

House Resolution 1094 (AM)

By: Representatives Scheid of the 22<sup>nd</sup>, Smith of the 113<sup>th</sup>, Cummings of the 16<sup>th</sup>, Rogers of the 26<sup>th</sup>, Harbin of the 118<sup>th</sup>, and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that funds derived from sales  
 2 and use and motor fuel taxes with respect to aviation fuel may be appropriated for and grant  
 3 made for all activities incident to providing and maintaining an adequate system of  
 4 public-use airports in this state; to authorize the General Assembly to allocate and specify  
 5 and direct the use of such funds by general law; to provide for submission of this amendment  
 6 for ratification or rejection; and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 8 SECTION 1.

9 Article III, Section IX, Paragraph VI of the Constitution is amended by striking subparagraph  
 10 (b) of said Paragraph and inserting in its place a new subparagraph (b) to read as follows:

11 "(b) Except as otherwise provided in Paragraph VIII of this article, an amount equal  
 12 to all money derived from motor fuel taxes received by the state in each of the immediately  
 13 preceding fiscal years, less the amount of refunds, rebates, and collection costs authorized  
 14 by law, is hereby appropriated for the fiscal year beginning July 1, of each year following,  
 15 for all activities incident to providing and maintaining an adequate system of public-use  
 16 roads and bridges in this state, as authorized by laws enacted by the General Assembly of  
 17 Georgia, and for grants to counties by law authorizing road construction and maintenance,  
 18 as provided by law authorizing such grants; provided, however, that after July 1, 2007, no  
 19 such money shall be used for the payroll or administrative costs of any state agency. Said  
 20 sum is hereby appropriated for, and shall be available for, the aforesaid purposes regardless  
 21 of whether the General Assembly enacts a general appropriations Act; and said sum need  
 22 not be specifically stated in any general appropriations Act passed by the General  
 23 Assembly in order to be available for such purposes. However, this shall not preclude the  
 24 General Assembly from appropriating for such purposes an amount greater than the sum  
 25 specified above for such purposes. The expenditure of such funds shall be subject to all the  
 26 rules, regulations, and restrictions imposed on the expenditure of appropriations by  
 27 provisions of the Constitution and laws of this state, unless such provisions are in conflict

1 with the provisions of this ~~paragraph~~ Paragraph. And provided, however, that the proceeds  
 2 of the tax hereby appropriated shall not be subject to budgetary reduction. In the event of  
 3 invasion of this state by land, sea, or air or in case of a major catastrophe so proclaimed by  
 4 the Governor, said funds may be utilized for defense or relief purposes on the executive  
 5 order of the Governor."

## 6 SECTION 2.

7 Article III, Section IX of the Constitution is amended by adding a new Paragraph at the end  
 8 thereof, to be designated Paragraph VIII, to read as follows:

9 "Paragraph VIII. ***Public-use airports improvement fund.*** An amount of money equal to  
 10 all money derived from sales and use and motor fuel taxes with respect to aviation fuel  
 11 received by the state in each of the immediately preceding fiscal years, less the amount of  
 12 refunds, rebates, and collection costs authorized by law, is hereby allocated to the regional  
 13 public-use airports improvement fund for the fiscal year beginning July 1, of each year  
 14 following, for all activities incident to providing and maintaining an adequate system of  
 15 regional public-use airports in this state; provided, however, that after July 1, 2007, no such  
 16 money shall be used for the payroll or administrative costs of any state agency. The  
 17 General Assembly is specifically authorized to allocate and specify and direct the use of  
 18 the sum provided for under this Paragraph by general law. The sum provided for under this  
 19 Paragraph is appropriated for, and shall be available for, the airport purposes authorized  
 20 under this Paragraph regardless of whether the General Assembly enacts a general  
 21 appropriations Act; and said sum need not be specifically stated in any general  
 22 appropriations Act passed by the General Assembly in order to be available for such  
 23 purposes. However, this shall not preclude the General Assembly from appropriating for  
 24 such purposes an amount greater than the sum specified above for such purposes. The  
 25 expenditure of such funds shall be subject to all the rules, regulations, and restrictions  
 26 imposed on the expenditure of appropriations by provisions of the Constitution and laws  
 27 of this state, unless such provisions are in conflict with the provisions of this Paragraph;  
 28 provided, however, that the proceeds of the tax appropriated under this Paragraph shall not  
 29 be subject to budgetary reduction. In the event of invasion of this state by land, sea, or air  
 30 or in case of a major catastrophe so proclaimed by the Governor, said funds may be utilized  
 31 for defense or relief purposes on the executive order of the Governor."

## 32 SECTION 3.

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

- 1     " YES    Shall the Constitution of Georgia be amended so as to provide that funds  
2                    derived from sales and use and motor fuel taxes with respect to aviation fuel  
3      NO    may be appropriated for all activities incident to providing and maintaining  
4                    an adequate system of public-use airports and to authorize the General  
5                    Assembly to allocate and specify and direct the use of such funds by general  
6                    law?"
- 7   All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
8   All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
9   such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
10  become a part of the Constitution of this state.