

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 **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

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

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

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

~~Operator: state Client: psc Plan: coalition~~

District No. 1

APPLING

ATKINSON

BACON

BALDWIN

BEN HILL

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.
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1	Tract: 0046.95
2	Tract: 0048.
3	Tract: 0049.95
4	Tract: 0050.
5	Tract: 0052.
6	Tract: 0053.
7	Tract: 0055.01
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18	Tract: 0066.01
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21	Tract: 0068.01
22	Tract: 0068.02
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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
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19	Tract: 0093.
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27	Tract: 0100.
28	Tract: 0101.01
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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

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3 ~~Tract: 0104.~~
4 ~~Tract: 0105.03~~
5 ~~Tract: 0105.04~~
6 ~~Tract: 0105.05~~
7 ~~Tract: 0105.06~~
8 ~~Tract: 0106.01~~
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13 ~~Tract: 0110.~~
14 ~~Tract: 0111.~~
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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

~~Tract: 0114.06~~

~~Block Group: 1~~

~~Block: 201A~~

~~Block Group: 3~~

~~Block Group: 4~~

~~Block Group: 8~~

~~Block: 901, 902, 903, 904, 906, 907, 908, 909~~

~~Tract: 0114.07~~

~~Tract: 0114.08~~

~~Tract: 0114.09~~

~~Tract: 0114.10~~

~~Block: 101, 102~~

~~Block Group: 2~~

~~Block Group: 5~~

~~Tract: 0114.11~~

~~Tract: 0115:~~

~~Tract: 0116.01~~

~~Tract: 0116.02~~

~~Tract: 0116.03~~

~~GORDON~~

~~HARALSON~~

~~HENRY~~

~~NEWTON~~

~~PAULDING~~

~~POLK~~

~~ROCKDALE~~

~~SPALDING~~

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