

The House Committee on Appropriations offers the following substitute to HR 228:

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 and sales and use
 3 taxes with respect to locomotive fuel shall be allocated for activities incident to providing
 4 and maintaining an adequate system of public-use airports and railroads in this state,
 5 respectively; to authorize the General Assembly to specify and direct the use of such funds
 6 by general law; to provide for submission of this amendment for ratification or rejection; and
 7 for other purposes.

8 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Article III, Section IX, Paragraph VI of the Constitution is amended by revising
 11 subparagraph (b) as follows:

12 "(b) ~~An~~ Except as otherwise provided in Paragraphs VIII and IX of this article, an
 13 amount equal to all money derived from motor fuel taxes received by the state in each of
 14 the immediately preceding fiscal years, less the amount of refunds, rebates, and collection
 15 costs authorized by law, is hereby appropriated for the fiscal year beginning July 1, of each
 16 year following, for all activities incident to providing and maintaining an adequate system
 17 of ~~public~~ public-use roads and bridges in this state, as authorized by laws enacted by the
 18 General Assembly of Georgia, and for grants to counties by law authorizing road
 19 construction and maintenance, as provided by law authorizing such grants. Said sum is
 20 hereby appropriated for, and shall be available for, the aforesaid purposes regardless of
 21 whether the General Assembly enacts a general appropriations Act; and said sum need not
 22 be specifically stated in any general appropriations Act passed by the General Assembly
 23 in order to be available for such purposes. However, this shall not preclude the General
 24 Assembly from appropriating for such purposes an amount greater than the sum specified
 25 above for such purposes. The expenditure of such funds shall be subject to all the rules,
 26 regulations, and restrictions imposed on the expenditure of appropriations by provisions
 27 of the Constitution and laws of this state, unless such provisions are in conflict with the

1 provisions of this ~~paragraph~~ Paragraph. And provided, however, that the proceeds of the
 2 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 new Paragraphs to read as
 8 follows:

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

31 Paragraph IX. ***Railroad improvement fund.*** An amount of money equal to all money
 32 derived from sales and use taxes with respect to locomotive fuel received by the state in
 33 each of the immediately preceding fiscal years, less the amount of refunds, rebates, and
 34 collection costs authorized by law, is hereby allocated to the railroad improvement fund for
 35 the fiscal year beginning July 1, of each year following, for all activities incident to
 36 providing and maintaining an adequate system of railroads in this state. The General

1 Assembly is specifically authorized to allocate and specify and direct the use of the sum
 2 provided for under this Paragraph by general law. The sum provided for under this
 3 Paragraph is appropriated for, and shall be available for, the railroad purposes authorized
 4 under this Paragraph regardless of whether the General Assembly enacts a general
 5 appropriations Act; and said sum need not be specifically stated in any general
 6 appropriations Act passed by the General Assembly in order to be available for such
 7 purposes. However, this shall not preclude the General Assembly from appropriating for
 8 such purposes an amount greater than the sum specified above for such purposes. The
 9 expenditure of such funds shall be subject to all the rules, regulations, and restrictions
 10 imposed on the expenditure of appropriations by provisions of the Constitution and laws
 11 of this state, unless such provisions are in conflict with the provisions of this Paragraph;
 12 provided, however, that the proceeds of the tax appropriated under this Paragraph shall not
 13 be subject to budgetary reduction. In the event of invasion of this state by land, sea, or air
 14 or in case of a major catastrophe so proclaimed by the Governor, said funds may be utilized
 15 for defense or relief purposes on the executive order of the Governor."

16

SECTION 3.

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

20 "() YES Shall the Constitution of Georgia be amended so as to provide that funds
 21 derived from sales and use and motor fuel taxes with respect to jet fuel and
 22 () NO aviation gasoline and sales and use taxes with respect to locomotive fuel
 23 shall be allocated for activities incident to providing and maintaining an
 24 adequate system of public-use airports and railroads, respectively, and to
 25 authorize the General Assembly to specify and direct the use of such funds
 26 by general law?"

27 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
 28 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
 29 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
 30 become a part of the Constitution of this state.