

**Senate State and Local Governmental Operations Committee Members
2011**

**Senator Butch Miller, 49th, Chairman
2420 Browns Bridge Road
Gainesville, GA 30504**

**Senator Rick Jeffares, 17th, Vice Chairman
300 Lester Mill Road, Suite 200-E
Locust Grove, GA 30248**

**Senator Frank Ginn, 47th, Secretary
P. O. Box 1136
Danielsville, GA 30633**

**Senator Jim Butterworth, 50th, Ex-Officio
P. O. Box 2000
Cornelia, GA 30531**

**Senator Steve Gooch, 51st
P. O. Box 600
Dahlonega, GA 30533**

**Senator Donzella James, 35th
3800 Pittman Road
College Park, GA 30349**

**Senator Doug Stoner, 6th
P. O. Box 1781
Smyrna, GA 30081**

**Senator Horacena Tate, 38th
201 Joseph E. Lowery Boulevard, N. W.
Atlanta, GA 30314-3422**

Senate State and Local Governmental Operations Committee
2011-2012
Committee Rules

1. A quorum of the Committee shall consist of no less than four (4) of the members.
2. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
3. The Chairman shall determine which bills and resolutions are eligible to be considered and the order in which said measures shall appear before the committee.
4. A bill or resolution will only be considered after at least one presentation to the Committee by one of its principal authors or designee.
5. The Chairman shall have the right to defer or hold bills or resolutions in the Committee for further study and recommendation.
6. Any member who may disagree with the majority report of the committee may file a minority report if they so desire.
7. In the case of a tie vote on the committee, the Chairman will vote to break the tie.
8. These rules may be amended upon a motion duly made and subsequently approved by a majority vote of the members of the committee.

Minutes
Senate State and Local Governmental Operations Committee
January 26, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Wednesday, January 26, 2011 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, Senator Steve Gooch, 51st, and Senator Doug Stoner, 6th.

Chairman Miller opened the meeting and asked the Committee members to introduce themselves and describe their district. He then asked the Committee staff members to introduce themselves as well. These included Katie Wright from the Senate Press Office, James Touchton from Senate Research, Mr. Jeff Lanier from Legislative Counsel, and Mary Whiting, Committee Recording Secretary.

Chairman Miller stated that the only business before the Committee was the adoption of the Committee Rules, and he asked the Committee to review the Rules. After brief discussion, Chairman Miller asked for a motion on the Rules.

Senator Gooch, 51st, moved "Do Pass," and Senator Jeffares, 17th, seconded the motion. The motion passed unanimously.

Senator Donzella James, 35th, arrived at the meeting.

There was no further business and Chairman Miller adjourned the meeting at 1:15 p.m.

Respectfully submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
February 2, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Wednesday, February 2, at 1:00 p.m. in Room 450 of the Capitol.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, Senator Steve Gooch, 51st, Senator Donzella James, 35th, Senator Doug Stoner, 6th, and Senator Horacena Tate, 38th.

SB 10, Bulloch, 11th, Alcoholic Beverages; referendum; each county authorize package sales on Sundays.

Chairman Miller welcomed everyone to the meeting and called upon Senator Bulloch to speak to his legislation.

Senator Bulloch stated that this legislation is about local control in each community, giving authority to local cities and counties to decide for themselves on selling alcohol on Sundays in retail establishments.

Senator Bulloch also stated that this legislation has been around for 4 or 5 years, but it has never been allowed to pass, and Georgia is one of three states in the country (Georgia, Connecticut, and Indiana) that do not allow package sales on Sunday. He also stated that Georgia communities are losing revenue to the neighboring states of Florida and Alabama, and communities want to control their own destiny without mandates.

Senator Ginn asked a question regarding the window of 12:30 p.m. to 11:30 p.m. for purchasing alcoholic beverages. Senator Bulloch stated that each community can set their hours and it will be a local vote.

Speaking in support of the legislation were Kathy Kuzava of Georgia Food Industry Association; Horace Hamilton of Kroger; David Raynor of Georgia Chamber of Commerce; Brian Griffin of Golden Pantry; Kyle Jackson of NFIB; Jim Tudor of Georgia Association of Convenience Stores; and Stony McGill of Georgia Alcohol Dealer's Association.

No one asked to speak in opposition to the legislation.

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After brief discussion among the Committee, Senator Tate, 38th, moved “**Do Pass**” and Senator James, 35th, seconded the motion. Voting in favor of the motion were Senators Tate, James, Jeffares, Ginn, and Gooch. Voting in opposition to the legislation was Senator Butterworth. The motion passed with a vote of 5-1.

There was no further business before the Committee and Chairman Miller adjourned the meeting at 2:00 p.m.

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
February 23, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Wednesday, February 23, 2011 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, Senator Steve Gooch, 51st, Senator Doug Stoner, 6th, and Senator Horacena Tate, 38th.

SB 86, Ginn, 47th, Community Affairs, Dept. of; repeal definition of “qualified local government”.

Chairman Miller welcomed everyone to the meeting and called upon Senator Ginn, 47th, to speak to his legislation.

Senator Ginn stated that he brought a Substitute to SB 86, (LC 28 5572S) and this legislation changes the requirements of local governments to establish a comprehensive plan every ten years in order to be a “qualified local government.” Under this legislation the comprehensive plan would be optional.

Senator Ginn stated that he has worked with the Association of County Commissioners of Georgia and the Georgia Municipal Association and has taken input from them. He has put a sunset in the legislation so that it can be reviewed after a few years to see if the optional plan is working as expected.

Chairman Miller called upon Senator Stoner for a comment, and Senator Stoner stated that he would like the creation of a House and Senate Study Committee to analyze the legislation and find a perfect solution.

After questions and comments from Senator Butterworth and Senator Gooch, Chairman Miller called upon those who signed up to speak to the legislation.

Speaking in favor of the legislation included Todd Edwards and Clint Mueller from ACCG; Marcia Rubensohn from GMA; Dan Bollinger of the SW Georgia Regional Commission; Paul Van Haute, County Manager from Putnam County; Tom Crow from Jackson County; Harris Little from the City of Carnesville; and John Phillips from Franklin County.

Those speaking in opposition to the legislation included Neill Herring and Colleen Kiernan from the Sierra Club; Bryan Lackey from Gwinnett County; and Doug Dillard of the Council for Quality Growth.

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Chairman Miller also called upon Commissioner Mike Beatty to speak to the legislation. Commissioner Beatty stated that his department is willing to work with the Counties to provide relief from the costs related to the study.

Chairman Miller stated to the Committee that due to the varying points of view regarding the legislation, he will hold the bill in Committee until the next meeting in order to give everyone time to resolve the questions which had been brought up in regards to this legislation.

There was no further business and the Chairman adjourned the meeting at 2:15 p.m.

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
March 2, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Wednesday, March 2, 2011 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, Senator Steve Gooch, 51st, and Senator Doug Stoner, 6th.

SB 113, Carter, 1st, Local government; municipal corporations; contracts.

Chairman Miller opened the meeting by calling upon Senator Carter, 1st, to speak to his legislation. Senator Carter stated to the Committee that he brought a Substitute to SB 113, (LC 25 5840S.) He stated that the legislation clarifies Code Section 36-37-6 of the Official Code of Georgia Annotated relating to the disposition of municipal property. The changes are in Section 1, beginning on line 16.

Chairman Miller stated that there were no visitors signed up to speak to the legislation.

After brief discussion among the Committee members, Senator Gooch, 51st, moved “**Do Pass by Substitute**,” and Senator Ginn, 47th, seconded the motion. The motion passed unanimously.

Senator James and Senator Tate arrived at the meeting at 1:15 p.m.

HB 92, Hamilton, 23rd, Elections; in-person absentee balloting; provide limitations.

Chairman Miller called upon Representative Hamilton to speak to his legislation. Representative Hamilton stated that the legislation regards early voting laws, and this amends the current law by changing advance voting in Georgia general elections to be consistent in every community. The elections would begin on the fourth Monday preceding a primary and general election and as soon as possible prior to a runoff. Rep. Hamilton stated that the legislation is supported by the Georgia Secretary of State, Association of County Commissioners of Georgia, and Georgia Municipal Association.

Chairman Miller called upon Senator James, 35th, for a question. She asked if the Department of Justice had looked at the legislation and Rep. Hamilton stated that they had.

There were many questions from the Committee, and after lengthy discussion, Chairman Miller announced that he would not be taking a vote on the legislation today, but he would bring the legislation back at another meeting in the near future.

[SR 265](#), Ginn, 47th, **Creating the Joint Study Committee on State-Local Government Mandate Review; and for other purposes.**

Chairman Miller called upon Senator Ginn to speak to his resolution. Senator Ginn stated that he brought a Substitute, LC 28 5621S. He stated that this legislation is brought as a result of the discussion at the last meeting regarding his legislation, [SB 86](#). He believes that the mandates regarding county long range planning should be further studied through a study committee.

After brief discussion, Senator Stoner, 6th, moved “**Do Pass by Substitute,**” and Senator Tate, 38th, seconded the motion. The motion passed unanimously.

After the motion passed, the Committee discussed among themselves that they had possibly acted too quickly and that the Resolution should be recommitted from Rules to SLGO for further consideration.

[SB 86](#), Ginn, 47th, **Community Affairs, Depart. Of; repeal definition of “qualified local government.”**

Chairman Miller called upon Senator Ginn to speak to his legislation, which is being heard for the second time.

Senator Ginn stated that he brought a new substitute, (LC 28 5588S) and he would like to hear from several people who had signed up to speak.

Chairman Miller called upon Doug Dillard from the Council for Quality Growth regarding comprehensive planning. He stated that he supports the study committee and advised that business interests be at the table, as it regards economic development for our state. He hopes the Council for Quality Growth can be included.

Chairman Miller then called upon Commissioner Mike Beatty from the Georgia Department of Community Affairs. Commissioner Beatty introduced Saralyn Stafford from his department who is working closely with him. She stated that she supports the substitute which Senator Ginn has brought today. She would agree with waiving the comprehensive planning for 5 years while rules and regulations are redrafted.

Senator Ginn stated that the Study Committee will help everyone come together on a good resolution of the issue.

After some discussion, Chairman Miller asked for a motion on the bill.

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Senator Stoner, 6th, moved “**Do Pass by Substitute,**” and Senator Gooch, 51st, seconded the motion. The motion passed unanimously.

SB 121, Miller, 49th, Natural Resources, Dept. of; refunding of fees under certain circumstances.

Chairman Miller stated that this is simple legislation which authorizes the Office of the Secretary of State and the Department of Natural Resources to set up a procedure to refund fees which were collected in error or overpayments which do not belong to the state or the department.

There was brief discussion, and Senator Ginn, 47th, moved “**Do Pass**” and Senator Gooch, 51st, seconded the motion. The motion passed unanimously.

There was no further business and Chairman Miller adjourned the meeting at 2:00 p.m.

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
March 9, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Wednesday, March 9, 2011 at 9:00 a.m. in Room 310 of the Coverdell Legislative Office Building.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, and Senator Steve Gooch, 51st,

HB 80, Hamilton, 23rd, Unincorporated islands; repeal

Chairman Miller welcomed everyone to the meeting and called upon Representative Hamilton to speak to his legislation.

Representative Hamilton stated that current law allows municipalities to annex unincorporated islands without the property owner's consent, and this legislation repeals the section that allows the annexation of an unincorporated island without the landowners consent and requires municipalities to use other methods of annexing allowed under current law. It provides for a sunset of January 1, 2013.

Chairman Miller called upon Todd Edwards from the Association of County Commissioners of Georgia who stated that they were fine with the bill as it is.

After brief discussion, Senator Jeffares, 17th, moved "**Do Pass**," and Senator Gooch, 51st, seconded the motion. The motion passed unanimously.

SB 233, Miller, 49th, Pawnbrokers; limitations regarding certain fees/taxes for pawnbroker transactions

Chairman Miller called upon Mr. Skin Edge from Georgia Link to speak to the legislation. Mr. Edge represents Cash America, and spoke in favor of the legislation.

Chairman Miller then called upon Ms. Ruth Bruner, Mayor of Gainesville, Georgia to speak to the legislation. She stated that they are opposed to the legislation because the fees help recover stolen merchandise.

Chairman Miller called upon Tom Gehl from Georgia Municipal Association who stated that Cash America is different, and the cities have public/private partnerships to catch thieves. Their concern is the cost.

After questions from Senators Butterworth, Gooch, and Ginn, Chairman Miller asked for a motion on the legislation.

Senator Gooch, 51st, moved “**Do Pass**,” and Senator Butterworth, 50th, seconded the motion. The motion passed. Voting in favor of the motion were Senators Butterworth, Gooch, and Jeffares. Opposed to the motion was Senator Ginn. The motion passed 3-1.

SB 176, Chance, 16th, Open/public meetings; authorize all agencies to conduct meetings by teleconference

Chairman Miller called upon Senator Chance to speak to his legislation.

Senator Chance stated that the legislation addresses the issue of quorums at meetings of agencies, and it amends current law and authorizes all agencies in Georgia to conduct meetings by teleconference, as long as they meet the laws governing meetings open to the public.

After a few brief questions, Senator Gooch, 51st, moved “**Do Pass**,” and Senator Butterworth, 50th, seconded the motion. The motion passed unanimously.

SB 156, Jeffares, 17th, Emergency telephone number 9-1-1 system; remove the requirements for certain audits

Chairman Miller called upon Senator Jeffares to speak to his legislation.

Senator Jeffares stated that the legislation does away with duplication and removes the requirement that a local government file a separate audit form for 9-1-1 charges or wireless fees collected. The funds and expenditures would then be documented in their annual audit as already required by state law.

After brief discussion, Senator Ginn, 47th, moved “**Do Pass**,” and Senator Gooch, 51st, seconded the motion. The motion passed unanimously.

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

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting, Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
March 11, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Friday, March 11, 2011 at 8:30 a.m. in Room 310 of the Coverdell Legislative Office Building.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Steve Gooch, 51st, and Senator Horacena Tate, 38th.

SB 249, Mullis, 53rd, Relating to open and public meetings; require notice

Chairman Miller welcomed everyone to the meeting and called upon Senator Mullis to speak to his legislation.

Senator Mullis stated that he brought a Substitute (LC 28 5674S) and stated that this legislation regards open and public meetings which will help with costs by allowing notices of meetings to be posted on agency websites.

Senator Gooch stated that using websites for meeting notices in lieu of newspapers will save money for the agencies.

Chairman Miller called upon Mr. Todd Edwards, Association of County Commissioners of Georgia to speak to the legislation. Mr. Edwards stated that they support the bill and it will provide 24 hour electronic transparency.

Chairman Miller then called upon Ms. Marci Rubensohn from the Georgia Municipal Association to speak to the bill. She stated that this is an option at the local level and is only for meeting notices.

Chairman Miller called upon Ms. Reagan Morris from Troutman Sanders to speak to the bill. Ms. Morris stated that she had no comment.

There were no further questions or comments, and Senator Jeffares, 17th, moved “**Do Pass by Substitute,**” and Senator Tate, 38th, seconded the motion. The motion passed unanimously.

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There was no further business before the Committee and Chairman Miller adjourned the meeting at 9:00 a.m.

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
March 22, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Tuesday, March 22, 2011 at 1:00 p.m. in Room 450 of the Capitol.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, Senator Steve Gooch, 51st, Senator Doug Stoner, 6th, and Senator Horacena Tate, 38th.

HB 93, Taylor, 79th, Code enforcement boards; code enforcement officers; change definition

Chairman Miller called upon Representative Taylor to speak to his legislation. He stated that his legislation amends the current law and changes the name of a local government "Code Inspector" to a "Code Enforcement Officer" and amends the current definition. He stated that a code enforcement officer will now mean any person contracted with or employed by a county or municipality who has enforcement authority for health, safety, or welfare requirements.

After brief questions and discussion among the Committee members, Senator Gooch, 51st, moved "**Do Pass**," and Senator Jeffares, 17th, seconded the motion. The motion passed unanimously.

HB 158, Mills, 25th, Elections; nonpartisan election; change date

Chairman Miller called upon Representative Mills to speak to his legislation. Representative Mills stated that he brought a Substitute (LC 28 5702S) and he has made a minor change from the House version on Page 5, line 165, which is a cost saving measure.

Chairman Miller called upon Ms. Cathy Goslin from the Council of Supreme Court Judges for a comment. She stated that this legislation is supported by the Supreme Court Judges.

After several brief questions from Senator Ginn, Chairman Miller called upon Senator Jeffares for a motion. Senator Jeffares, 17th, moved "**Do Pass by Substitute**," and Senator Gooch, 51st, seconded the motion. The motion passed unanimously.

HB 92, Hamilton, 23rd, Elections; in-person absentee balloting; provide limitations

Chairman Miller called upon Representative Hamilton to speak to his legislation. Representative Hamilton stated that his legislation amends current law by changing the dates for advance voting in general elections. Voting will begin on the fourth Monday preceding a primary and general election, and as soon as possible prior to a runoff. He stated that the Department of Justice still has to approve, and the League of Women Voters are fine with the legislation.

Chairman Miller called upon Senator Stoner, and he asked a question regarding the hours that polling places are open. Rep. Hamilton stated that they can be extended to 7 or 8 p.m. during the week and 9 – 4 on Saturday. Senator Stoner also asked a question regarding extending voting to extra Saturdays.

After some discussion, Senator Ginn, 47th, moved “**Do Pass**,” and Senator Gooch, 51st, seconded the motion. The motion passed.

Voting in favor of the motion were Senators Jeffares, Ginn, Butterworth, and Gooch. Voting in opposition to the motion were Senators Tate and Stoner. The motion passed 4-2.

HB 290, Cheokas, 134th, State purchasing; protect against fraudulent use of cards; correct oversight

Chairman Miller called upon Representative Cheokas to speak to his legislation. Representative Cheokas stated that the bill corrects an omission in State Purchasing Cards and provides for fraud protection. He stated that it protects the state from fraudulent use of state purchasing cards.

Senator Ginn asked a question regarding the \$250,000 credit limit in line 43, and he mentioned the 1% rebate which goes back to local governments.

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Chairman Miller asked the Committee for a motion. Senator Gooch, 51st, moved “**Do Pass,**” and Senator Tate, 38th, seconded the motion. The motion passed unanimously.

There was no further business and the Chairman adjourned the meeting at 2:00 p.m.

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

Minutes
Senate State and Local Governmental Operations Committee
March 30, 2011

The Senate State and Local Governmental Operations Committee held a meeting on Wednesday, March 30, 2011 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

Members present at the meeting were: Senator Butch Miller, 49th, Chairman, Senator Rick Jeffares, 17th, Vice Chairman, Senator Frank Ginn, 47th, Secretary, Senator Jim Butterworth, 50th, Ex-Officio, Senator Steve Gooch, 51st, and Senator Doug Stoner, 6th.

HB 80, Hamilton, 23rd, Unincorporated islands; repeal

Chairman Miller stated that HB 80 had passed the SLGO Committee on March 9, but it has been recommitted by the Rules Committee to the State and Local Governmental Operations Committee by the Senate on March 28, 2011.

Chairman Miller called upon Representative Hamilton to speak to the legislation. Representative Hamilton stated that this legislation repeals the section of O. C. G. A. 36-36-4 that allows the annexation of an unincorporated island without the landowner's consent and requires municipalities to use other methods of annexing which are allowed under current law.

Representative Hamilton stated that there is a sunset date of January 1, 2013 for a city to annex unincorporated islands without the landowner's consent before the legislation takes effect. After that date, annexation can only take place with the consent of the landowner.

After brief discussion, Senator Gooch, 51st, moved "**Do Pass**," and Senator Ginn, 47th, seconded the motion. The motion passed 4-1. Voting in favor of the motion were Senators Gooch, Ginn, Butterworth, and Jeffares. Voting in opposition to the motion was Senator Stoner.

There was no further business before the committee and Chairman Miller adjourned the meeting at 1:20 p.m.

Respectfully Submitted,

/s/ Senator Frank Ginn, 47th
Secretary

/s/ Mary Whiting
Recording Secretary

April 18, 2011

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 State and Local Governmental Operations Committee for the 2011 Session of the General Assembly.

These bills are as follows:

[SR 16](#), **Shafer, 48th**, Proposing an amendment to the Constitution.

[SR 17](#), **Albers, 56th**, Proposing an amendment to the Constitution.

[SR 18](#), **Hill, 32nd**, Proposing an amendment to the Constitution.

[SR 265](#), **Ginn, 47th**, State-Local Government Mandate Review; create joint study committee.

[SB 182](#), **Carter, 1st**, Local Government, clarify authority of counties; energy savings performance contract.

[SB 272](#), **Brown, 26th**, Public Authorities; provide certain powers; Georgia Music Hall of Fame Authority.

Sincerely yours,

/s/ Mary W. Whiting
Recording Secretary
Senate State and Local Governmental Operations Committee