

House Bill 1279

By: Representatives Murphy of the 14<sup>th</sup>, Post 2, Powell of the 23<sup>rd</sup>, Jamieson of the 22<sup>nd</sup>,  
Burmeister of the 96<sup>th</sup>, Stoner of the 34<sup>th</sup>, Post 1, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 45 of Title 43 of the Official Code of Georgia Annotated, relating to  
2 persons engaged in structural pest control, so as to change certain provisions relating to  
3 creation of the State Structural Pest Control Commission, its composition, vacancies, and  
4 number of members who may represent a single entity; to change certain provisions relating  
5 to terms of office of appointive members and eligibility of members to succeed themselves;  
6 to change certain provisions relating to terms of office of appointive members and eligibility  
7 of members to succeed themselves; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 45 of Title 43 of the Official Code of Georgia Annotated, relating to persons  
11 engaged in structural pest control, is amended by striking Code Section 43-45-3, relating to  
12 creation of the State Structural Pest Control Commission, its composition, vacancies, and  
13 number of members who may represent a single entity, and inserting in lieu thereof the  
14 following:

15 "43-45-3.

16 There is created a State Structural Pest Control Commission to consist of seven members;  
17 ~~three of whom. On and after July 1, 2004, three of such members~~ shall be residents of this  
18 state who are engaged in the pest control industry and who are certified operators under this  
19 chapter. ~~Such members shall be appointed by the Commissioner, one of whom shall be~~  
20 appointed by the Governor, one of whom shall be appointed by the President of the Senate,  
21 and one of whom shall be appointed by the Speaker of the House of Representatives; and  
22 the terms of those members who were serving on June 30, 2004, as members of the  
23 commission pursuant to appointment by the Commissioner shall expire July 1, 2004. One  
24 member shall be the head of the Department of Entomology of the University of Georgia,  
25 ex officio, or some qualified person of that department designated by him or her. One  
26 member shall be the Commissioner of Agriculture of this state or the Commissioner's

1 designee; one member shall be the commissioner of human resources, ex officio, or some  
 2 qualified person designated by him or her; and one member shall have no connection  
 3 whatsoever with the pest control industry but shall have a recognized interest in consumer  
 4 affairs and in consumer protection concerns. ~~The Commissioner shall fill any vacancies~~  
 5 Any vacancies that may occur in the appointive membership of the commission shall be  
 6 filled in the same manner as the appointment of the person who vacated the office. No  
 7 business entity shall be represented by more than one member on the commission at any  
 8 time."

9 **SECTION 2.**

10 Said chapter is further amended by striking Code Section 43-45-4, relating to terms of office  
 11 of appointive members and eligibility of members to succeed themselves, and inserting in  
 12 lieu thereof the following:

13 "43-45-4.

14 The appointive members of the commission shall be appointed originally for a term of one  
 15 year for the person appointed by the Governor, two years for the person appointed by the  
 16 President of the Senate, and three years for the person appointed by the Speaker of the  
 17 House of Representatives; thereafter successors shall be appointed for a term of three years.  
 18 All such members shall serve for the specified term and until their successors are appointed  
 19 and qualified. There shall be no disqualification of any member appointed to succeed  
 20 himself or herself."

21 **SECTION 3.**

22 Said chapter is further amended by striking Code Section 43-45-5, relating to terms of  
 23 officers, action by vote of four members, and meetings, and inserting in lieu thereof the  
 24 following:

25 "43-45-5.

26 The member of the commission appointed by the Governor shall serve as chairperson of  
 27 the commission. The commission shall elect from its membership a ~~chairman and a~~  
 28 ~~vice-chairman~~ vice chairperson, who shall be elected annually by the members of the  
 29 commission by a majority vote. No action shall be taken without four votes in accord. The  
 30 commission shall determine the frequency of its meetings."

31 **SECTION 4.**

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