

House Bill 1151 (COMMITTEE SUBSTITUTE)

By: Representatives Nimmer of the 178<sup>th</sup>, Smith of the 168<sup>th</sup>, and Lane of the 167<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for the Board of Education of Wayne County, approved January  
2 28, 1994 (Ga. L. 1994, p. 3512), as amended, so as to revise the districts for the election of  
3 members of the board; to provide for definitions and inclusions; to provide for election, terms  
4 of office, and qualifications of members; to provide for nonpartisan elections; to provide for  
5 submission of this Act for approval under the federal Voting Rights Act of 1965, as  
6 amended; to provide for a contingent automatic repeal; to repeal conflicting laws; and for  
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act providing for the Board of Education of Wayne County, approved January 28, 1994  
11 (Ga. L. 1994, p. 3512), as amended, is amended by revising Section 1 as follows:

12 "SECTION 1.

13 (a) The Board of Education of Wayne County shall be composed of five members. For  
14 purposes of electing members of the board of education, the Wayne County School District  
15 is divided into five education districts. One member of the board shall be elected from  
16 each such district. The five education districts shall be and correspond to those five  
17 numbered districts described in and attached to and made a part of this Act and further  
18 identified as 'Plan: wayneccsbR-2012 Plan Type: Local Administrator: Wayne User: Gina'.

19 (b) For purposes of such plan:

20 (1) The term 'VTD' shall mean and describe the same geographical boundaries as  
21 provided in the report of the Bureau of the Census for the United States decennial census  
22 of 2010 for the State of Georgia. The separate numeric designations in a district  
23 description which are underneath a VTD heading shall mean and describe individual  
24 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
25 States decennial census of 2010 for the State of Georgia.

26 (2) Except as otherwise provided in the description of any education district, whenever  
27 the description of such district refers to a named city, it shall mean the geographical  
28 boundaries of that city as shown on the census map for the United States decennial census  
29 of 2010 for the State of Georgia.

30 (c) Any part of the Wayne County School District which is not included in any such  
31 district described in subsection (a) of this section shall be included within that district  
32 contiguous to such part which contains the least population according to the United States  
33 decennial census of 2010 for the State of Georgia.

34 (d) Any part of the Wayne County School District which is described in subsection (a) of  
35 this section as being in a particular district shall nevertheless not be included within such  
36 district if such part is not contiguous to such district. Such noncontiguous part shall instead  
37 be included within that district contiguous to such part which contains the least population  
38 according to the United States decennial census of 2010 for the State of Georgia.

39 (e) In order to be elected as a member of the board from an education district, a person  
40 must receive the number of votes cast as required by general law for that office in that  
41 district only. Only electors who are residents of that education district may vote for a  
42 member of the board for that district. At the time of qualifying for election as a member  
43 of the board from an education district, each candidate for such office shall specify the  
44 education district for which that person is a candidate. A person elected or appointed as  
45 a member of the board from an education district must continue to reside in that district  
46 during that person's term of office or that office shall become vacant.

47 (f) The members of the board of education who were elected at the general election in  
48 November 2010 shall continue in office for the terms to which they were elected and until  
49 successors are elected and qualified as provided in this Act. The first members of the  
50 reconstituted Board of Education of Wayne County shall be elected at the state-wide  
51 general election in 2014 and shall take office on January 1 following their election for  
52 terms of four years.

53 (g) Those successors to members elected under subsection (f) of this section and all future  
54 successors shall be elected at the state-wide general election next preceding the expiration  
55 of such terms of office and shall take office on January 1 following their election for terms  
56 of four years and until their successors are elected and qualified as provided in this Act.

57 (h) Education Districts 1, 2, 3, 4, and 5 as they existed on January 1, 2012, shall continue  
58 to be designated as Education Districts 1, 2, 3, 4, and 5, respectively, but as newly  
59 described under this Act, and, on and after the effective date of this Act, such members of  
60 the board serving from those former education districts shall be deemed to be serving from  
61 and representing their respective districts as newly described under this Act.

62 (i) All elections for members of the Board of Education of Wayne County shall be  
63 nonpartisan elections as provided for in Code Section 21-2-139 of the O.C.G.A. Such  
64 nonpartisan elections shall be held in conjunction with the November general election  
65 immediately preceding expiration of the term of office and conducted as provided in  
66 Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.' Those members of the  
67 board of education in office on January 1, 2012, shall be eligible to succeed themselves as  
68 provided in this subsection."

69 **SECTION 2.**

70 The Board of Education of Wayne County shall through its legal counsel cause this Act to  
71 be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965, as  
72 amended, no later than 45 days after the date on which this Act is approved by the Governor  
73 or otherwise becomes effective without such approval.

74 **SECTION 3.**

75 If, as of the first date upon which candidates may begin qualifying for the general primary  
76 in 2012, implementation of this Act is not permissible under the federal Voting Rights Act  
77 of 1965, as amended, then as of such date this Act shall be void and stand repealed in its  
78 entirety.

79 **SECTION 4.**

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

Plan: wayneccsbR-2012  
Plan Type: Local  
Administrator: Wayne  
User: Gina

District 001

Wayne County

VTD: 3051A - ODUM

VTD: 3051B - MADRAY SPRINGS

VTD: 3051C - OGLETHORPE

970100:

2031 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043  
2044 2045 2046 2052 2053 2054 2055 2056 2057 2058 2059 2060  
2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072  
2076 2077 3017 3018 3025 3026 3027 3034 3035 3036 3037 3038  
3039 3040 3041 3042 3043 3059 3060 3061 3062 3063 3064 3070

970200:

1000 1001 1002 1003 1008 1009 1010 1011 1012 1013 1014 1015  
1016 1017 1018 1019 1020 1021 1022 1023 1024 1027 1029 1030  
2025 2026 2029 2030 2034 2035 2036 2037 2038 2039

VTD: 3052D - RED HILL

970200:

4000 4001 4013 4014 4022

District 002

Wayne County

VTD: 3051C - OGLETHORPE

970200:

1004 1005 1006 1007 1031 1032 1033 1034 1035 1036

VTD: 3052A - SCREVEN

VTD: 3052B - RITCH

VTD: 3052C - EMPIRE

VTD: 3052D - RED HILL

970200:

1025 1026 1028 1037 1038 1039 1040 1041 1042 1043 1044 1045  
1046 1047 1048 1049 1051 1052 1053 1054 1056 1057 1058 1059  
1060 1061 1062 1063 1064 1080 1081 1082 1085 1086 1087 1088  
1089

970300:

1013 1014 1015 1016 1017 1018 1019 1020 1021

VTD: 3055A - UNITY

970200:

1072

District 003

Wayne County

VTD: 3051C - OGLETHORPE

970200:

2033 2040 2044 2046 2048 3005 3006 3007 3008 3009 3010 3011  
3012 3013 3014 3015 3016 3020

VTD: 3053A - ALTAMAHA

VTD: 3053B - GARDI

VTD: 3053C - MT PLEASANT

District 004

Wayne County

VTD: 3054A - VFW

VTD: 3054B - PINE STREET

970500:

1015 1039 1042 2000 2001 2002 2003 2004 2005 2006 2007 2008  
2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020  
2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032  
2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044  
2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056  
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2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092  
2094 4002 4003 4004 4005 4006 4007 4008 4009 4010 4012 4035

970600:

1024 1029 1052 1053 1054 1065 1066 1067 1068 1069 1070 1071  
1072 1073 1079 1080 2020 2021 2024 2025 2142

VTD: 3055A - UNITY

970300:

1047 1048 1082 2000 2001

VTD: 3055B - REC CENTER

970500:

1037 1038 1043

VTD: 3055C - EAST JESUP

970600:

1074 1081 1082 1083 1084 2015 2016 2017 2018 2019 2022 2023  
2026 2027 2028 2047 2048 2049 2051 2146

District 005

Wayne County

VTD: 3054B - PINE STREET

970600:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
2012 2013 2014

VTD: 3055A - UNITY

970200:

1050 1055 1065 1066 1067 1068 1069 1070 1071 1073 1074 1075  
1076 1077 1079 4015 4016 4023 4025 4026 4031

970300:

1005 1010 1011 1022 1023 1024 1035 1036 1037 1038 1039 1040  
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4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026  
4027 4028 4029 4030 4031 4032 4033 4034

970500:

1001 3000 3013

VTD: 3055B - REC CENTER

970500:

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1013 1014 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025  
1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1040  
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3057 3058 3059 3060 3061 3062 3063 3064 3065 3066 3067 3068  
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4019 4020 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030  
4031 4032 4033 4034 4036 4037 4038 4039

VTD: 3055C - EAST JESUP

970600:

2029 2030 2031 2032 2033 2034 2036 2038 2039 2040 2041 2042  
2044 2045 2046 2052 2136 2137 2143 2144 2145