

House Bill 202 (COMMITTEE SUBSTITUTE)

By: Representatives Powell of the 171st, England of the 116th, and Hatchett of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salaries and
2 fees, so as to change provisions relating to the salary for the Governor; to change provisions
3 relating to the State Commission on Compensation; to provide for related matters; to provide
4 for effective dates; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 PART I
7 SECTION 1-1.

8 Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salaries and fees,
9 is amended by revising paragraph (1) of subsection (a) of Code Section 45-7-4, relating to
10 annual salaries of certain state officials and cost-of-living adjustments, as follows:

11 "(1) Governor\$ ~~60,000.00~~
12 175,000.00

12 An allowance in an amount specified in the appropriations Act shall also be
13 provided for the operation of the Governor's mansion."

14 PART II
15 SECTION 2-1.

16 Said chapter is further amended by revising Article 5, relating to the State Commission on
17 Compensation, as follows:

18 "ARTICLE 5.
19 45-7-90.

20 A State Commission on Compensation is established for the purpose of assisting the
21 General Assembly in setting the compensation of constitutional state officers, including
22 members of the General Assembly and full-time heads of state agencies, authorities,

23 boards, bureaus, commissions, committees, and departments whose compensation is set by
 24 the Constitution, by law, or by Act of the General Assembly.

25 45-7-91.

26 (a) As used in this article, the term 'commission' means the State Commission on
 27 Compensation.'

28 (b) The commission shall be composed of ~~12~~ seven members who shall serve for terms of
 29 four years and until their successors shall have been appointed and qualified. No person
 30 shall be qualified for appointment to office as a member of the commission if he or she is
 31 an officer or employee of the state at the time of his or her selection for appointment nor
 32 shall such officer's or employee's spouse, child, stepchild, parent, stepparent, grandparent,
 33 grandchild, sibling, or the spouse of such individuals be qualified for such appointment.
 34 Four Three members shall be appointed by the Governor, at least one of whom shall be
 35 regularly engaged in the field of business finance or business management. Two members
 36 shall be appointed by the Lieutenant Governor, ~~at least one of whom shall be experienced~~
 37 ~~in labor-management relations~~. Two members shall be appointed by the Speaker of the
 38 House of Representatives, ~~at least one of whom shall be experienced in labor-management~~
 39 ~~relations~~. ~~Four members shall be appointed by the Justices of the Supreme Court, at least~~
 40 ~~one of whom shall be authorized to practice law in this state.~~

41 (c) Should any vacancy on the commission occur from death, resignation, or otherwise,
 42 the appointing authority shall appoint a successor member to serve during the unexpired
 43 term.

44 45-7-92.

45 Members of the commission shall take an oath to uphold the Constitution and laws of the
 46 United States and of the State of Georgia and shall receive ~~a salary of \$59.00 per day for~~
 47 ~~each day of service and such expenses and allowances while performing their duties of~~
 48 ~~office as are refundable to state employees~~ a daily expense allowance and reimbursement
 49 for transportation costs as provided for in Code Section 45-7-21. All expenses incurred by
 50 the commission in the performance of its duties shall be paid from funds available to the
 51 General Assembly. The commission shall meet no more than ~~30 days during the year it is~~
 52 ~~established and no more than~~ 15 days in any year thereafter.

53 45-7-93.

54 The commission shall meet immediately after a majority of its members have taken the
 55 oath of office, shall select from the members one of their ~~number~~ members to serve as
 56 ~~chairman~~ chairperson, and shall adopt such rules and procedures as may be deemed

57 necessary for the expeditious accomplishment of the obligations of the commission. The
58 commission shall be authorized to employ staff personnel as necessary to accomplish
59 commission objectives.

60 45-7-94.

61 The commission shall make a study of the compensation currently being paid by the state
62 to all constitutional state officers, including members of the General Assembly and all
63 full-time heads of state agencies, authorities, boards, bureaus, commissions, committees,
64 and departments whose compensation is set by the Constitution of Georgia, by law, or by
65 an Act of the General Assembly; and the commission shall compare such compensation
66 with that currently being received by officers and employees serving in comparable
67 positions with the federal government, this state, other states, local governments, and in
68 industry, business, and the professions. In making this comparative study, the commission
69 shall utilize all available data pertaining to prevailing market rates and relating to the costs
70 and standards of living of persons in comparable positions.

71 45-7-95.

72 (a) The commission shall file a written report based upon its studies in which a
73 recommended compensation shall be stated for each constitutional state officer, including
74 members of the General Assembly and all full-time heads of state agencies, authorities,
75 boards, bureaus, commissions, committees, and departments whose compensation is set by
76 the Constitution of Georgia, by law, or by Act of the General Assembly. A copy of ~~said~~
77 such report shall be filed with the Governor, Lieutenant Governor, Speaker of the House
78 of Representatives, Clerk of the House of Representatives, Secretary of the Senate, and
79 legislative counsel, ~~Chief Justice of the Supreme Court, and Chief Judge of the Court of~~
80 ~~Appeals~~. The commission shall file the written report at least ~~30~~ 90 days prior to the
81 convening of the General Assembly in regular session at which the general appropriations
82 bill is first considered. The written report of the commission shall be filed, notwithstanding
83 a determination by the commission that no compensation increase or decrease is
84 recommended.

85 ~~(b) Whenever a written report of the commission's compensation plan is filed, a bill shall~~
86 ~~be prepared suitable for introduction in either the Senate or House of Representatives~~
87 ~~containing the compensation recommended by the commission; and such bill shall be~~
88 ~~introduced at the next session of the General Assembly convening after the filing of said~~
89 ~~written report. Such bill and the compensation contained therein, in order to become~~
90 ~~effective, shall receive the same number of readings and go through and be subject to the~~
91 ~~same procedure as required by the Constitution of Georgia for any other bill; provided,~~

92 ~~however, that the bill relative to the commission's compensation plan, whether introduced~~
93 ~~in the House or the Senate, or both, shall be automatically engrossed by both the House and~~
94 ~~the Senate, and any such bill shall not be changed in either the House or the Senate after~~
95 ~~its introduction.~~

96 45-7-96.

97 It is the intention of the General Assembly that this article shall not be construed so as to
98 authorize the commission to reduce the compensation of constitutional state officers below
99 that established by the Constitution of Georgia or so as to deprive the General Assembly
100 of plenary power to enact laws affecting compensation in accordance with the Constitution
101 of Georgia."

102 **PART III**
103 **SECTION 3-1.**

104 Part I of this Act shall become effective on January 1, 2019. Part II of this Act shall become
105 effective upon its approval by the Governor or upon its becoming law without such approval.

106 **SECTION 3-2.**

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