

Senate Bill 31

By: Senator Thomas of the 2nd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To provide for an advisory referendum election to be held in the City of Port Wentworth for
2 the purpose of determining whether the members of the city council should be elected by
3 district; to determine whether the electors approve the shortening of terms of elected
4 councilmembers; to provide for a declaration of public purpose; to provide for the
5 submission of this Act to the United States Department of Justice for preclearance; to repeal
6 conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
10 superintendent of the City of Port Wentworth shall call and conduct an election as provided
11 in this section for the purpose of submitting an advisory question to the voters of the City of
12 Port Wentworth. The election superintendent shall conduct that election on the Tuesday next
13 following the first Monday in November, 2007, and shall issue the call and conduct that
14 election as provided by general law. The election superintendent shall cause the date and
15 purpose of the election to be published once a week for two weeks immediately preceding
16 the date thereof in the official organ of the City of Port Wentworth. The ballot shall have
17 written or printed thereon the words:

18 " YES Are you in favor of the election of members of the city council of the City
19 of Port Wentworth by district instead of the present at-large method of
20 NO election with the first such election taking place at the municipal election in
21 2009, and to cut short the terms of those members elected at the municipal
22 election held in 2007?"

23 All persons desiring to vote for election of the members of the city council by district shall
24 vote "Yes," and those persons desiring to vote for retaining the present at-large method of
25 election of the members of the city council shall vote "No." The expense of such election

1 shall be borne by the City of Port Wentworth. It shall be the election superintendent's duty
2 to certify the result thereof to the Secretary of State.

3 **SECTION 2.**

4 It is found, determined, and declared that the holding of the advisory referendum election
5 provided for in this Act is in all respects for the benefit of the people of the City of Port
6 Wentworth and is for a public purpose and is an essential governmental function for which
7 public funds may be expended.

8 **SECTION 3.**

9 The governing authority of the City of Port Wentworth shall through its legal counsel cause
10 this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
11 amended; and such submission shall be made to the United States Department of Justice or
12 filed with the appropriate court no later than 45 days after the date on which this Act is
13 approved by the Governor or otherwise becomes law without such approval.

14 **SECTION 4.**

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