

Senate Bill 174

By: Senators Marable of the 52nd, Walker of the 22nd, Harbison of the 15th and Jackson of the 50th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated,
2 relating to organization and membership of the Public Service Commission, so as to
3 implement a certain amendment to the Constitution changing the number of members of the
4 Public Service Commission and providing for the election of members from congressional
5 districts; to provide for terms of office; to provide residency requirements; to provide for
6 terms of office of members of the commission in office prior to the 2002 general election,
7 members of the commission elected at the 2002 general election, and members appointed or
8 elected to fill vacancies in the membership of the commission prior to December 31, 2004;
9 to provide for related matters; to provide a conditional effective date and for automatic
10 repeal; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Article 1 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to
14 organization and membership of the Public Service Commission, is amended by striking in
15 its entirety Code Section 46-2-1, relating to election of members and terms of office, and
16 inserting in lieu thereof a new Code Section 46-2-1 to read as follows:

17 "46-2-1.

18 (a) The Georgia Public Service Commission shall consist of ~~five~~ as many members as
19 there are congressional districts in the state to be elected as provided in Article IV, Section
20 I, Paragraph I of the Constitution and this Code section. Members of the Public Service
21 Commission shall be elected by the qualified electors of their respective congressional
22 districts. The members in office on ~~January 1, 2000~~ December 31, 2002, any member
23 elected to the Public Service Commission at the 2002 general election, and any member
24 appointed or elected to fill a vacancy in such membership prior to ~~the expiration of a term~~
25 ~~of office~~ December 31, 2004, shall continue to serve ~~out their respective terms of office~~
26 through December 31, 2004, at which time their terms of office shall expire. Initial

1 members elected from congressional districts shall be elected at the general election in
 2 2004 for terms of office of six years beginning the first day of January following such
 3 election, provided that the initial members elected from odd-numbered congressional
 4 districts at such election shall be elected for terms of office of four years. Thereafter, all
 5 future successors to members of the commission whose terms of office are to expire shall
 6 be elected at the state-wide general election immediately preceding the expiration of such
 7 terms, shall take office on the first day of January immediately following that election, and
 8 shall serve for terms of office of six years. A member elected from a congressional district
 9 shall be required to be a resident of such congressional district. As terms of office expire,
 10 new members elected to the commission shall be required to be residents of one of five
 11 ~~Public Service Commission Districts~~ as hereafter provided, but each member of the
 12 commission shall be elected state wide by the qualified voters of this state who are entitled
 13 to vote for members of the General Assembly. Except as otherwise provided in this Code
 14 section, the election shall be held under the same rules and regulations as apply to the
 15 election of Governor. Except as otherwise provided in this subsection, the ~~The~~
 16 Commissioners, who shall give their entire time to the duties of their offices, shall be
 17 elected at the general election next preceding the expiration of the terms of office of the
 18 respective incumbents. Their terms of office shall ~~be six years and shall~~ expire on
 19 December 31.

20 (b) In order to be elected as a member of the commission from a ~~Public Service~~
 21 ~~Commission District~~ congressional district, a person must have resided in that district for
 22 at least 12 months prior to election thereto. A person elected as a member of the
 23 commission from a ~~Public Service Commission District~~ congressional district by the
 24 voters of Georgia such congressional district must continue to reside in that district during
 25 the person's term of office or that office shall thereupon become vacant.

26 (c) ~~For the purpose of electing the members of the Public Service Commission, the state~~
 27 ~~shall be divided into five Public Service Commission Districts described as follows:~~

28 ~~Operator: state — Client: psc — Plan: coalition†~~

29 District No. 1

30 APPLING

31 ATKINSON

32 BACON

33 BALDWIN

34 BEN HILL

35 BERRIEN

1 BLECKLEY
2 BRANTLEY
3 BRYAN
4 BULLOCH
5 BURKE
6 CAMDEN
7 CANDLER
8 CHARLTON
9 CHATHAM
10 CLINCH
11 COFFEE
12 COLUMBIA
13 DODGE
14 ECHOLS
15 EFFINGHAM
16 EMANUEL
17 EVANS
18 GLASCOCK
19 GLYNN
20 HANCOCK
21 IRWIN
22 JEFF DAVIS
23 JEFFERSON
24 JENKINS
25 JOHNSON
26 LANIER
27 LAURENS
28 LIBERTY
29 LONG
30 MCDUFFIE
31 MCINTOSH
32 MONTGOMERY
33 PIERCE
34 RICHMOND
35 SCREVEN
36 TATTNALL
37 TELFAIR

1 TOOMBS
2 TREUTLEN
3 TWIGGS
4 WARE
5 WARREN
6 WASHINGTON
7 WAYNE
8 WHEELER
9 WILKINSON

10 District No. 2

11 BAKER
12 BIBB
13 BROOKS
14 BUTTS
15 CALHOUN
16 CHATTAHOOCHEE
17 CLAY
18 COLQUITT
19 COOK
20 CRAWFORD
21 CRISP
22 DECATUR
23 DOOLY
24 DOUGHERTY
25 EARLY
26 GRADY
27 HARRIS
28 HEARD
29 HOUSTON
30 JASPER
31 JONES
32 LAMAR
33 LEE
34 LOWNDES
35 MACON

1 MARION
 2 MERIWETHER
 3 MILLER
 4 MITCHELL
 5 MONROE
 6 MUSCOGEE
 7 PEACH
 8 PIKE
 9 PULASKI
 10 PUTNAM
 11 QUITMAN
 12 RANDOLPH
 13 SCHLEY
 14 SEMINOLE
 15 STEWART
 16 SUMTER
 17 TALBOT
 18 TAYLOR
 19 TERRELL
 20 THOMAS
 21 TIFT
 22 TROUP
 23 TURNER
 24 UPSON
 25 WEBSTER
 26 WILCOX
 27 WORTH

28 District No. 3

29 CLAYTON
 30 DEKALB
 31 FULTON
 32 Tract: 0001.
 33 Tract: 0002.
 34 Tract: 0004.
 35 Tract: 0005.

1 ~~Tract: 0006.~~
2 ~~Tract: 0007.~~
3 ~~Tract: 0008.~~
4 ~~Tract: 0010.95~~
5 ~~Tract: 0011.~~
6 ~~Tract: 0012.~~
7 ~~Tract: 0013.~~
8 ~~Tract: 0014.~~
9 ~~Tract: 0015.~~
10 ~~Tract: 0016.~~
11 ~~Tract: 0017.~~
12 ~~Tract: 0018.~~
13 ~~Tract: 0019.~~
14 ~~Tract: 0020.~~
15 ~~Tract: 0021.~~
16 ~~Tract: 0022.~~
17 ~~Tract: 0023.~~
18 ~~Tract: 0024.~~
19 ~~Tract: 0025.~~
20 ~~Tract: 0026.~~
21 ~~Tract: 0027.~~
22 ~~Tract: 0028.~~
23 ~~Tract: 0029.~~
24 ~~Tract: 0030.~~
25 ~~Tract: 0031.~~
26 ~~Tract: 0032.~~
27 ~~Tract: 0033.~~
28 ~~Tract: 0035.~~
29 ~~Tract: 0036.~~
30 ~~Tract: 0037.~~
31 ~~Tract: 0038.~~
32 ~~Tract: 0039.~~
33 ~~Tract: 0040.~~
34 ~~Tract: 0041.~~
35 ~~Tract: 0042.95~~
36 ~~Tract: 0043.~~
37 ~~Tract: 0044.~~

1 Tract: 0046.95
2 Tract: 0048.
3 Tract: 0049.95
4 Tract: 0050.
5 Tract: 0052.
6 Tract: 0053.
7 Tract: 0055.01
8 Tract: 0055.02
9 Tract: 0056.
10 Tract: 0057.
11 Tract: 0058.
12 Tract: 0060.
13 Tract: 0061.
14 Tract: 0062.
15 Tract: 0063.
16 Tract: 0064.
17 Tract: 0065.
18 Tract: 0066.01
19 Tract: 0066.02
20 Tract: 0067.
21 Tract: 0068.01
22 Tract: 0068.02
23 Tract: 0069.
24 Tract: 0070.
25 Tract: 0071.
26 Tract: 0072.
27 Tract: 0073.
28 Tract: 0074.
29 Tract: 0075.
30 Tract: 0076.01
31 Tract: 0076.02
32 Tract: 0077.01
33 Tract: 0077.02
34 Tract: 0078.02
35 Tract: 0078.03
36 Tract: 0078.04
37 Tract: 0079.

1 ~~Tract: 0080.~~
2 ~~Tract: 0081.01~~
3 ~~Tract: 0081.02~~
4 ~~Tract: 0082.01~~
5 ~~Tract: 0082.02~~
6 ~~Tract: 0083.01~~
7 ~~Tract: 0083.02~~
8 ~~Tract: 0084.~~
9 ~~Tract: 0085.~~
10 ~~Tract: 0086.01~~
11 ~~Tract: 0086.02~~
12 ~~Tract: 0087.01~~
13 ~~Tract: 0087.02~~
14 ~~Tract: 0088.~~
15 ~~Tract: 0089.~~
16 ~~Tract: 0090.~~
17 ~~Tract: 0091.~~
18 ~~Tract: 0092.~~
19 ~~Tract: 0093.~~
20 ~~Tract: 0094.01~~
21 ~~Tract: 0094.02~~
22 ~~Tract: 0095.~~
23 ~~Tract: 0096.~~
24 ~~Tract: 0097.~~
25 ~~Tract: 0098.~~
26 ~~Tract: 0099.~~
27 ~~Tract: 0100.~~
28 ~~Tract: 0101.01~~
29 ~~Tract: 0101.03~~
30 ~~Tract: 0101.05~~
31 ~~Tract: 0101.06~~
32 ~~Tract: 0101.07~~
33 ~~Tract: 0101.08~~
34 ~~Tract: 0102.01~~
35 ~~Tract: 0102.03~~
36 ~~Tract: 0102.04~~
37 ~~Tract: 0102.05~~

1 ~~Tract: 0103.01~~
 2 ~~Tract: 0103.02~~
 3 ~~Tract: 0104.~~
 4 ~~Tract: 0105.03~~
 5 ~~Tract: 0105.04~~
 6 ~~Tract: 0105.05~~
 7 ~~Tract: 0105.06~~
 8 ~~Tract: 0106.01~~
 9 ~~Tract: 0106.02~~
 10 ~~Tract: 0107.~~
 11 ~~Tract: 0108.~~
 12 ~~Tract: 0109.~~
 13 ~~Tract: 0110.~~
 14 ~~Tract: 0111.~~
 15 ~~Tract: 0112.01~~
 16 ~~Tract: 0112.02~~
 17 ~~Tract: 0113.01~~
 18 ~~Tract: 0113.02~~
 19 ~~Tract: 0114.06~~
 20 ~~Block: 201B, 202, 905-~~

21 District No. 4

22 BANKS
 23 BARROW
 24 CATOOSA
 25 CHEROKEE
 26 CLARKE
 27 DADE
 28 DAWSON
 29 ELBERT
 30 FANNIN
 31 FORSYTH
 32 FRANKLIN
 33 GILMER
 34 GREENE
 35 GWINNETT

1 HABERSHAM
2 HALL
3 HART
4 JACKSON
5 LINCOLN
6 LUMPKIN
7 MADISON
8 MORGAN
9 MURRAY
10 OCONEE
11 OGLETHORPE
12 PICKENS
13 RABUN
14 STEPHENS
15 TALIAFERRO
16 TOWNS
17 UNION
18 WALKER
19 WALTON
20 WHITE
21 WHITFIELD
22 WILKES

23 District No. 5

24 BARTOW
25 CARROLL
26 CHATTOOGA
27 COBB
28 COWETA
29 DOUGLAS
30 FAYETTE
31 FLOYD
32 FULTON
33 Tract: 0114.03
34 Tract: 0114.04
35 Tract: 0114.05

1 ~~Tract: 0114.06~~
 2 ~~Block Group: 1~~
 3 ~~Block: 201A~~
 4 ~~Block Group: 3~~
 5 ~~Block Group: 4~~
 6 ~~Block Group: 8~~
 7 ~~Block: 901, 902, 903, 904, 906, 907, 908, 909~~
 8 ~~Tract: 0114.07~~
 9 ~~Tract: 0114.08~~
 10 ~~Tract: 0114.09~~
 11 ~~Tract: 0114.10~~
 12 ~~Block: 101, 102~~
 13 ~~Block Group: 2~~
 14 ~~Block Group: 5~~
 15 ~~Tract: 0114.11~~
 16 ~~Tract: 0115.~~
 17 ~~Tract: 0116.01~~
 18 ~~Tract: 0116.02~~
 19 ~~Tract: 0116.03~~
 20 GORDON
 21 HARALSON
 22 HENRY
 23 NEWTON
 24 PAULDING
 25 POLK
 26 ROCKDALE
 27 SPALDING

28 ~~(d) The first members of the commission elected under this Code section shall be elected~~
 29 ~~thereto on the Tuesday next following the first Monday in November, 2000, from Public~~
 30 ~~Service Commission Districts 3 and 5, shall take office on the first day of January~~
 31 ~~immediately following that election, and shall serve for terms of office of six years and~~
 32 ~~until the election and qualification of their respective successors. Those members of the~~
 33 ~~commission elected thereto on the Tuesday next following the first Monday in November,~~
 34 ~~2002, from Public Service Commission Districts 1 and 4 shall take office on the first day~~
 35 ~~of January immediately following that election and shall serve for terms of office of six~~
 36 ~~years and until the election and qualification of their respective successors. The member~~
 37 ~~of the commission elected thereto on the Tuesday next following the first Monday in~~

1 ~~November, 2004, from Public Service Commission District 2 shall take office on the first~~
2 ~~day of January immediately following that election and shall serve for a term of office of~~
3 ~~six years and until the election and qualification of his or her respective successor. All~~
4 ~~future successors to members of the commission whose terms of office are to expire shall~~
5 ~~be elected at the state-wide general election immediately preceding the expiration of such~~
6 ~~terms, shall take office on the first day of January immediately following that election, and~~
7 ~~shall serve for terms of office of six years."~~

8 **SECTION 2.**

9 This Act shall become effective January 1, 2003, upon ratification by the voters of this state
10 at the 2002 November general election of that proposed amendment to Article IV, Section
11 I, Paragraph I of the Constitution which provides that the Public Service Commission shall
12 be composed of as many members as there are congressional districts in the state and that
13 members shall be elected by the qualified electors of their respective congressional districts;
14 provided, however, that if such amendment is not so ratified, this Act shall be null and void
15 and shall stand repealed in its entirety.

16 **SECTION 3.**

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