

House Resolution 531

By: Representatives Roberts of the 155th, England of the 116th, Burns of the 159th, and McCall of the 33rd

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 VIII 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 adding a new Paragraph to read as
 33 follows:

34 "Paragraph VIII. **Public-use airports improvement fund.** An amount of money equal
 35 to 10 percent of all money derived from motor fuel taxes on jet fuel and aviation gasoline
 36 received by the state in each of the immediately preceding fiscal years, less the amount of
 37 refunds, rebates, and collection costs authorized by law, is hereby allocated to the regional
 38 public-use airports improvement fund for the fiscal year beginning July 1, of each year
 39 following, for all activities incident to providing and maintaining an adequate system of
 40 regional public-use airports in this state. The General Assembly is specifically authorized
 41 to allocate and specify and direct the use of the sum provided for under this Paragraph by
 42 general law. The sum provided for under this Paragraph is appropriated for, and shall be
 43 available for, the airport purposes authorized under this Paragraph regardless of whether
 44 the General Assembly enacts a general appropriations Act; and said sum need not be
 45 specifically stated in any general appropriations Act passed by the General Assembly in
 46 order to be available for such purposes. However, this shall not preclude the General
 47 Assembly from appropriating an amount greater than the sum specified above for such
 48 purposes. The expenditure of such funds shall be subject to all the rules, regulations, and
 49 restrictions imposed on the expenditure of appropriations by provisions of the Constitution
 50 and laws of this state, unless such provisions are in conflict with the provisions of this
 51 Paragraph; provided, however, that the proceeds of the tax appropriated under this
 52 Paragraph shall not be subject to budgetary reduction. In the event of invasion of this state
 53 by land, sea, or air or in case of a major catastrophe so proclaimed by the Governor, said
 54 funds may be utilized for defense or relief purposes on the executive order of the
 55 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 10
61 percent of all funds derived from motor fuel taxes on jet fuel and aviation
62 NO gasoline shall be allocated for activities incident to providing and
63 maintaining an adequate system of public-use airports and to authorize the
64 General Assembly to specify and direct the use of such funds by general
65 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.