

Senate Resolution 279

By: Senator McKoon of the 29th

## A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to provide for the  
 2 establishment of a council to set the salaries of members of the General Assembly; to provide  
 3 a council to advise the General Assembly in the setting of salaries for constitutional officers,  
 4 judges, and the heads of state agencies; to provide for related matters; to provide for the  
 5 submission of this amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 7 SECTION 1.

8 Article III, Section IV of the Constitution is amended by revising Paragraph VI as follows:

9 "Paragraph VI. *Salaries.* The salary of members of the General Assembly shall receive  
 10 ~~such salary as shall be provided for by law, provided that no increase in salary shall~~  
 11 ~~become effective prior to the end of the term during which such change is made~~ be  
 12 prescribed by a council consisting of the following individuals:

13 (1) One person who is not a judge from each congressional district appointed by the  
 14 Chief Justice of the Supreme Court; and

15 (2) One person from each congressional district appointed by the Governor.

16 One-half of the individuals appointed by the Governor and one-half of the individuals  
 17 appointed by the Chief Justice shall belong to the political party that has the most members  
 18 in the General Assembly. One-half of the individuals appointed by the Governor and  
 19 one-half of the individuals appointed by the Chief Justice shall belong to the political party  
 20 that has the second-most members in the General Assembly. None of the members of the  
 21 council shall be current or former legislators. None of the members of the council shall be  
 22 current or former lobbyists registered under Georgia law. Terms, removal, and  
 23 compensation of members of the council shall be as provided by law. The council shall  
 24 prescribe salaries by March 31 of each odd-numbered year, taking into account any other  
 25 legislative compensation provided to legislators by the state, with any changes in salary to  
 26 take effect on July 1 of that year."

27 **SECTION 2.**

28 Article V, Section III of the Constitution is amended by revising Paragraph III as follows:

29 *"Paragraph III. Powers, duties, compensation, and allowances of other executive*  
 30 *officers. (a) Except as otherwise provided in this Constitution, the General Assembly shall*  
 31 *prescribe the powers, duties, compensation, and allowances of the above executive officers*  
 32 *and provide assistance and expenses necessary for the operation of the department of each.*

33 (b)(1) A Compensation Council shall be created each odd-numbered year to assist the  
 34 General Assembly in establishing the compensation of state constitutional officers,  
 35 Justices of the Supreme Court, Judges of the Court of Appeals, judges of the superior  
 36 courts, and the heads of state agencies. The Compensation Council shall consist of a  
 37 number of individuals equal to twice the number of congressional districts in the state.  
 38 One-half of the individuals shall be nonjudges appointed by the Chief Justice of the  
 39 Supreme Court, of whom no more than one-half shall belong to the same political party.  
 40 The Governor shall appoint an individual from each congressional district, of whom no  
 41 more than one-half shall belong to the same political party. Appointments shall be made  
 42 after the first Monday in January and before January 15. The compensation of members  
 43 of the council appointed by the Governor or the Chief Justice shall be as provided by law.  
 44 The General Assembly shall provide the council with administrative and support services.

45 (2) By April 1 in each odd-numbered year, the Compensation Council shall submit to  
 46 the Speaker of the House of Representatives and the President of the Senate salary  
 47 recommendations for state constitutional officers, Justices of the Supreme Court, Judges  
 48 of the Court of Appeals, and judges of the superior courts. The recommended salary for  
 49 each office shall take effect on the first Monday in January of the next odd-numbered  
 50 year, with no more than one adjustment to take effect on January 1 of the year after that.  
 51 The salary recommendations for judges and state constitutional officers shall take effect  
 52 if an appropriation of money to pay the recommended salaries is enacted after the  
 53 recommendations are submitted and before their effective date. Recommendations may  
 54 be expressly modified or rejected.

55 (3) The council shall also submit to the Speaker of the House of Representatives and  
 56 the President of the Senate recommendations for the salary ranges of the heads of state  
 57 agencies, to be effective on July 1 of that year if enacted into law."

58 **SECTION 3.**

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

62    " YES    Shall the Constitution of Georgia be amended so as to provide for the  
63        NO    establishment of a council to set the salaries of members of the General  
64                    Assembly and a council to advise the General Assembly in the setting of  
65                    salaries for constitutional officers, judges, and the heads of state agencies?"

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