

**Senate State and Local Governmental Operations Committee Members
2012**

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

109 State Capitol
Atlanta, GA 30334

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

320-A CLOB
Atlanta, GA 30334

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

321-A CLOB
Atlanta, GA 30334

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

321-B CLOB
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Senator Donzella James, 35th
P.O. Box 311225
Atlanta Park, GA 30331

304-B CLOB
Atlanta, GA 30334

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

121-A State Capitol
Atlanta, GA 30334

Senator Horacena Tate, 38th
201 Joseph E. Lowery Blvd., N. W.
Atlanta, GA 30314

110-C State Capitol
Atlanta, GA 30334

Senator John Wilkinson, 50th,
Ex-Officio (as of 3/20/12)
P. O. Box 2227
Toccoa, GA 30577
303-B CLOB
Atlanta, GA 30334

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

1. Quorum of the Committee shall be four (4) members. Every member, including ex-officio members, shall count as a voting member for purposes of establishing a quorum at any given meeting.
2. The Chairman shall determine which bills, resolutions, substitutes, or amendments are to be considered and the order in which said measures are considered; the Chairman shall have the authority and discretion to call a bill, resolution, substitute or amendment for debate and explanation only or to limit consideration of such measures.
3. The Chairman shall have the authority to schedule, manage, and regulate the debate on bills, resolutions, substitutes, and amendments, and may in his discretion recognize motions related to such measures and the order in which they are recognized.
4. When a bill or resolution is before the committee for consideration, the following shall be the procedure of the motions:
 1. a motion that a bill do pass;
 2. a motion that a bill do not pass;
 3. a motion to postpone to a time certain;

All motions shall receive a Second before consideration.

5. The Committee shall convene, recess and adjourn upon the order of the Chairman.
6. A bill or resolution will be considered only after presentation by its principal author or other legislator whom he/she may designate unless otherwise directed by the Chairman. The principal author shall be the legislator whose name appears first on the list of authors. The Committee shall not vote on any bill until the author or his or her designee has been given the opportunity to appear and be heard.
7. The Chairman reserves the right to delay or decline action on substitutes and amendments not provided to the Chairman in writing at least 24 hours prior to the hearing in which they are presented.
8. The Chairman shall not vote unless the committee shall be equally divided or unless his or her vote if given in the minority will make the division equal. In case the vote is equally divided, the Chairman shall vote.
9. Any Members or Members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report with the Secretary of the Senate if they so desire.
10. These rules may be amended upon a motion duly made and subsequently approved by a majority of the members of the Committee.
11. Where these rules are silent on a specific issue, the Rules of the Senate as adopted shall govern. If the Rules of the Senate are silent on a specific issue, Mason's Manual of Legislative Procedure shall govern.

January 31, 2012

The Senate State and Local Governmental Operations Committee met in Mezz 1 of the State Capitol on Tuesday, January 31, 2012, convening at 2:05 p.m. Members present are listed on the attached Roll Call sheet.

The meeting was called to order by Senator Butch Miller, Chairman of the Senate State and Local Governmental Operations Committee. Business was conducted as follows:

Adoption of 2012 Senate State and Local Governmental Operations Committee Rules – A motion was made by Gooch of the 51st to adopt the committee rules, seconded by Ginn of the 47th. Unanimous vote.

HB 93 by Taylor of the 79th and others – Code enforcement boards; code enforcement officers; change definition.

This bill would amend existing law so as to change the name of a local government “code inspector” to a “code enforcement officer” and would amend the current definition.

Taylor of the 79th explained the provisions of HB 93. In response to a question from Ginn of the 47th, the author clarified that the bill does not authorize a code enforcement officer to make arrests and/or carry firearms.

A motion was made by Jeffares of the 17th, that **HB 93, “Do Pass”**, seconded by Gooch of the 51st. Unanimous vote.

Note: James of the 35th joined the meeting (2:10 p.m.)

SB 340 by Gooch of the 51st and others – Property; covenants; provisions; adopted prior to the adoption of zoning laws.

This bill provides that land covenants will take priority over local zoning if the covenant was put in place prior to the date that the zoning was adopted.

Gooch of the 51st, primary author, presented the bill. A few questions were raised and discussed at length.

The following individuals provided supporting testimony:

David Durgin, COO, Coosawatee River Resort Association (located in Gilmer County)

Kyle Probst, General Counsel, Coosawatee River Resort (located in Gilmer County)

The following individuals expressed concerns:

Marcia Rubensohn, Georgia Municipal Association

Todd Edwards, Association of County Commissioners

Page Two
January 31, 2012

Ms. Rubensohn and Mr. Edwards indicated that while GMA and ACCG did not oppose the legislation, they stated concerns of possible unintended statewide consequences and suggested amending the bill to limit the application to Gilmer County. Gooch of the 51st opposed their suggestion to amend the bill, but indicated he would be willing to meet with GMA and ACCG if additional feedback was forthcoming from cities or counties.

A motion was made by James of the 35th, that [SB 340](#), “**Do Pass**”, seconded by Ginn of the 47th. Unanimous vote.

Ginn of the 47th requested Chairman Miller’s consideration to schedule an additional Senate SLOGO Committee meeting within the week to hear [HB 804](#). He explained this was important local legislation for Athens/Clark County and that time was of the essence. Chairman Miller indicated he needed to hear from the local delegation by the end of the day in order to consider the request.

There being no further business to come before the Committee, the meeting was adjourned at 2:45 p.m.

Respectfully Submitted,

/s/ Senator Ginn of the 47th, Secretary

/s/ Rita Smith, Recording Secretary

**2012 SENATE STATE AND LOCAL GOVERNMENTAL OPERATIONS
COMMITTEE**

Roll Call Sheet

**HB 93
SB 340**

Date: Tuesday, January 31, 2012

Miller, 49th - Chairman
Jeffares, 17th - Vice-Chairman
Ginn, 47th - Secretary
Gooch, 51st
James, 35th
Stoner, 6th
Tate, 38th

Shaded = Present

February 7, 2012

The Senate State and Local Governmental Operations Committee met in the Mezz 1 of the State Capitol on Tuesday, February 7, 2012, convening at 2:05 p.m. Members present are listed on the attached Roll Call sheet.

The meeting was called to order by Senator Butch Miller, Chairman of the Senate State and Local Governmental Operations Committee and he asked Gooch of the 51st to open the meeting with a prayer. Business was conducted as follows:

SB 371 by Tippins of the 37th and others – Aviation; provide for local governments' ability to accept community improvement district funds

This bill would allow local governments to enter into cooperative agreements with community improvement districts for the improvement of airports and landing fields within the community improvement district. Local governments would be allowed to accept community improvement district funds for such purposes.

Tippins of the 37th explained the provisions of the legislation. There were no questions.

A motion was made by Ginn of the 47th, that **SB 371**, "**Do Pass**", seconded by Tate of the 38th. Unanimous vote.

SB 358 by Bulloch of the 11th and others – State government; require this state to reciprocate the preferences granted by out-of-state local governments; resident vendors.

This bill requires local governments in Georgia to reciprocate the preferences granted by out-of-state local governments for vendors in their own states to Georgia's vendors. It pertains to local governments' awarding bids for goods and services produced in Georgia.

SB. 358 was presented by Bulloch of the 11th. He stated that this legislation would simply expand existing law to cover local governments. He pointed out that he had introduced similar legislation (SB 447) in 2010 requiring the state to provide such preferences and it was passed with overwhelming support in both chambers.

Note: Stoner of the 6th joined the meeting at 2:10 p.m.

Following a brief discussion, a motion was made by Tate of the 38th, that **SB 358**, "**Do Pass**", seconded by Ginn of the 47th. The bill passed unanimously.

Note: James of the 35th joined the meeting after the vote.

Page Two
February 7, 2012

There being no further business to come before the Committee, the meeting was adjourned at 2:20 p.m.

Respectfully Submitted,

/s/ Senator Ginn of the 47th, Secretary

/s/ Rita Smith, Recording Secretary

**2012 SENATE STATE AND LOCAL GOVERNMENTAL OPERATIONS
COMMITTEE**

Roll Call Sheet

SB 371

SB 358

Date: Tuesday, February 7, 2012

Miller, 49th - Chairman
Jeffares, 17th - Vice Chairman
Ginn, 47th - Secretary
Gooch, 51st
James, 35th
Stoner, 6th
Tate, 38th

Shaded = Present

February 21, 2012

The Senate State and Local Governmental Operations Committee met in Room 123 of the State Capitol on Tuesday, February 21, 2012 convening at 2:05 p.m. Members present are listed on the attached Roll Call sheet.

The meeting was called to order by Senator Butch Miller, Chairman of the Senate State and Local Governmental Operations Committee. The Chair asked Ginn of the 47th to open the meeting with a prayer. Business was conducted as follows:

SB 176 by Chance of the 16th and others – Open and Public meetings; authorize all agencies to conduct meetings by teleconference under certain circumstances.

This legislation amends current law to authorize all agencies in Georgia to conduct meetings by teleconference where applicable, as long as laws governing meetings open to the public are met.

Chairman Miller presented SB 176 on behalf of the author, Chance of the 16th. He stated the bill was introduced and passed by the Senate SLOGO Committee last year. The Chair then directed T. J. Kaplan, the Senate SLOGO Committee intern, to read the summary of the bill.

In the dialogue that followed, Gooch of the 51st, a co-sponsor of SB 176, and Jeff Lanier, Legislative Counsel for the Senate SLOGO Committee, responded to many questions and provided clarification to all points of concern. Stoner of the 6th stated that the bill had bipartisan support and should move forward at this time.

Marcie Rubensohn, speaking on behalf of the Georgia Municipal Association, expressed supporting testimony.

Stoner of the 6th, motioned that **SB 176, “Do Pass”**, seconded by Ginn of the 47th. The bill passed unanimously.

There being no further business to come before the Committee, the meeting was adjourned at 2:25 p.m.

Respectfully Submitted,

/s/ Senator Ginn of the 47th, Secretary

/s/ Rita Smith, Recording Secretary

**2012 SENATE STATE AND LOCAL GOVERNMENTAL OPERATIONS
COMMITTEE**

Roll Call Sheet

SB 176

Date: Tuesday, February 21, 2012

Miller, 49th - Chairman
Jeffares, 17th - Vice Chairman
Ginn, 47th - Secretary
Gooch, 51st
James, 35th
Stoner, 6th
Tate, 38th

Shaded = Present

February 28, 2012

The Senate State and Local Governmental Operations Committee met in the Mezz 1 of the State Capitol on Tuesday, February 28, 2012 at 2:35 p.m. Members present are listed on the attached Roll Call sheet.

The meeting was called to order by Senator Butch Miller, Chairman of the Senate State and Local Governmental Operations Committee. Business was conducted as follows:

SB 498 by Carter of the 42nd and others – Local Government & Public Property; require certain procedures; leasing public property to private entity for nongovernmental purposes.

This bill relates to local government and public property, respectively, so as to require certain procedures of the state and a local government prior to leasing public property to a private entity for nongovernmental purposes; to provide for definitions; to provide for notice and hearings; to provide for policies and procedures; to provide for standards and related matters.

Carter of the 42nd, author of the legislation, provided a detailed delivery of the bill's objective to the Committee. He then proposed a Committee substitute to remove every occurrence of the phrase "for nongovernmental purposes" from the bill due to concerns expressed by the Georgia Municipal Association prior to the meeting.

Following a brief discussion, Stoner of the 6th, motioned that **SB 498**, "Do Pass by Substitute", seconded by James of the 35th. Unanimous vote.

SB 457 by Mullis of the 53rd and others – Elections; provide all offices in this state shall be elected on a partisan basis; exceptions; referendums and procedures

A bill to provide that all offices in this state shall be elected on a partisan basis; to provide for exceptions and to provide for certain referendums and procedures.

Chairman Miller directed T. J. Kaplan, SLOGO Committee Intern, to read the summary of the bill. The author, Mullis of the 53rd, arrived thereafter and presented the bill.

There was some discussion regarding amending the bill to include a gift ban and whether or not it was to be germane. The author stated he was not in agreement with the proposal and discussion of the proposal came to a close.

Following a brief discussion, a motion was made by James of the 35th, that **SB 457**, "Do Pass", seconded by Stoner of the 6th.

Chairman Miller postponed the vote to allow for testimony from the Secretary of the State's office.

Michael O'Sullivan, speaking on behalf of the Secretary of the State's office, indicated the agency had no opposition to the bill. However, he suggested changing the timeframe (in lines 32, 55, and 77) from 60 to 90 days prior to the 2012 November general election in order to allow adequate time for the printing of the ballots. The author of the bill was amenable to a substitute for this purpose.

Page Two
February 28, 2012

The Chair entertained a motion by James of the 35th that [SB 457](#), “**Do Pass by Substitute**”, seconded by Stoner of the 6th. The motion carried by unanimous vote.

There being no further business to come before the Committee, the meeting was adjourned at 3:00 p.m.

Respectfully Submitted,

/s/ Senator Miller of the 49th, Chairman

/s/ Rita Smith, Recording Secretary

**2012 SENATE STATE AND LOCAL GOVERNMENTAL OPERATIONS
COMMITTEE**

Roll Call Sheet

SB 457

SB 498

Date: Tuesday, February 28, 2012

Miller, 49th - Chairman
Jeffares, 17th - Vice Chairman
Ginn, 47th - Secretary
Gooch, 51st
James, 35th
Stoner, 6th
Tate, 38th

Shaded = Present

March 12, 2012

The Senate State and Local Governmental Operations Committee met in Room 307 of the Coverdell Legislative Office Building on Tuesday, March 12, 2012, convening at 2:15 p.m. Members present are listed on the attached Roll Call sheet.

The meeting was called to order by Senator Butch Miller, Chairman of the Senate State and Local Governmental Operations Committee. He asked Ginn of the 47th to open the meeting with a prayer. Business was conducted as follows:

Chairman Miller welcomed the audience and stated the purpose of the meeting hearing was to provide an informational hearing on HB 636 and to allow testimony from as many interested parties as possible.

The following Senators were also present and participated in the meeting, but do not serve as members of the Senate State and Local Governmental Operations Committee:

Crane of the 28th

Millar of the 40th

Wilkinson of the 50th

The following Representatives were also present and participated in the meeting:

Taylor of the 79th

Lindsey of the 54th

HB 636 by Jacobs of the 80th and others – Brookhaven, City of; provide a charter

A bill to incorporate the City of Brookhaven in DeKalb County; to provide for a charter for the City of Brookhaven and to provide for incorporation, boundaries, and powers of the city. Other provisions included in the legislation provide for general powers and limitations on powers and for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, expenses, qualifications, prohibitions, and districts relative to members of such governing authority. This bill would also provide for inquiries and investigations, organization and procedures and would establish an effective date.

The author of the bill, Jacobs of the 80th, spoke to HB 636 and offered a substitute (LC 28 6240ERS) for consideration. He detailed the history of the bill since its introduction in 2011 and, explaining the differences between the House and Senate versions, he provided a comprehensive overview of the provisions of the bill. The substitute before the committee included the following: (a) revised the city council districts, (b) revised the boundary line to Clairmont Road and (c) changed the name of the proposed city from Ashford back to Brookhaven.

Upon the conclusion of the author's presentation of the bill, the Committee heard supporting testimony from Taylor of the 79th, a co-sponsor of HB 636.

Throughout the extensive discussion that followed, many questions, concerns and comments were expressed by members and other legislators. The author and co-sponsor responded to all questions and provided clarification on each point that was put forth.

Page Two
March 12, 2012

The following individuals offered testimony in opposition of the bill:

Bruce Bowers, representing DeKalb County
Jeff Rader, Commissioner, DeKalb County, D-2
Kathie Gannon, Commissioner, DeKalb County, D-6

In addition to the three speakers listed above, Chairman Miller recognized and allowed brief testimony from over 40 other individuals in the audience. The names of those individuals can be found in Committee files. The majority of these speakers were citizens of DeKalb County who could be directly or indirectly affected by the passage of by HB 636. Their comments were representative of both sides of the issue.

Chairman Miller offered closing remarks and expressed his appreciation to Committee members, all other legislators, staff and the audience.

Note: Documents offered in support of testimony can be found in Committee files.

There being no further business to come before the Committee, the meeting was adjourned at 5:00 p.m.

Respectfully Submitted,

/s/ Senator Ginn of the 47th, Secretary

/s/ Rita Smith, Recording Secretary

**2012 SENATE STATE AND LOCAL GOVERNMENTAL OPERATIONS
COMMITTEE**

Roll Call Sheet

HB 636: Hearing Only

Date: Tuesday, March 12, 2012

Miller, 49th - Chairman
Jeffares, 17th - Vice Chairman
Ginn, 47th - Secretary
Gooch, 51st
James, 35th
Stoner, 6th
Tate, 38th

Shaded = Present

March 20, 2012

The Senate State and Local Governmental Operations Committee met in the Mezz 1 of the State Capitol on Tuesday, March 20, 2012, convening at 3:10 p.m. Members present are listed on the attached Roll Call sheet.

Note: On March 20, 2012, the Committee on Assignments appointed Wilkinson of the 50th as an Ex-Officio member of the Senate SLOGO Committee.

The following Senators were present and participated in the meeting, but do not serve as members of the Senate State and Local Governmental Operations Committee:

Albers of the 56th
Millar of the 40th

The following Representatives were present and participated in the meeting:

Lindsey of the 54th
Taylor of the 79th

The meeting was called to order by Senator Butch Miller, Chairman of the Senate State and Local Governmental Operations Committee and he asked Albers to open the meeting with a prayer. Business was conducted as follows:

HB 636 by Jacobs of the 80th and others –Brookhaven, City of; provide a charter

A bill which incorporates the City of Brookhaven into DeKalb County if approved by voters; it also creates the city's charter. This legislation provides for the city's powers, construction, responsibilities, elections for office holders, a transition task force, a municipal court and judges, taxation authority, licensing authority, and various other powers and responsibilities generally.

Jacobs of the 80th presented HB 636, a committee substitute (LC 28 6271ERS) for consideration. He explained that the proposed Committee substitute encompassed two changes from the version that had been presented to them at the previous hearing on the bill (on March 12, 2012) and detailed the reasons for the changes. The changes were as follows: (1) revise the southern boundary of the proposed city and (2) revise the 4th City Council District by moving one census block from District 3 to District 4. Jacobs of the 80th succinctly explained other aspects of the bill and closed his presentation by indicating that mayors from Decatur, Dunwoody and Chamblee were present to show their support for the bill.

Mayor Bill Floyd of Decatur testified in support of the bill.

Responding to Chairman Miller's call for comments or questions prior to motions, Stoner of the 6th explained that he and Rep. Lindsey of the 54th both had concerns regarding the name "Brookhaven" and stated his desire to make a motion for an amendment at the appropriate time on this issue.

James of the 35th initiated a lengthy discussion regarding prohibiting legislators from serving as the city attorney for the proposed city and indicated she would like to offer an amendment as well. The Chair indicated she could offer an amendment at the appropriate time.

Upon conclusion of all comments and questions, the Chairman asked if there were any motions to amend the bill.

Stoner of the 6th motioned to amend HB 636, Committee Substitute LC 28 6271ERS, by deleting all references to “Brookhaven” and inserting “Ashford” in its place. There was a delay before James of the 35th seconded the motion. The Chair called for the motion to be re-stated before the vote. Stoner of the 6th re-stated the motion. With 3 votes in favor and 4 votes opposed, the motion failed. (Nay votes: Jeffares of the 17th, Gooch of the 51st, Ginn of the 47th, and Wilkinson of the 50th)

James of the 35th motioned to amend HB 636 to exclude members of the Georgia General Assembly from serving as a city attorney at the time of this enactment. Tate of the 38th seconded the motion. The author voiced his opposition reasoning that the proposed language sounded as if it would prohibit their service forever. Jeff Lanier, Legislative Counsel to the Committee, was consulted and he confirmed that the amendment as stated would prohibit their service forever.

The Chair called for discussion of the proposed amendment. After more comments, questions and clarification, there seemed to be some agreement on language for an amendment to limit the exclusion to the first four years of the city’s existence.

James of the 35th motioned to amend the bill by adding the following language at the end of Line 796: “No person who was a member of the General Assembly at the time of the enactment of this charter shall be eligible to serve as city attorney during the first four years of the city’s existence.” The motion was seconded by Tate of the 38th and passed by a vote of 4 - 3. (Nay votes: Gooch of the 51st, Jeffares of the 17th and Wilkinson of the 50th)

There was some question regarding the outcome of the vote. The Chair called for a hand vote and the motion was sustained as initially recorded.

Chairman Miller recognized members of the audience by allowing them to state their name and position on the bill: 12 expressed support; 17 expressed opposition.

A motion was made by Ginn of the 47th, that [HB 636](#) “**Do Pass by Substitute**”, seconded by Jeffares of the 17th. The bill passed with 4 votes in favor and 3 votes opposed. (Nay votes: Stoner of the 6th, James of the 35th, and Tate of the 38th).

Senate Sponsor: Millar of the 40th

[HB 844 by Martin of the 47th and others](#) – Bonds; certain validation hearing appearance provisions; provide

A bill relating to obligations of an authority, use of proceeds, status as revenue obligations, subsequent series of bonds or notes, bond anticipation notes, interest rates, and issuance and validation, so as to provide for certain validation hearing appearance provisions.

Additionally, this legislation would provide that the confirmation and validation of bonds may include ancillary or related agreements or documents. It would also provide for procedures relating to an individual who desires to be party to the validation proceedings.

Page Three
March 20, 2012

Martin of the 47th defined the objective of HB 844 in detail. With the permission of the Chair, he introduced Lewis Horne of Schiff Hardin, LLP and former Associate Attorney to Fulton County, who offered testimony in support of the bill.

Following a short discussion, the Chair entertained a motion by Stoner of the 6th that [HB 844](#) “**Do Pass**”, seconded by James of the 35th. Unanimous vote.

Senate Sponsor: Mullis of the 53rd

[HB 929 by O’Neal of the 146th and others](#) – Judicial circuits; assistant district attorney for certain populations; repeal office

This legislation repeals an Act creating the office of assistant district attorney in each judicial circuit having a population of not less than 103,000 and not more than 135,000 according to the United States decennial census of 1970 or any future such census.

On behalf of O’Neal of the 146th, primary author of HB 929, Chairman Miller instructed T. J. Kaplan, intern for the Senate SLOGO Committee, to present the bill to the members of the Committee. Discussion was minimal.

Ginn of the 47th motioned that [HB 929](#) “**Do Pass**”, seconded by Stoner of the 6th. The bill passed by unanimous vote.

Senate Sponsor: Tolleson of the 20th

[HB 930 by O’Neal of the 146th and others](#) – Judicial circuits; superior court judge for certain populations; repeal supplemental expense allowance

This bill repeals an Act providing for a supplemental expense allowance for the judges of the superior courts of each judicial circuit within this state having a population of not less than 103,000 and not more than 135,000 according to the United States decennial census of 1970 or any future census.

On behalf of the author, O’Neal of the 146th, Chairman Miller directed T. J. Kaplan to present the bill to the Committee members for consideration. Discussion was brief.

A motion by Ginn of the 47th that [HB 930](#) “**Do Pass**” was seconded by James of the 35th. Unanimous vote.

Senate Sponsor: Tolleson of the 20th

HB 990 by Jones of the 46th and others – Municipal corporations; control over parks and fire stations; change certain provisions

A bill which relates to the incorporation of municipal corporations so as to change certain provisions pertaining to municipal control over parks and fire stations. It also revises certain provisions relating to special districts divided into noncontiguous areas, information required in audits, informational summary, and effect of creation of municipal corporations and distribution of excess proceeds from special district taxes, fees, and assessments. Further, the bill provides for applicability and an effective date.

Albers of the 56th presented HB 990 on behalf of the author, Rep. Jones of the 46th. She arrived shortly thereafter.

Following a few questions, comments and some discussion, Jeffares of the 17th motioned that **HB 990 “Do Pass”**, seconded by Ginn of the 47th. The vote was unanimous.

Senate Sponsor: Albers of the 56th

HB 1024 by Rice of the 51st and others – Budget commission; certain counties; population and census application; revise and change

Under this bill, an Act would be amended to create a Budget Commission for certain counties based upon classification by population, approved March 2, 1953.

Clark of the 104th, outlined the provisions of HB 1024 on behalf of the author, Rice of the 51st. She stated this was a population bill which would change the population threshold from 600,000 to 900,000.

Tate of the 38th expressed a motion to amend the population threshold on Lines 10 and 13 from 900,000 to 1,000,000 (one million); Stoner of the 6th seconded the motion. Members raised some questions and concerns.

Testimony in support of the bill and the amendment was expressed by Mike Vaquer, Legislative Policy Manager for Fulton County.

Further discussion ensued and with clarification from Legislative Counsel, members agreed upon a committee substitute repealing the Act versus amending it.

Chairman Miller suspended action on HB. 1024 to allow Legislative Counsel the time to draft the language for the substitute to be considered by the Committee.

HB 1026 by Sheldon of the 105th and others – Municipalities; law enforcement contracts; population brackets and census; change provisions

Currently Sheriffs are allowed to contract with certain municipalities for law enforcement service with written consent of the governing authority of their county. However, this provision does not apply to counties with a population of 800,000 or more, according to the 2000 U.S. decennial census.

Page Five
March 20, 2012

This legislation changes the county population threshold to 900,000 or more, according to the 2010 U.S. Decennial census, or any future census.

Clark of the 104th presented the bill on behalf of the author, Sheldon of the 105th and explained that this was another population bill. A brief discussion followed in which clarification was provided to a few questions.

The Committee heard supporting testimony from the following individual:
Michael McPhearson, representing Gwinnett County

Note: James of the 35th left the meeting.

The Chair called for the pleasure of the Committee. In response, Stoner of the 6th motioned that [HB 1026](#) “Do Pass”, seconded by Tate of the 38th and the bill passed unanimously.

Senate Sponsor: Unterman of the 45th.

[HB 1117 by Clark of the 104th and others](#) – Local government; approval of bonded debt by election; population brackets and the census; change certain provisions

A bill relating to elections for approval of bonded debt which would change certain provisions relative to population brackets and the census.

Current law requires that for all counties with a population of 800,000 or more, according to the 2000 U.S. decennial census, must hold elections for approval of bonded debt on the November general elections. This bill would change the population threshold to counties of 900,000 or more, according to the U.S. decennial census of 2010.

Clark of the 104th presented HB 1117. There were no questions.

Chairman Miller entertained a motion by Stoner of the 6th that [HB 1117](#) “Do Pass”. Jeffares of the 17th seconded the motion. The bill passed by unanimous vote.

Senate Sponsor: Balfour of the 9th

Note: At this time, Chairman Miller resumed the discussion of [HB 1024](#).

Jeff Lanier of Legislative Counsel read the proposed language of a Committee Substitute to repeal the Act in its entirety to members of the Committee.

Ginn of the 47th motioned that [HB 1024](#) “Do Pass by Substitute”, seconded by Stoner of the 6th. Unanimous vote.

Senate Sponsor: Miller of the 49th

Page Six
March 20, 2012

HB 1123 by O’Neal of the 146th and others – Annexation; unincorporated island; repeal Article 6.

This bill repeals Article 6 of Chapter 36 of Title 36, eliminating municipal authority to unilaterally annex unincorporated islands.

Annexations of unincorporated islands could still be done by acts of the legislature, application by property owners, and by application of 60 percent of the electors in the area and of owners of 60 percent of the land area.

On behalf of O’Neal of the 146th, author of HB 1123, the Chair instructed intern T. J. Kaplan to present the bill to Committee members. There was no discussion.

Marcie Rubensohn, representing the Georgia Municipal Association, stated no opposition to the bill, but indicated they were still working with the author.

The motion by Stoner of the 6th that **HB 1123 “Do Pass”**, was seconded by Tate of the 38th and the bill passed by unanimous vote.

Senate Sponsor: Tolleson of the 20th.

Note: Ginn of the 47th left the meeting.

HB 1089 by Carson of the 43rd and others – Local government; zoning proposal review procedures; repeal section and reserve.

Chapter 67 of Title 36, relating to zoning proposal review procedures, is repealed by this legislation.

Carson of the 43rd, primary author of the bill, presented HB 1089 to the Committee. There was no discussion.

Stoner of the 6th motioned that **HB 1089 “Do Pass”**, seconded by Jeffares of the 17th. Unanimous vote.

Senate Sponsor: Hill of the 32nd.

There being no further business to come before the Committee, the meeting was adjourned at 4:10 p.m.

Page Seven
March 20, 2012

Note: Documents offered in support of testimony can be found in Committee files.

Respectfully Submitted,

/s/ Senator Miller of the 49th, Chairman

/s/ Rita Smith, Recording Secretary

**2012 SENATE STATE AND LOCAL GOVERNMENTAL OPERATIONS
COMMITTEE**

Roll Call Sheet

Date: Tuesday, March 20, 2012

HB 636

HB 844

HB 929

HB 930

HB 990

HB 1024

HB 1026

HB 1089

HB 1117

HB 1123

Miller, 49th - Chairman
Jeffares, 17th - Vice Chairman
Ginn, 47th - Secretary
Gooch, 51st
James, 35th
Stoner, 6th
Tate, 38th
Wilkinson, 50th - Ex-Officio

Shaded = Present

Senator Tommie Williams
District 19
321 State Capitol
Atlanta, GA 30334

Committees:
Appropriations
Education and Youth
Health and Human Services
Reapportionment and Redistricting
Rules

The State Senate
Atlanta, Georgia 30334
PRESIDENT PRO TEMPORE

March 20, 2012

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

Dear Bob:

In accordance with Senate Rules, the Committee on Assignments has appointed Senator John Wilkinson to serve as an Ex-Officio Member for the Senate State and Local Governmental Operations Committee for the remainder of this legislative session. This appointment shall expire upon the adjournment of the committee meeting. Please feel free to contact me if you have any questions or concerns on this matter.

Sincerely,

/s/ Tommie Williams
Senate President Pro Tempore

October 4, 2012

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

Dear Mr. Ewing:

I return herewith to the Office of the Secretary of the Senate, the following bills which were not acted upon in the Senate State and Local Governmental Operations Committee during the 2012 Legislative Session:

[S.B. 182](#)

[S.B. 233](#)

[S.B. 249](#)

[S.B. 272](#)

[S.R. 16](#)

[S.R. 17](#)

[S.R. 18](#)

[S.R. 265](#)

[S.R. 1067](#)

[H.B. 475](#)

I also submit my completed minutes.

Sincerely,

/s/ Rita W. Smith, Recording Secretary
Senate State and Local Governmental Operations Committee