

House Bill 1816 (AS PASSED HOUSE AND SENATE)

By: Representative Smith of the 129<sup>th</sup>, Post 2, and Mosley of the 129<sup>th</sup>, Post 1

A BILL TO BE ENTITLED  
AN ACT

1 To provide for an advisory referendum election to be held in Brantley County for the purpose  
2 of submitting to the qualified voters of the county the question of the manner in which the  
3 county should cause the collection and disposal of the county's residential waste; to provide  
4 for other related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 It is found, determined, and declared that the holding of the advisory referendum election  
8 provided for in this Act is in all respects for the benefit of the people of Brantley County and  
9 is for a public purpose and is an essential governmental function for which public funds may  
10 be expended.

11 **SECTION 2.**

12 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
13 superintendent of Brantley County shall call and conduct an election as provided in this  
14 section for the purpose of submitting advisory questions to the voters of Brantley County for  
15 approval or rejection. The election superintendent shall conduct the election on the date of  
16 the state-wide general primary election in July, 2004, and shall issue the call and conduct  
17 the election as provided by general law. The election superintendent shall cause the date and  
18 purpose of the election to be published once a week for two weeks immediately preceding  
19 the date thereof in the official organ of Brantley County. The ballot shall have written or  
20 printed thereon the following questions from which the voter shall make one selection:

"Choose only one:

( ) Shall the county establish a door-to-door collection system for the disposal of the residential wastes in the county and impose a fee to cover the cost of such collection and disposal system?

( ) Shall the county collect and dispose of the county's residential waste through the existing dumpster system with the imposition of a fee to cover the cost of such collection and disposal system?"

It shall be the election superintendent's duty to tabulate the result of this election and certify that result to the Secretary of State.

### **SECTION 3.**

Whichever residential waste collection system receives the majority of the votes cast in the election will be presented to the Board of Commissioners of Brantley County as the voters' preference in the advisory referendum but the voters' preference shall not be binding on the Board of Commissioners of Brantley County.

### **SECTION 4.**

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