

House Bill 271 (AS PASSED HOUSE AND SENATE)

By: Representatives Smyre of the 132nd, Smith of the 129th, Hugley of the 133rd, Smith of the 131st, and Buckner of the 130th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing a new charter for the county-wide government of Columbus,
2 Georgia, approved April 5, 1993 (Ga. L. 1993, p. 4978), as amended, so as to abolish the
3 Columbus Industrial and Port Development Commission and to repeal certain Acts and
4 constitutional amendments related to its powers, duties, and functions; to repeal an Act
5 approved March 18, 1986 (Ga. L. 1986, p. 3780), that continued in force and effect as a part
6 of the Constitution of the State of Georgia that constitutional amendment which was
7 proposed by Resolution Act No. 47 (House Resolution 170-372) enacted at the 1965 session
8 of the General Assembly and that was duly ratified at the 1966 general election (Ga. L. 1965,
9 p. 702), relating to the creation of the Columbus-Muscogee County Port Development
10 Commission; to repeal that constitutional amendment that was proposed by Resolution Act
11 No. 47 (House Resolution 170-372) enacted at the 1965 session of the General Assembly and
12 that was duly ratified at the 1966 general election (Ga. L. 1965, p. 702), relating to the
13 creation of the Columbus-Muscogee County Port Development Commission; to repeal an
14 Act approved March 18, 1986 (Ga. L. 1986, p. 3782), that continued in force and effect as
15 a part of the Constitution of the State of Georgia that constitutional amendment which was
16 proposed by Resolution Act No. 64 (House Resolution 106-252) enacted at the 1967 session
17 of the General Assembly and that was duly ratified at the 1968 general election (Ga. L. 1967,
18 p. 947), relating to the creation of the Muscogee County Industrial Development Authority;
19 to repeal that constitutional amendment that was proposed by Resolution Act No. 64 (House
20 Resolution 106-252) enacted at the 1967 session of the General Assembly and that was duly
21 ratified at the 1968 general election (Ga. L. 1967, p. 947), relating to the creation of the
22 Muscogee County Industrial Development Authority; to provide for a referendum; to provide
23 for effective dates and automatic repeal; to provide for submission of this Act for
24 preclearance under the federal Voting Rights Act of 1965, as amended, and the duties of the
25 governing authority of Columbus, Georgia, related thereto; to repeal conflicting laws; and
26 for other purposes.

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

An Act providing a new charter for the county-wide government of Columbus, Georgia, approved April 5, 1993 (Ga. L. 1993, p. 4978), as amended, is amended by striking Section 4-623, relating to the Columbus Industrial and Port Development Commission, and inserting in its place the following:

"SECTION 4-623

Reserved."

SECTION 2.

An Act approved March 18, 1986 (Ga. L. 1986, p. 3780), that continued in force and effect as a part of the Constitution of the State of Georgia that constitutional amendment which was proposed by Resolution Act No. 47 (House Resolution 170-372) enacted at the 1965 session of the General Assembly and that was duly ratified at the 1966 general election (Ga. L. 1965, p. 702), relating to the creation of the Columbus-Muscogee County Port Development Commission, is repealed in its entirety.

SECTION 3.

That constitutional amendment that was proposed by Resolution Act No. 47 (House Resolution 170-372) enacted at the 1965 session of the General Assembly and that was duly ratified at the 1966 general election (Ga. L. 1965, p. 702), relating to the creation of the Columbus-Muscogee County Port Development Commission, is repealed in its entirety.

SECTION 4.

An Act approved March 18, 1986 (Ga. L. 1986, p. 3782), that continued in force and effect as a part of the Constitution of the State of Georgia that constitutional amendment which was proposed by Resolution Act No. 64 (House Resolution 106-252) enacted at the 1967 session of the General Assembly and that was duly ratified at the 1968 general election (Ga. L. 1967, p. 947), relating to the creation of the Muscogee County Industrial Development Authority, is repealed in its entirety.

SECTION 5.

That constitutional amendment that was proposed by Resolution Act No. 64 (House Resolution 106-252) enacted at the 1967 session of the General Assembly and that was duly ratified at the 1968 general election (Ga. L. 1967, p. 947), relating to the creation of the Muscogee County Industrial Development Authority, is repealed in its entirety.

SECTION 6.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Muscogee County shall call and conduct an election as provided in this section for the purpose of submitting Sections 1 through 5 of this Act to the electors of Muscogee County for approval or rejection. The election superintendent shall conduct that election on the date of the state-wide general primary in 2006 and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Muscogee County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act abolishing the Columbus Industrial and Port Development Commission and repealing the following Acts and constitutional amendments relating to its powers, duties, and functions:

() NO

(1) That constitutional amendment relating to the creation of the Columbus-Muscogee County Port Development Commission proposed by Resolution Act No. 47 (House Resolution 170-372) enacted at the 1965 session of the General Assembly and that was duly ratified at the 1966 general election (Ga. L. 1965, p. 702) and the Act approved March 18, 1986 (Ga. L. 1986, p. 3780), that continued such constitutional amendment in force and effect as a part of the Constitution of the State of Georgia; and

(2) That constitutional amendment relating to the creation of the Muscogee County Industrial Development Authority proposed by Resolution Act No. 64 (House Resolution 106-252) enacted at the 1967 session of the General Assembly and that was duly ratified at the 1968 general election (Ga. L. 1967, p. 947) and the Act approved March 18, 1986 (Ga. L. 1986, p. 3782), that continued such constitutional amendment in force and effect as a part of the Constitution of the State of Georgia

be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Sections 1 through 5 of this Act shall become of full force and effect on June 1, 2007. If the Act is not so approved or if the election is not conducted as provided in this section, Sections 1 through 5 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by

1 Muscogee County. It shall be the election superintendent's duty to certify the result thereof
2 to the Secretary of State.

3 **SECTION 7.**

4 The governing authority of Columbus, Georgia, shall through its legal counsel cause this Act
5 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended;
6 and such submission shall be made to the United States Department of Justice or filed with
7 the appropriate court no later than 90 days after the date on which this Act is approved by the
8 Governor or otherwise becomes law without such approval.

9 **SECTION 8.**

10 Except as otherwise provided in Section 6, this Act shall become effective upon its approval
11 by the Governor or upon its becoming law without such approval.

12 **SECTION 9.**

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