six months because she had Lasik surgery and did not need glasses any longer. She was not wearing glasses at the time of the police ticket, although it was on her driver’s license that she should be wearing glasses.

After brief discussion, Senator Grant moved “**HB 1224 Do Pass**” and Senator Butler seconded the motion. The motion passed unanimously.

There was no further business before the Committee and Chairman Murphy adjourned the meeting at 4:25 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
April 12, 2010

The Senate Public Safety Committee held a meeting on Monday, April 12, 2010 at 2:00 p.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator John Douglas, 17<sup>th</sup>, Senator Freddie Powell Sims, 12<sup>th</sup>, Senator Bill Jackson, 24<sup>th</sup>, Senator Johnny Grant, 25<sup>th</sup>, Senator Gloria Butler, 55<sup>th</sup>, and Senator Emanuel Jones, 10<sup>th</sup>.

**HB 23 (Rep. Ramsey, 72<sup>nd</sup>) Motor vehicles; cell phones; text messaging; prohibit use**

Chairman Murphy stated that this bill was passed out of Committee last year by a unanimous vote, but it is back before us again as it did not make it out of Senate Rules before the end of session last year. He stated that Representative Ramsey could not attend the meeting today, therefore he will only have a short hearing on the bill and then will take it up again at the next meeting.

Chairman Murphy also stated that the legislation provides that texting and talking on cell phones while driving will be 2 points on their license and automatic suspension.

Senator Douglas stated that the effective date in Section 5 needs to be updated from 2009 to 2010. Chairman Murphy stated that he would take up the legislation at the next meeting.

**HB 981 (Rep. Chambers, 81<sup>st</sup>) Law enforcement vehicles; painted solid color; authorize**

Chairman Murphy called upon Representative Chambers to speak to the legislation. Representative Chambers stated that the legislation requires that Georgia State Patrol cars will be painted a solid color, rather than the gray and blue that they have been in the past. It also prohibits the use of retread tires on all state vehicles that would be used to respond to public safety emergencies.

Senator Bill Jackson stated that he likes the blue and gray vehicles and does not want to change the color to a solid color. Representative Chambers responded by stating that this change is because it will be much cheaper to produce the cars and they will be able to buy more cars if they are painted one color.

Representative Chambers also stated that the Georgia Department of Administrative Services has requested that the responsible agencies should be able to choose to use retread tires to save money.

Page 2, Senate Public Safety Committee, April 12, 2010

Senator Jones stated that retread tires will heat up and come apart and might present an accident. Senator Chapman stated that he disagreed as he buys retread tires.

Chairman Murphy introduced Mr. Tony Sexton from the Georgia Tire and Retreaders Association. Mr. Sexton spoke in favor of the legislation and stated that retreads are as good as new tires. Senator Sims stated that we would be jeopardizing safety and she cannot support this legislation.

Senator Grant stated that he would like to move to amend the legislation by striking “shall not” and add “may.” There was no second to the motion, and the motion died.

Senator Douglas stated that he would like to make a motion to amend the legislation by striking lines 28-29 which are underlined. Senator Grant seconded the motion. The motion passed unanimously.

Chairman Murphy then asked for a motion on the bill as amended, and Senator Douglas moved “**HB 981 Do Pass by Substitute.**” Senator Jones seconded the motion. The motion passed 6-1. Voting in favor of the motion were Senators Douglas, Grant, Jones, Chapman, Sims, and Crosby. Voting in opposition to the motion was Senator Bill Jackson.

Senator Chapman left the meeting at 2:40 p.m.

**HB 979 (Rep. Lane, 167<sup>th</sup>) Assault and battery; penalties for aggravated assault on law enforcement explorer; provide**

Chairman Murphy called upon Representative Lane to speak to the legislation. Representative Lane stated that the legislation raises the minimum conviction of assault on law enforcement “Explorers.” It raises the punishment of imprisonment from 5 to 20 years for a conviction of aggravated assault. Senator Crosby asked what the age is for Explorers, and Representative Lane stated that they are in high school, age 15-21. Chairman Murphy thanked Representative Lane for the legislation, and stated that it is a good bill.

Senator Butler, 55<sup>th</sup> arrived at the meeting at 2:45 p.m.

Senator Grant moved “**HB 979 Do Pass**” and Senator Crosby seconded the motion. The motion passed unanimously.

**HB 1074 (Rep. Meadows, 5<sup>th</sup>) Public Safety, Department of; Capitol Police Division; create; provisions**

Chairman Murphy called upon Representative Meadows to speak to the legislation. Representative Meadows stated that the Georgia Department of Public Safety and the Georgia Building Authority brought the legislation to him. The legislation modifies Capitol Square geological boundaries and creates the Capitol Police Division within the Department of Public Safety. He stated that there is no fiscal note, as there is no financial impact.

Senator Butler questioned why there is no cost, and Representative Meadows stated that they will be the same people, just not under the Georgia Building authority.

Senator Douglas moved “**HB 1074 Do Pass**” and Senator Grant seconded the motion. The motion passed unanimously.

**HB 1231 (Rep. Reese, 98<sup>th</sup>) Uniform rules of the road; proper execution of a left turn; clarify**

Chairman Murphy called upon Representative Reese to speak to the legislation. He stated that the legislation corrects a loophole and establishes the proper manner in which a driver may execute a right and left turn. A driver must stay in the same lane when turning and cannot make U turns.

Senator Douglas moved that he would like to amend the legislation to add fleeing and eluding police. Senator Bill Jackson seconded the motion. The motion passed unanimously.

Chairman Murphy then asked for a motion on the bill as amended. Senator Douglas moved “**HB 1231 Do Pass by Substitute**” and Senator Butler seconded the motion. The motion passed unanimously.

There was no further business before the committee and Chairman Murphy adjourned the meeting at 3:30 p.m.

Respectfully submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

Minutes  
**Senate Public Safety Committee**  
April 20, 2010

The Senate Public Safety Committee held a meeting on Tuesday, April 20, 2010 at 9:00 a.m. in Room 307 of the Coverdell Legislative Office Building.

Committee members present at the meeting were: Senator Jack Murphy, 27<sup>th</sup>, Chairman, Senator John Crosby, 13<sup>th</sup>, Vice Chairman, Senator Jeff Chapman, 3<sup>rd</sup>, Secretary, Senator John Douglas, 17<sup>th</sup>, Senator Buddy Carter, 1<sup>st</sup>, and Senator Bill Jackson, 24<sup>th</sup>.

**HB 23 (Rep. Ramsey, 72<sup>nd</sup>) Motor vehicles; cell phones; text messaging; prohibit use**

Chairman Murphy called upon Representative Ramsey to speak to the legislation. Representative Ramsey stated that he has a Substitute to HB 23 (LC 34 2733S), and the legislation prohibits any driver under 18 years of age who has a learners permit or Class D permit from using a cell phone while driving. Such drivers would be fined \$150 and assessed one point on their driving record. The fine would be doubled if the driver is involved in an at-fault accident at the time of a violation.

Chairman Murphy called upon Sally Fitzgerald representative from the Georgia P. T. A. to speak to the legislation. Ms. Fitzgerald stated that they are in support of the legislation.

After brief discussion among committee members, Senator Douglas moved “**HB 23 Do Pass by Substitute**” and Senator Carter seconded the motion. The motion passed unanimously.

**HB 1047 (Rep. Butler, 18<sup>th</sup>) Flow of traffic; minimum fine for impeding traffic flow; provide.**

Chairman Murphy called upon Representative Butler to speak to the legislation. Representative Butler stated that his legislation regards drivers who drive too slowly in the far left or fast lane and refuse to move over, therefore impeding traffic. He stated that it causes traffic clusters which are hazardous. After brief discussion among the committee members, Senator Chapman moved “**HB 1047 Do Pass**” and Senator Carter seconded the motion. The motion passed unanimously.

**HB 1338 (Rep. Wilkinson, 52<sup>nd</sup>) Disability parking laws; law enforcer has disability; remove requirement**

Chairman Murphy called upon Representative Wilkinson to speak to the legislation. Representative Wilkinson stated that the legislation amends the disabled parking enforcement regulations in Code Section 40-6-228 of the O. C. G. A. and repeals the disability requirement. After brief discussion among the committee members, Senator Douglas moved “**HB 1338 Do Pass**” and Senator Bill Jackson seconded the motion. The motion passed unanimously.

There was no further business before the Committee and Chairman Murphy adjourned the meeting at 9:45 a.m.

Respectfully Submitted,

/s/ Senator Jeff Chapman, 3<sup>rd</sup>, Secretary

/s/ Mary Whiting, Recording Secretary

May 6, 2010

Mr. Bob Ewing  
Secretary of the Senate  
Georgia State Capitol  
Atlanta, Georgia 30334

Dear Mr. Ewing:

I herewith submit the bills remaining in the Senate Public Safety Committee for the 2010 Session of the General Assembly.

These bills are as follows:

[HB 50](#), [HB 422](#), [HB 938](#)  
[SB 52](#), [SB 53](#), [SB 218](#), [SB 325](#), [SB 327](#), [SB 347](#), [SB 350](#)

Sincerely yours,

/s/ Mary W. Whiting  
Recording Secretary  
Senate Public Safety Committee