

The House Committee on State Planning and Community Affairs - Local Legislation offers the following substitute to HB 1569:

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating a Board of Commissioners of Ben Hill County, approved August 15, 1914 (Ga. L. 1914, p. 232), as amended, particularly by an Act approved April 4, 1991 (Ga. L. 1991, p. 3753), so as to change the description of commissioner districts; to provide for the completion of terms of office; to continue staggered terms of office; to provide for certain submissions; to provide effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a Board of Commissioners of Ben Hill County, approved August 15, 1914 (Ga. L. 1914, p. 232), as amended, particularly by an Act approved April 4, 1991 (Ga. L. 1991, p. 3753), is amended by striking subsections (a), (b), and (f) of Section 1 and inserting in lieu thereof the following:

"(a) Those members of the Board of Commissioners of Ben Hill County who are serving as such on December 31, 2001, and any person selected to fill a vacancy in any such office shall continue to serve as such members until the regular expiration of their respective terms of office and upon the election and qualification of their respective successors. On and after January 1, 2003, the Board of Commissioners of Ben Hill County shall consist of five members all of whom shall be elected from commissioner districts described in subsection (b) of this section.

(b) For the purposes of electing members of the board of commissioners, Ben Hill County is divided into three commissioner districts, each of which shall consist of the territory within the following bounds:

Commissioner District No. 1: All that portion of Ben Hill County, Georgia, lying East of a line described as beginning at the intersection of the line dividing Ben Hill and Irwin Counties and the right-of-way of U. S. Highway 129, thence running in a Northerly direction along the right-of-way of U. S. Highway 129 to its intersection with the

1 right-of-way of the mainline of CSX Railroad in the City of Fitzgerald, Georgia; thence
2 running West along the right-of-way of the CSX Railroad to the intersection thereof with
3 Redwood Road; thence running North along the right-of-way of Redwood Road to its
4 intersection with the right-of-way of Lower Rebecca Road; thence running East along the
5 right-of-way of Lower Rebecca Road to its intersection with the right-of-way of North
6 Merrimac Drive; thence South along the right-of-way of North Merrimac Drive to the
7 right-of-way of West Sultana Drive in the City of Fitzgerald, Georgia, thence running
8 East along the right-of-way line of West Sultana Drive to the right right-of-way of U. S.
9 Highway 129; thence running North along the right-of-way of U. S. Highway 129 to its
10 intersection with the right-of-way of Bush Avenue; thence South along the right-of-way
11 of Bush Avenue to its intersection with the North line of Golden Acres Subdivision
12 (which is also the city limits line of the City of Fitzgerald); thence East along the North
13 line of Golden Acres Subdivision to the Northeast corner of said subdivision; thence
14 South along the East line of Golden Acres Subdivision (which is also the city limits line
15 of the City of Fitzgerald) to its intersection with the North line of Middlebrook
16 Subdivision; thence East along the North line of Middlebrook Subdivision and the
17 extension of said North line (which is also the city limits line of the City of Fitzgerald)
18 to its intersection with Jefferson Street; thence South along the right-of-way of Jefferson
19 Street to the intersection thereof with Snowden Road; thence running East along the
20 right-of-way of Snowden Road (SR-173) approximately 1 1/2 miles to the Eastern end
21 of Snowden Road; thence running North along Snowden Road to its intersection with
22 Delta Road (Co. Rd. 26); thence running East along the right-of-way of Delta Road (Co.
23 Rd. 26) to its intersection with the right-of-way of Camp Brooklyn Road (Co. Rd. 11);
24 thence running in a Northerly direction along the right-of-way of Camp Brooklyn Road
25 (Co. Rd. 11) to its intersection with the right-of-way of Lulaville Road (Co. Rd. 199);
26 thence running West along the right-of-way of Lulaville Road (Co. Rd. 199) to the
27 right-of-way of U. S. Highway 129; thence running North along the right-of-way of U. S.
28 Highway 129 to its intersection with the Northern County Line of Ben Hill County.

29 Commissioner District No. 2: This district shall constitute all the territory of Ben Hill
30 County, Georgia, and shall be an at-large district.

31 Commissioner District No. 3: All that portion of Ben Hill County, Georgia, lying West
32 of a line described as beginning at the intersection of the line dividing Ben Hill and Irwin
33 Counties and the right-of-way of U. S. Highway 129; thence running in a Northerly
34 direction along the right-of-way of U. S. Highway 129 to the intersection with the
35 right-of-way of the CSX Railroad in the City of Fitzgerald, Georgia; thence running West
36 along the right-of-way of the CSX Railroad to the intersection thereof with Redwood
37 Road; thence running North along the right-of-way of Redwood Road to its intersection

1 with the right-of-way of Lower Rebecca Road; thence running East along the
2 right-of-way of Lower Rebecca Road to its intersection with the right-of-way of North
3 Merrimac Drive; thence South along the right-of-way of North Merrimac Drive to the
4 right-of-way of West Sultana Drive in the City of Fitzgerald, Georgia, thence running
5 East along the right-of-way line of West Sultana Drive to the right right-of-way of U. S.
6 Highway 129; thence running North along the right-of-way of U. S. Highway 129 to its
7 intersection with the right-of-way of Bush Avenue; thence South along the right-of-way
8 of Bush Avenue to its intersection with the North line of Golden Acres Subdivision
9 (which is also the city limits line of the City of Fitzgerald); thence East along the North
10 line of Golden Acres Subdivision to the Northeast corner of said subdivision; thence
11 South along the East line of Golden Acres Subdivision (which is also the city limits line
12 of the City of Fitzgerald) to its intersection with the North line of Middlebrook
13 Subdivision; thence East along the North line of Middlebrook Subdivision and the
14 extension of said North line (which is also the city limits line of the City of Fitzgerald)
15 to its intersection with Jefferson Street; thence South along the right-of-way of Jefferson
16 Street to the intersection thereof with Snowden Road; thence running East along the
17 right-of-way of Snowden Road (SR-173) approximately 1 1/2 miles to the Eastern end
18 of Snowden Road; thence running North along Snowden Road to its intersection with
19 Delta Road (Co. Rd. 26); thence running East along the right-of-way of Delta Road (Co.
20 Rd. 26) to its intersection with the right-of-way of Camp Brooklyn Road (Co. Rd. 11);
21 thence running in a Northerly direction along the right-of-way of Camp Brooklyn Road
22 (Co. Rd. 11) to its intersection with the right-of-way of Lulaville Road (Co. Rd. 199);
23 thence running West along the right-of-way of Lulaville Road (Co. Rd. 199) to the
24 right-of-way of U. S. Highway 129; thence running North along the right-of-way of U. S.
25 Highway 129 to its intersection with the Northern County Line of Ben Hill County.

26 (b.1) Commissioner Districts 1 and 3, as they exist on December 31, 2001, shall continue
27 to be designated as Commissioner Districts 1 and 3, respectively, but as newly described
28 in this Act, and on and after January 1, 2003, such members of the board serving from
29 those former commissioner districts shall be deemed to be serving from and representing
30 their respective districts as newly described by this Act."

31 "(f) At the November general election in 2002, members shall be elected to represent Post
32 2 of District 1 and Post 1 of District 3 for terms of office of four years beginning on
33 January 1, 2003, and until their respective successors are elected and qualified. At the
34 November general election in 2004, members shall be elected to represent Post 1 of District
35 1, District 2, and Post 2 of District 3 for terms of office of four years beginning on January
36 1, 2005, and until their respective successors are elected and qualified."

SECTION 2.

It shall be the duty of the attorney of the Board of Commissioners of Ben Hill County to submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

SECTION 3.

This section and Section 2 of this Act and those provisions of this Act necessary for the election of members of the Board of Commissioners of Ben Hill County in 2002 shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective January 1, 2003.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.