

House Resolution 1322

By: Representative Parham of the 94th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to
 2 provide for special motor vehicle license plates, dedicate the revenue from such plates for
 3 specific purposes, and appropriate the revenues so dedicated, including appropriations for
 4 the ultimate use of nonprofit organizations where it is found that there will be a benefit to the
 5 state; to change certain provisions relating to an indemnification fund for public school
 6 teachers, administrators, and employees who are killed or permanently disabled in the line
 7 of duty; to change certain provisions relating to a roadside enhancement and beautification
 8 fund; to change certain provisions relating to a dog and cat reproductive sterilization support
 9 program; to provide for related matters; to provide for submission of this amendment for
 10 ratification or rejection; and for other purposes.

11 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 SECTION 1.

13 Article III, Section VI, Paragraph VI of the Constitution, relating to gratuities, is amended
 14 by striking the first subparagraph (g) (proposed by Ga. L. 2000, p. 2001, Section 1) and
 15 inserting in its place the following:

16 "(g) The General Assembly may provide by law for indemnification with respect to public
 17 school teachers, administrators, and employees who are killed or permanently disabled by
 18 an act of violence in the line of duty; and a nonlapsing indemnification fund for such
 19 purposes, ~~and dedication of revenue from special and distinctive motor vehicle license~~
 20 ~~plates honoring Georgia educators to such fund."~~

21 SECTION 2.

22 Article III, Section IX, Paragraph VI of the Constitution, relating to appropriations for
 23 specific sums, is amended by striking paragraphs (l) and (m) and inserting in their place the
 24 following:

25 "(l) The General Assembly is authorized to provide by general law for the creation of a
 26 roadside enhancement and beautification fund from which funds shall be disbursed for

1 enhancement and beautification of public rights of way; for allocation and dedication of
2 revenue from tree and other vegetation trimming or removal permit fees, and other related
3 assessments, ~~and special and distinctive wildflower motor vehicle license plate fees to such~~
4 ~~fund~~; that moneys paid into the fund shall not lapse, the provisions of Article III, Section
5 IX, Paragraph IV(c) notwithstanding; and for any matters relating to the purpose or
6 provisions of this subparagraph. An Act creating such fund and making such provisions
7 effective January 1, 1999, or later may originate or have originated in the Senate or the
8 House of Representatives.

9 (m) There shall be within the Department of Agriculture a dog and cat reproductive
10 sterilization support program to control dog and cat overpopulation and thereby reduce the
11 number of animals housed and killed in animal shelters, which program shall be
12 administered by the Commissioner of Agriculture. ~~In order to fund the program, there shall~~
13 ~~be issued beginning in 2003 specially designed license plates promoting the program. The~~
14 ~~General Assembly shall provide by law for the issuance of such license plates and for~~
15 ~~dedication of certain revenue derived from fees for such plates to the support of the~~
16 ~~program. All such dedicated revenue derived from special license plate fees, any Any~~
17 ~~funds appropriated to the department for such purposes, and any voluntary contributions~~
18 ~~or other funds made available to the department for such purposes and all interest thereon~~
19 ~~shall be deposited in a special fund for support of the program, shall not be used for any~~
20 ~~purpose other than support of the program, and shall not lapse. The General Assembly may~~
21 ~~provide by law for all matters necessary or appropriate to the implementation of this~~
22 ~~paragraph.~~

23 (n) The General Assembly may provide by law for the issuance and renewal of special
24 motor vehicle license plates which motor vehicle owners may optionally purchase and
25 renew for additional fees. The General Assembly may provide for all or a portion of the net
26 revenue, as defined by the General Assembly, derived from the additional fees charged for
27 any such special license plate to be dedicated to a specific purpose related to the nature of
28 the special license plate. Revenue which is so dedicated shall be appropriated for such
29 specific purpose in the general or amended general appropriations Act. The manner of any
30 such appropriation and the recipient or recipients of any such appropriation shall be
31 determined in the general or amended general appropriations Act through the general
32 appropriations process. Any appropriation enacted pursuant to the authority of this
33 subparagraph may be in whole or in part for the ultimate use of a nonprofit organization,
34 without limitation by Article III, Section VI, Paragraph VI, if the General Assembly
35 determines that the license plate program and such appropriation will benefit both the state
36 and the nonprofit organization. Any law enacted pursuant to the authority of this
37 subparagraph may provide that funds appropriated pursuant to such law shall not lapse as

1 otherwise required by Article III, Section IX, Paragraph IV(c). Any statute which existed
 2 on January 1, 2005, and which created a special license plate and appropriated, or
 3 expressed an intent to appropriate, revenue shall be subject to the provisions of this
 4 subparagraph, but any such law shall also be subject to amendment or repeal by the
 5 General Assembly."

6 **SECTION 3.**

7 The above proposed amendment to the Constitution shall be published and submitted as
 8 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
 9 above proposed amendment shall have written or printed thereon the following:

10 "() YES Shall the Constitution be amended so as to authorize the General Assembly
 11 to provide for special motor vehicle license plates, dedicate the revenue
 12 () NO from such plates for specific purposes, and appropriate the revenues so
 13 dedicated, including appropriations for the ultimate use of nonprofit
 14 organizations where it is found that there will be a benefit to the state?"

15 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
 16 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
 17 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
 18 become a part of the Constitution of this state.