

House Bill 1812

By: Representative McCall of the 90<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for an advisory referendum election to be held in Elbert County for the purpose  
2 of determining if a change in the form of government is desired by the people of said county;  
3 to provide for the creation of a study committee to determine what changes in the form of  
4 government of said county may be appropriate; to provide that the creation of said study  
5 committee shall be contingent on the results of the referendum election; to provide for the  
6 membership, service, and operations of said committee; to provide for other related matters;  
7 to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
11 superintendent of Elbert County shall call and conduct an election as provided in this section  
12 for the purpose of submitting an advisory question to the voters of Elbert County for  
13 approval or rejection. The election superintendent shall conduct that election on the date of  
14 the November, 2002, general election and shall issue the call and conduct that election as  
15 provided by general law. The superintendent shall cause the date and purpose of the election  
16 to be published once a week for two weeks immediately preceding the date thereof in the  
17 official organ of Elbert County. The ballot shall have written or printed thereon the words:

18 "( ) YES Do you favor a change in the form of government of Elbert County and the  
19 creation of a study committee to determine what changes in the form of  
20 ( ) NO government of said county may be appropriate?"

21 All persons desiring to vote for approval of the proposition shall vote "Yes," and those  
22 persons desiring to vote for rejection of the proposition shall vote "No." The expense of such  
23 election shall be borne by Elbert County. It shall be the election superintendent's duty to  
24 certify the result thereof to the Secretary of State.

**SECTION 2.**

(a) If a majority of the votes cast at the advisory referendum election provided for in Section 1 of this Act are in favor of the proposition, then the study committee provided for in this section shall be created. Otherwise, if there is no majority vote in favor of the proposition, the committee shall not be created.

(b) Subject to the provisions of subsection (a) of this Code section, there shall be created the Committee to Study the Form of Government for Elbert County. The committee shall consist of 12 members as follows:

(1) The chairperson of the Elbert County Chamber of Commerce;

(2) The chairperson of the Elbert County, Elberton and Bowman Development Authority;

(3) The president of the NAACP of Elbert County;

(4) The president of the Elberton Granite Association;

(5) The president of the Elbert County Farm Bureau;

(6) The mayor of Elberton or the mayor's designee;

(7) The mayor of Bowman or the mayor's designee; and

(8) One member who is not an elected official to be appointed from each of the five county commissioner districts, such appointments to be made by the board of commissioners of Elbert County.

(c) Members of the committee shall serve without compensation, except that any member may be reimbursed from funds of Elbert County for ordinary and necessary expenses incurred in the performance of his or her duties if such reimbursement is approved by the board of commissioners of Elbert County. The board of commissioners shall provide the committee with meeting space, staff services, and supplies and equipment as may be requested by the committee and approved by the board of commissioners. The committee shall elect its own officers and may adopt bylaws as necessary or appropriate for the conduct of its business. The initial meeting date for the committee shall be set by the board of commissioners of Elbert County.

(d) The committee shall undertake a study of the issue of the form of government of Elbert County and what changes should be made therein and shall not later than July 1, 2003, issue a report of its findings to the board of commissioners and the Elbert County legislative delegation of the General Assembly. The committee shall stand abolished as of July 1, 2003.

**SECTION 3.**

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