

The Senate Transportation Committee offered the following substitute to SB 448:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 32-2-20 of the Official Code of Georgia Annotated, relating to the  
2 membership on the State Transportation Board, so as to provide for members to serve for  
3 four-year terms; to provide a procedure for removal of a member from office prior to  
4 expiration of his or her term; to provide for related matters; to provide for a conditional  
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

7 Code Section 32-2-20 of the Official Code of Georgia Annotated, relating to the membership  
8 on the State Transportation Board, is amended by revising subsections (b) and (c) and by  
9 adding a new subsection as follows:  
10

11 "(b) Each member shall serve for a four-year term, unless a member is recalled by a  
12 majority vote of the legislative caucus that elected him or her, the member shall be elected  
13 to serve for a term of five years and until his or her successor is duly elected and certified.  
14 Pursuant to Article IV, Section IV, Paragraph I of the Constitution as of December 31,  
15 2010, the term of each member on the board on that date shall expire. In the election for  
16 board members held during the 2011 regular session of the General Assembly, the board  
17 members from all even-numbered congressional districts in this state shall be elected to the  
18 board for a two-year term. The board members from all odd-numbered congressional  
19 districts in this state shall be elected for four-year terms. All subsequent elections of board  
20 members shall be for four-year terms. The member of the board from each congressional  
21 district shall be elected by a majority vote of the members of the House of Representatives  
22 and Senate whose respective districts are embraced or partly embraced within such  
23 congressional district, meeting in caucus at the regular session of the General Assembly  
24 immediately preceding the expiration of the term of office of each such board member.  
25 Said caucus shall be called at the state capitol by the Speaker of the House of  
26 Representatives and the President of the Senate within the first ten days of the convening

27 of the General Assembly in regular session by mailing to the members of the General  
28 Assembly ~~who are affected~~ written notice at least four days before the caucus, which notice  
29 shall state the time, place, and purpose of said caucus. Within 15 days after each such  
30 election, the Speaker of the House and the President of the Senate shall jointly transmit a  
31 certificate of such election to the Secretary of State who, upon receipt thereof, shall  
32 immediately issue his or her commission thereon, with the great seal of the state affixed  
33 thereto.

34 (c) In the event that any vacancy for any cause, including a recall of the member, shall  
35 occur in the membership of the board during any regular session of the General Assembly,  
36 the remainder of the unexpired term shall be filled by a member elected by a majority vote  
37 of those members of the General Assembly whose respective districts are embraced or  
38 partly embraced within the congressional district where the vacancy occurred, in the same  
39 manner as provided in subsection (b) of this Code section for the election of board  
40 members. In the event that any vacancy for any cause shall occur in the membership of the  
41 board while the General Assembly is not in session, the remainder of the unexpired term  
42 shall be filled by a member elected by a majority vote of those members of the General  
43 Assembly whose respective districts are embraced or partly embraced within the  
44 congressional district where the vacancy occurred, at a meeting which shall be called by  
45 the Speaker of the House of Representatives and the President of the Senate at some  
46 convenient location and in the manner provided in subsection (b) of this Code section for  
47 the election of board members."

48 "(e.1) There shall be an annual meeting, to be called jointly by the chairpersons of the  
49 House and Senate Transportation Committees, at some time within the first 20 days of the  
50 convening of the General Assembly in regular session, so that each member of the board  
51 shall be available to discuss with the legislative delegation that elected such member any  
52 matters that may be of interest to the members of the legislative delegation."

## 53 SECTION 2.

54 This Act shall become effective on January 1, 2011; provided, however, that this Act shall  
55 only become effective on January 1, 2011, upon the ratification of a resolution at the  
56 November, 2010, state-wide general election, which resolution amends the Constitution so  
57 as to authorize election of members of the State Transportation Board to serve a four-year  
58 term and for the recall of members of the State Transportation Board. If such resolution is  
59 not so ratified, this Act shall not become effective and shall stand repealed in its entirety on  
60 January 1, 2011.

61 **SECTION 3.**  
62 All laws and parts of laws in conflict with this Act are repealed.