

## House Resolution 48

By: Representatives Rogers of the 26<sup>th</sup>, Harbin of the 118<sup>th</sup>, Smith of the 129<sup>th</sup>, Smith of the 113<sup>th</sup>, Floyd of the 147<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 jet fuel and aviation gasoline may be  
 3 appropriated for and grant made for all activities incident to providing and maintaining an  
 4 adequate system of public-use airports in this state; to authorize the General Assembly to  
 5 allocate and specify and direct the use of such funds by general law; to provide for  
 6 submission of this amendment 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 revising  
 10 subparagraph (b) of said Paragraph 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. Said sum is hereby appropriated for, and shall  
 19 be available for, the aforesaid purposes regardless of whether the General Assembly enacts  
 20 a general appropriations Act; and said sum need not be specifically stated in any general  
 21 appropriations Act passed by the General Assembly in order to be available for such  
 22 purposes. However, this shall not preclude the General Assembly from appropriating for  
 23 such purposes an amount greater than the sum specified above for such purposes. The  
 24 expenditure of such funds shall be subject to all the rules, regulations, and restrictions  
 25 imposed on the expenditure of appropriations by provisions of the Constitution and laws  
 26 of this state, unless such provisions are in conflict with the provisions of this ~~paragraph~~  
 27 Paragraph. And provided, however, that the proceeds of the tax hereby appropriated shall

1 not be subject to budgetary reduction. In the event of invasion of this state by land, sea, or  
2 air or in case of a major catastrophe so proclaimed by the Governor, said funds may be  
3 utilized for defense or relief purposes on the executive order of the Governor."

#### 4 SECTION 2.

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

7 "Paragraph VIII. ***Public-use airports improvement fund.*** An amount of money equal to  
8 all money derived from sales and use and motor fuel taxes with respect to jet fuel and  
9 aviation gasoline received by the state in each of the immediately preceding fiscal years,  
10 less the amount of refunds, rebates, and collection costs authorized by law, is hereby  
11 allocated to the regional public-use airports improvement fund for the fiscal year beginning  
12 July 1, of each year following, for all activities incident to providing and maintaining an  
13 adequate system of regional public-use airports in this state. The General Assembly is  
14 specifically authorized to allocate and specify and direct the use of the sum provided for  
15 under this Paragraph by general law. The sum provided for under this Paragraph is  
16 appropriated for, and shall be available for, the airport purposes authorized under this  
17 Paragraph regardless of whether the General Assembly enacts a general appropriations Act;  
18 and said sum need not be specifically stated in any general appropriations Act passed by  
19 the General Assembly in order to be available for such purposes. However, this shall not  
20 preclude the General Assembly from appropriating for such purposes an amount greater  
21 than the sum specified above for such purposes. The expenditure of such funds shall be  
22 subject to all the rules, regulations, and restrictions imposed on the expenditure of  
23 appropriations by provisions of the Constitution and laws of this state, unless such  
24 provisions are in conflict with the provisions of this Paragraph; provided, however, that the  
25 proceeds of the tax appropriated under this Paragraph shall not be subject to budgetary  
26 reduction. In the event of invasion of this state by land, sea, or air or in case of a major  
27 catastrophe so proclaimed by the Governor, said funds may be utilized for defense or relief  
28 purposes on the executive order of the Governor."

#### 29 SECTION 3.

30 The above proposed amendment to the Constitution shall be published and submitted as  
31 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
32 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 jet fuel and  
3      NO    aviation gasoline may be appropriated for all activities incident to providing  
4                    and maintaining an adequate system of public-use airports and to authorize  
5                    the General Assembly to allocate and specify and direct the use of such  
6                    funds by general 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.