

House Resolution 1378

By: Representatives Harbin of the 118th, Cheokas of the 134th, McCall of the 30th, Rogers of the 26th, Roberts of the 154th, 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 shall be allocated
 3 for activities incident to providing and maintaining an adequate system of public-use airports
 4 in this state; to authorize the General Assembly to specify and direct the use of such funds
 5 by general law; to provide for submission of this amendment for ratification or rejection; and
 6 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) as follows:

11 "(b) ~~An~~ Except as otherwise provided in Paragraph VII 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

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

31 **SECTION 2.**

32 Article III, Section IX of the Constitution is amended by renumbering Paragraph VII as
 33 Paragraph VIII and adding a new Paragraph VII to read as follows:

34 "Paragraph VII. **Public-use airports improvement fund.** An amount of money equal to
 35 all money derived from sales and use and motor fuel taxes with respect to jet fuel and
 36 aviation gasoline received by the state in each of the immediately preceding fiscal years,
 37 less the amount of refunds, rebates, and collection costs authorized by law, is hereby
 38 allocated to the regional public-use airports improvement fund for the fiscal year beginning
 39 July 1, of each year following, for all activities incident to providing and maintaining an
 40 adequate system of regional public-use airports in this state. The General Assembly is
 41 specifically authorized to allocate and specify and direct the use of the sum provided for
 42 under this Paragraph by general law. The sum provided for under this Paragraph is
 43 appropriated for, and shall be available for, the airport purposes authorized under this
 44 Paragraph regardless of whether the General Assembly enacts a general appropriations Act;
 45 and said sum need not be specifically stated in any general appropriations Act passed by
 46 the General Assembly in order to be available for such purposes. However, this shall not
 47 preclude the General Assembly from appropriating for such purposes an amount greater
 48 than the sum specified above for such purposes. The expenditure of such funds shall be
 49 subject to all the rules, regulations, and restrictions imposed on the expenditure of
 50 appropriations by provisions of the Constitution and laws of this state, unless such
 51 provisions are in conflict with the provisions of this Paragraph; provided, however, that the
 52 proceeds of the tax appropriated under this Paragraph shall not be subject to budgetary
 53 reduction. In the event of invasion of this state by land, sea, or air or in case of a major
 54 catastrophe so proclaimed by the Governor, said funds may be utilized for defense or relief
 55 purposes on the executive order of the Governor."

56 **SECTION 3.**

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

60 " YES Shall the Constitution of Georgia be amended so as to provide that funds
61 derived from sales and use and motor fuel taxes with respect to jet fuel and
62 NO aviation gasoline shall be allocated for activities incident to providing and
63 maintaining an adequate and safe system of public-use airports and to
64 authorize the General Assembly to specify and direct the use of such funds
65 by general law?"

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