

The House Committee on Governmental Affairs offers the following substitute to SB 121:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 12-2-24, Article 2 of Chapter 5 of Title 14, Code Section 27-1-13,  
2 and Code Section 52-7-5 of the Official Code of Georgia Annotated, relating to, respectively,  
3 powers and duties of the Board of Natural Resources, corporation commissioner, disposition  
4 of funds received by the Department of Natural Resources, appropriations, and grants and  
5 donations for natural resources conservation camps, and numbering of watercraft vessels, so  
6 as to provide for refunding of fees under certain circumstances; to amend Code  
7 Section 12-2-23 of the Official Code of Georgia Annotated, relating to officers, meetings,  
8 quorum, compensation of members of the Board of Natural Resources, and reimbursement  
9 of members for expenses, so as to provide for travel expense reimbursement for members of  
10 the Board of Natural Resources; to provide for related matters; to repeal conflicting laws; and  
11 for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Code Section 12-2-23 of the Official Code of Georgia Annotated, relating to officers,  
15 meetings, quorum, compensation of members of the Board of Natural Resources, and  
16 reimbursement of members for expenses, is amended by revising subsection (d) as follows:  
17 "(d) The members, including the ~~chairman~~ chairperson, shall each receive the per diem  
18 prescribed in Code Section 45-7-21 for each day of actual attendance at ~~official~~ meetings  
19 of the board, or any committee thereof, and; shall be reimbursed for travel expenses,  
20 lodging, meals, and transportation at the ~~legal mileage rate when traveling in the service~~  
21 ~~of the board by personal vehicle, and in addition to mileage shall be reimbursed for actual~~  
22 ~~expenses incurred by reason of tolls and parking fees, and shall be reimbursed for actual~~  
23 ~~costs of travel by public carrier~~ same rates established in the travel regulations for state  
24 employees. The members, including the ~~chairman~~ chairperson, while on committee  
25 assignment approved in advance by the chairperson, shall receive ~~\$25.00 per diem, actual~~  
26 ~~cost of expenses, including meals, lodging, and transportation; and 10¢ per mile for~~  
27 ~~transportation by private means to the place of service and home by the nearest practicable~~

28 ~~route~~ the same per diem and reimbursement of travel expenses as those authorized for  
 29 attendance at meetings. Notwithstanding any other provision of this Code section, the total  
 30 per diem compensation paid in any year to any member of the board shall not exceed  
 31 ~~\$1,200.00~~ \$3,000.00. Such per diem and actual expense shall be paid from funds of the  
 32 department."

33 **SECTION 2.**

34 Code Section 12-2-24 of the Official Code of Georgia Annotated, relating to powers and  
 35 duties of the Board of Natural Resources, is amended by revising subsection (a) as follows:

36 "(a)(1) The Board of Natural Resources may make such rules and regulations as it may  
 37 deem advisable to govern the work of the department and the duties of its employees  
 38 under this title.

39 (2) Without limiting paragraph (1) of this subsection, the board may establish, by rule  
 40 or regulation, a procedure to refund fees collected in error or overpayment or to which  
 41 the department or state is not otherwise entitled."

42 **SECTION 3.**

43 Article 2 of Chapter 5 of Title 14 of the Official Code of Georgia Annotated, relating to  
 44 corporation commissioner, is amended by revising Code Section 14-5-21, relating to fees and  
 45 reports, as follows:

46 "14-5-21.

47 All fees collected by the Secretary of State shall be paid into the state treasury for the use  
 48 of the state, and the Secretary of State shall include in his or her annual reports a full  
 49 statement of all fees collected or received under Chapters 2 through 5 of this title and the  
 50 disposition thereof. The Secretary of State shall be authorized to establish, by rule or  
 51 regulation, a procedure by which his or her office shall refund fees collected in error or  
 52 overpayment or to which the state is otherwise not entitled."

53 **SECTION 4.**

54 Code Section 27-1-13 of the Official Code of Georgia Annotated, relating to disposition of  
 55 funds received by the Department of Natural Resources, appropriations, and grants and  
 56 donations for natural resources conservation camps, is amended by revising subsection (a)  
 57 as follows:

58 "(a) All funds resulting from the operation of the department and from the administration  
 59 of the laws and regulations pertaining to wildlife, excluding fines, but including all license  
 60 fees and other income (except that income provided for in subsection (b) of this Code  
 61 section), shall be paid into the general funds of the state treasury; and each year at least

62 such amount shall be appropriated to the department. The board shall be authorized to  
63 establish, by rule or regulation, a procedure to refund fees collected in error or  
64 overpayment or to which the department or state is otherwise not entitled."

65 **SECTION 5.**

66 Code Section 52-7-5 of the Official Code of Georgia Annotated, relating to numbering of  
67 watercraft vessels, is amended by adding a new subsection to read as follows:

68 "(o) The board shall be authorized to establish, by rule or regulation, a procedure to refund  
69 fees collected pursuant to this chapter which were collected in error or overpayment or to  
70 which the department or state is otherwise not entitled."

71 **SECTION 6.**

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