

The House Committee on Intragovernmental Coordination - Local Legislation offers the following substitute to HB 905:

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Board of Commissioners of Cobb County, approved June 19,  
2 1964 (Ga. L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30,  
3 2003 (Ga. L. 2003, p. 3808), so as to reconstitute the board of commissioners; to change the  
4 description of the commissioner districts; to provide for definitions and inclusions; to provide  
5 for continuation in office of current members; to provide for election and terms of office of  
6 subsequent members; to provide for submission of this Act for preclearance under the federal  
7 Voting Rights Act of 1965, as amended; to provide for an effective date; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act creating the Board of Commissioners of Cobb County, approved June 19, 1964 (Ga.  
12 L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30, 2003 (Ga.  
13 L. 2003, p. 3808), is amended by revising Sections 1 through 4 as follows:

14 "SECTION 1.

15 The Board of Commissioners of Cobb County which exists on January 1, 2013, is  
16 continued in existence but on and after such date, shall be constituted as provided in this  
17 Act. The Board of Commissioners of Cobb County so continued and constituted,  
18 sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties,  
19 rights, obligations, and liabilities of that board as it existed immediately prior to  
20 January 1, 2013.

21 **SECTION 2.**

22 (a) Those members of the Board of Commissioners of Cobb County who are serving as  
23 such prior to January 1, 2013, and any persons selected to fill a vacancy in any such office  
24 shall continue to serve as such until the regular expiration of their respective terms of office

25 and upon the election and qualification of their respective successors. On and after  
26 January 1, 2013, the Board of Commissioners of Cobb County shall consist of five  
27 members who shall be elected from commissioner districts described in subsection (b) of  
28 this section except for the chairperson who is elected at large as provided in Section 3.

29 (b) For purposes of electing members of the board of commissioners, other than the  
30 chairperson, Cobb County is divided into four commissioner districts. One member of the  
31 board shall be elected from each such district. The four commissioner districts shall be and  
32 correspond to those four numbered districts established pursuant to the final order entered  
33 on November 18, 2003, in *Perry, et al. v. The Cobb County Board of Elections and*  
34 *Registration, et al.* 314 Supp. 2nd 1332 described in and attached to and made a part of this  
35 Act and further identified as 'Plan: cobbcc-hd035-prop4-2012 Plan Type: Local  
36 Administrator: HD035 User: bak'.

37 (c)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall  
38 mean and describe the same geographical boundaries as provided in the report of the  
39 Bureau of the Census for the United States decennial census of 2010 for the State of  
40 Georgia.

41 (2) The separate numeric designations in a district description which are underneath a  
42 VTD heading shall mean and describe individual Blocks within a VTD as provided in the  
43 report of the Bureau of the Census for the United States decennial census of 2010 for the  
44 State of Georgia. Any part of Cobb County which is not included in any such district  
45 described in that attachment shall be included within that district contiguous to such part  
46 which contains the least population according to the United States decennial census of  
47 2010 for the State of Georgia.

48 (3) Any part of Cobb County which is described in that attachment as being in a  
49 particular district shall nevertheless not be included within such district if such part is not  
50 contiguous to such district. Such noncontiguous part shall instead be included within that  
51 district contiguous to such part which contains the least population according to the  
52 United States decennial census of 2010 for the State of Georgia.

53 (4) Except as otherwise provided in the description of any commissioner district,  
54 whenever the description of such district refers to a named city, it shall mean the  
55 geographical boundaries of that city as shown on the census map for the United States  
56 decennial census of 2010 for the State of Georgia.

### 57 SECTION 3.

58 (a) No person shall be a member of the board if that person is ineligible for such office  
59 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law applicable to that  
60 office.

61 (b) In order to be elected as a member of the board from a commissioner district, a person  
62 must receive the number of votes cast as required by general law for that office in that  
63 district only. Only electors who are residents of that commissioner district may vote for  
64 a member of the board for that district. At the time of qualifying for election as a member  
65 of the board from a commissioner district, each candidate for such office shall specify the  
66 commissioner district for which that person is a candidate. A person elected or appointed  
67 as a member of the board from a commissioner district must continue to reside in that  
68 district during that person's term of office or that office shall become vacant.

69 (c) The chairperson of the board may reside anywhere within Cobb County and, if elected,  
70 must receive the number of votes cast for that office as required by general law in the entire  
71 county. The chairperson must continue to reside within the county during that person's  
72 term of office or that office shall become vacant.

73 SECTION 4.

74 (a) The first members of the reconstituted Board of Commissioners of Cobb County shall  
75 be elected as provided in this subsection. The chairperson and the first members from  
76 Commissioner Districts 2 and 4 shall be elected at the general election on the Tuesday next  
77 following the first Monday in November, 2012. The chairperson and those members of the  
78 board elected thereto from Commissioner Districts 2 and 4 in November, 2012, shall take  
79 office the first day of January immediately following that election and shall serve for initial  
80 terms of office which expire December 31, 2016, and upon the election and qualification  
81 of their respective successors. The first members from Commissioner Districts 1 and 3  
82 shall be elected at the general election on the Tuesday next following the first Monday in  
83 November, 2014. Those members of the board elected thereto from Commissioner  
84 Districts 1 and 3 in November, 2014, shall take office the first day of January immediately  
85 following that election and shall serve for initial terms of office which expire December  
86 31, 2018, and upon the election and qualification of their respective successors. Those and  
87 all future successors to members of the board whose terms of office are to expire shall be  
88 elected at the time of the state-wide general election immediately preceding the expiration  
89 of such terms, shall take office the first day of January immediately following that election,  
90 and shall serve for terms of office of four years each. Members of the board shall serve for  
91 the terms of office specified in this subsection and until their respective successors are  
92 elected and qualified.

93 (b) All members of the board who are elected thereto shall be nominated and elected in  
94 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

95 (c) Commissioner Districts 1 through 4, as they exist immediately prior to January 1, 2013,  
96 shall continue to be designated as Commissioner Districts 1 through 4, respectively, but as

97 newly described under this Act, and on and after January 1, 2013, members of the board  
98 serving from those former commissioner districts shall be deemed to be serving from and  
99 representing their respective districts as newly described under this section."

100

**SECTION 2.**

101 The Board of Commissioners of Cobb County shall through its legal counsel cause this Act  
102 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended;  
103 and such submission shall be made to the United States Department of Justice or filed with  
104 the appropriate court no later than 45 days after the date on which this Act is approved by the  
105 Governor or otherwise becomes law without such approval.

106

**SECTION 3.**

107 This section and Section 2 of this Act and those provisions of this Act necessary for the  
108 election of members of the Board of Commissioners of Cobb County in 2012 shall become  
109 effective upon the approval of this Act by the Governor or upon its becoming law without  
110 such approval. The remaining provisions of this Act shall become effective January 1, 2013.

111

**SECTION 4.**

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

Plan: cobbcc-hd035-prop4-2012  
Plan Type: Local  
Administrator: HD035  
User: bak

District 001

Cobb County

VTD: 067AC1A - ACWORTH 1A

030101:

2057 2058 2059 3017 3018 3019 3020 3021 3027 3028 3029 3030  
3031 4000 4001 4002 4003 4004 4005 4008 4010 4013 4015 4016

030103:

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1038 1040 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051  
1055 1056 1057 1059 1060 1061 1062 3000 3003 3004 3006 3008  
3009 3010 3011 3012 3014 3016 3017 3019 3020 3022 3023 3024  
3025 3026 3027 3031 3032 3033 3036 3038 3039 3040 3042 3044  
3049 3051 3053 3057

030214:

2001 2002 2004 2005 2007 2011 2012 2013 2015 2016

030224:

2011 2012 2013 2014 2016 2017 2018 2019 2021

VTD: 067AC1B - ACWORTH 1B

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2001 2003 2004 2010 2022 2023 2024 2025 2026 2027 2033 2035  
2037 2039 2040 2041 2042 2043 2044 2045

030103:

1010 1011 1012 1013 1014 1022 1035 1037 1039 1041

VTD: 067AC1C - ACWORTH 1C

030103:

3055 3059 3060

030224:

2022 2023 2024 2025 2026 2028 2029

VTD: 067BG01 - BIG SHANTY 01

030228:

2026 2027 2040

030229:

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1047 1050 1051 1053

030230:

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2015 2017 2021 2022 2023 2029

030601:

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VTD: 067CH02 - CHEATHAM HILL 02

VTD: 067CH03 - CHEATHAM HILL 03

VTD: 067DI01 - DOBBINS 01

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VTD: 067DL01 - DOWELL 01

VTD: 067DU01 - DURHAM 01

VTD: 067EL01 - ELIZABETH 01

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VTD: 067FO01 - FAIR OAKS 01

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VTD: 067FO05 - FAIR OAKS 05

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VTD: 067FR01 - FORD 01  
VTD: 067FY01 - FREY 01  
VTD: 067HR01 - HARRISON 01  
VTD: 067HY01 - HAYES 01  
VTD: 067KE1A - KENNESAW 1A  
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VTD: 067KP03 - KEMP 03  
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VTD: 067LM02 - LOST MOUNTAIN 02  
VTD: 067LM03 - LOST MOUNTAIN 03  
VTD: 067LM04 - LOST MOUNTAIN 04  
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VTD: 067ML01 - MCCLURE 01  
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VTD: 067MR2B - MARIETTA 2B  
VTD: 067MR2C - MARIETTA 2C  
VTD: 067MR3A - MARIETTA 3A  
VTD: 067MR4B - MARIETTA 4B  
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VTD: 067OR05 - OREGON 05  
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VTD: 067PM02 - PINE MOUNTAIN 02  
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District 002  
Cobb County  
VTD: 067BY01 - BRUMBY 01  
VTD: 067CA01 - CHATTAHOOCHEE 01

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 VTD: 067EA01 - EASTSIDE 01  
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VTD: 067MT02 - MT BETHEL 02  
VTD: 067MT03 - MT BETHEL 03  
VTD: 067MT04 - MT BETHEL 04  
VTD: 067NJ01 - NICKAJACK 01  
VTD: 067NP01 - NORTON PARK 01  
VTD: 067OK01 - OAKDALE 01  
VTD: 067PF01 - POWERS FERRY 01  
VTD: 067RW02 - ROSWELL 02  
VTD: 067SM01 - SEWELL MILL 01  
VTD: 067SM03 - SEWELL MILL 03  
VTD: 067SM04 - SEWELL MILL 04  
VTD: 067SM05 - SEWELL MILL 05  
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VTD: 067SN2A - SMYRNA 2A  
VTD: 067SN4A - SMYRNA 4A  
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VTD: 067SN7A - SMYRNA 7A  
VTD: 067SN7B - SMYRNA 7B  
VTD: 067SN7C - SMYRNA 7C  
VTD: 067SO01 - SOPE CREEK 01  
VTD: 067SO02 - SOPE CREEK 02  
VTD: 067SO03 - SOPE CREEK 03  
VTD: 067SP01 - SEDALIA PARK 01  
VTD: 067TM01 - TERRELL MILL 01  
VTD: 067TR01 - TIMBER RIDGE 01  
VTD: 067TS01 - TEASLEY 01  
VTD: 067VG01 - VININGS 01  
VTD: 067VG02 - VININGS 02  
VTD: 067VG03 - VININGS 03  
VTD: 067VG04 - VININGS 04

District 003

Cobb County

VTD: 067AC1A - ACWORTH 1A

030103:

2023 2041 2051

030224:

1025

VTD: 067AC1B - ACWORTH 1B

030101:

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2013 2015 2017 2018 2019 2020 2022 2024 2026 2027 2028 2029  
2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041

030106:

3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016  
3017 3018 3019 3020 3026 3027 3028 3029

030107:

2014 2018

VTD: 067AC1C - ACWORTH 1C

030103:

2002 2003 2004 2005 2007 2009 2010 2012 2018 2019 2025 2026  
2027 2028 2029 2034 2039 2040 2046 2053 2054 3062

030106:

1000 1003 1006 1007 1008 1009 1010 1011 1013 1019 1021 2000  
2002 2003 2005 2006 2007 2009 2012 2014 2015 2016 2017 2019  
2020 3000 3001 3002 3003 3004 3022

030107:

2009 2010 2011 2012

VTD: 067AD01 - ADDISON 01

VTD: 067BF01 - BELLS FERRY 01

VTD: 067BF02 - BELLS FERRY 02

VTD: 067BF03 - BELLS FERRY 03

VTD: 067BG01 - BIG SHANTY 01

030227:

3006 3018 3019 3020 3021 3022 3023 3052 3054 3057 3060 3062  
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030228:

1007 1008

030229:

2000 2001 2002 2003 2004 2005 2007 2012 2013 2014 2015 2016  
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 2076 2077 2078 2079 2084 2092 2093  
 VTD: 067BG02 - BIG SHANTY 02  
 VTD: 067BK01 - BAKER 01  
 VTD: 067BW01 - BLACKWELL 01  
 VTD: 067CK01 - CHALKER 01  
 VTD: 067CK02 - CHALKER 02  
 VTD: 067CR01 - CHESTNUT RIDGE  
 VTD: 067DV01 - DAVIS 01  
 VTD: 067EC01 - EAST COBB 01  
 VTD: 067EL01 - ELIZABETH 01  
 030502:  
 2011 2019 2021 2023 2036 2037 2038  
 030506:  
 1027 1048 1049 1050 1055 1056 1058 1062 1064 1067 1068 1072  
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 1149  
 030601:  
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 VTD: 067EL02 - ELIZABETH 02  
 VTD: 067EL03 - ELIZABETH 03  
 VTD: 067EL04 - ELIZABETH 04  
 030502:  
 1027 1029 1033 1039 2015 2022 2024 2025 2027 2029 2030 2031  
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 030504:  
 2004 2007 2009 2012 2013 2014 2015 2016 2017 2018 2019 2020  
 2034 2038  
 VTD: 067EL05 - ELIZABETH 05  
 VTD: 067EP01 - EAST PIEDMONT 01  
 VTD: 067GM01 - GARRISON MILL 01  
 VTD: 067GT01 - GRITTERS 01  
 VTD: 067HT01 - HIGHTOWER 01  
 VTD: 067KE1A - KENNESAW 1A  
 030226:  
 1041  
 030227:  
 3000 3001 3002 3003 3004 3005 3007 3008 3009 3010 3011 3012  
 3013 3014 3015 3016 3017 3024 3025 3050 3051 3053 3056 3058  
 3059 3061 3066  
 030229:  
 2008 2030 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042  
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 2064 2069 2070 2071 2073 2080 2081 2082 2083 2085 2086 2087  
 2089 2090 2091  
 VTD: 067KE2A - KENNESAW 2A  
 030227:  
 3037 3044  
 VTD: 067KE2B - KENNESAW 2B  
 030227:  
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 VTD: 067KE3A - KENNESAW 3A  
 VTD: 067KE4A - KENNESAW 4A  
 VTD: 067KE5A - KENNESAW 5A  
 030103:  
 2050  
 030224:  
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 030226:  
 3011 3012 3013 3014 3015 3016 3017  
 VTD: 067KE5B - KENNESAW 5B  
 VTD: 067KL01 - KELL 01  
 VTD: 067KY01 - KEHELEY 01  
 VTD: 067LA01 - LASSITER 01  
 VTD: 067MB01 - MABRY 01  
 VTD: 067MK01 - MCCLESKEY 01  
 VTD: 067MR4B - MARIETTA 4B  
 030601:  
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 VTD: 067MR5B - MARIETTA 5B  
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 2023 2024 2033  
 030506:  
 1002 1032 1033 1034 1036 1037 1038 1039 1041 1042 1043 1044  
 1046 1047 1051 1052 1053 1079 1080 1081 1082 1083 1084 1086  
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 VTD: 067MR6B - MARIETTA 6B  
 030502:  
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030504:  
1020 1021 2000 2001 2002 2003 2005 2006 2008 2025  
030507:  
1042 1044 1052 1053 1054  
VTD: 067MR6C - MARIETTA 6C  
030502:  
2006 2009 2012 2014 2017 2020 2026 2035 2039 2055  
030506:  
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1148  
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VTD: 067NC01 - NORTH COBB 01  
030103:  
2000 2001 2006 2008 2011 2013 2017 2020 2022 2024 2030 2031  
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030104:  
2001 2003 2006 2014 2016 2021 2023 2025  
030106:  
1018 2013 2018 3021 3023 3024 3025  
030107:  
2017  
030224:  
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VTD: 067NS01 - NICHOLSON 01  
VTD: 067PM02 - PINE MOUNTAIN 02  
030227:  
3043  
VTD: 067PO01 - POST OAK 01  
VTD: 067PP01 - POPE 01  
VTD: 067PR01 - PALMER 01  
VTD: 067PT01 - PITNER 01  
VTD: 067RM01 - ROCKY MOUNT 01  
VTD: 067RM02 - ROCKY MOUNT 02  
VTD: 067RW01 - ROSWELL 01  
VTD: 067SA01 - SANDY PLAINS 01  
VTD: 067SF01 - SHALLOWFORD FALLS  
VTD: 067SI01 - SIMPSON 01  
VTD: 067SY01 - SPRAYBERRY 01  
VTD: 067TT01 - TRITT 01  
VTD: 067WG01 - WADE GREEN 01  
VTD: 067WG02 - WADE GREEN 02  
VTD: 067WL01 - WILLEO 01

District 004

Cobb County

VTD: 067AU1A - AUSTELL 1A  
VTD: 067BR01 - BIRNEY 01  
VTD: 067BR02 - BIRNEY 02  
VTD: 067BT01 - BRYANT 01  
VTD: 067BT02 - BRYANT 02  
VTD: 067CA01 - CHATTAHOOCHEE 01  
030344:  
2001 2002 2003 2007 2009 2010 2011  
030345:  
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VTD: 067CL01 - CLARKDALE 01  
VTD: 067CL02 - CLARKDALE 02  
VTD: 067CO01 - COOPER 01  
VTD: 067DI01 - DOBBINS 01  
030344:  
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2009 2017 2018 2020 2021 2022 2027 2029 2030 2031 2032 2058  
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031001:  
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4015 4018 4019 4023  
031113:  
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2002 2005  
VTD: 067FO01 - FAIR OAKS 01  
030905:

2017 2018 2019 3001 3002 3003 3004 3005 3006 3007 3008 3009  
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VTD: 067FO02 - FAIR OAKS 02  
VTD: 067FO03 - FAIR OAKS 03  
VTD: 067FO04 - FAIR OAKS 04  
VTD: 067FO05 - FAIR OAKS 05  
031001:  
1027 1028 1029 1030 1031 1032 1034 2066 2067 2068 2069 2070  
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3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018  
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VTD: 067HL01 - HARMONY-LELAND  
VTD: 067MA01 - MABLETON 01  
VTD: 067MA02 - MABLETON 02  
VTD: 067MA03 - MABLETON 03  
031307:  
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2035 2037  
VTD: 067MA04 - MABLETON 04  
031307:  
3019 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030  
3031 3032  
VTD: 067MC01 - MACLAND 01  
VTD: 067MC02 - MACLAND 02  
VTD: 067ME01 - MCEACHERN 01  
VTD: 067MR1A - MARIETTA 1A  
030344:  
2006 2015 2016 2018 2019 2032 2033  
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030414:  
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031113:  
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1013 1014  
031114:  
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VTD: 067MR7A - MARIETTA 7A  
030414:  
2006 2007 2010 2013 2014 2015 2016 2019 2024 2025 2026 2028  
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VTD: 067NP02 - NORTON PARK 02  
VTD: 067OR02 - OREGON 02  
VTD: 067OR04 - OREGON 04  
VTD: 067OR06 - OREGON 06  
VTD: 067PE01 - PEBBLEBROOK 01  
VTD: 067PE02 - PEBBLEBROOK 02  
VTD: 067PS1A - POWDER SPRINGS 1A  
VTD: 067PS2A - POWDER SPRINGS 2A  
VTD: 067PS3A - POWDER SPRINGS 3A  
VTD: 067RS01 - RIVERSIDE 01  
VTD: 067SN2B - SMYRNA 2B  
VTD: 067SN3A - SMYRNA 3A  
VTD: 067SN5A - SMYRNA 5A  
VTD: 067SW01 - SWEETWATER 01  
VTD: 067SW02 - SWEETWATER 02  
VTD: 067SW04 - SWEETWATER 04  
VTD: 067SW05 - SWEETWATER 05