Senate Resolution 1019
By: Senators Ginn of the 47th, Kennedy of the 18th, Gooch of the 51st, Albers of the 56th, Miller of the 49th and others

A RESOLUTION

WHEREAS, consumer demand in the State of Georgia, driven by innovation in communications networks and new technologies, is exploding; and

WHEREAS, the disruption of the marketplace for all services, including broadband, video, and voice technologies, will only fully benefit Georgia consumers if the policies of this state do not artificially create disparities among the technologies; and

WHEREAS, the variety of services available to Georgia consumers, offered by a wide variety of companies, has never been greater and long-held assumptions woven into state law concerning use of state and local rights of way are outdated and treat various technology types differently when the same end product is offered; and

WHEREAS, a truly modernized policy regime treats functionally equivalent services equally rather than creating winners and losers in the marketplace; and

WHEREAS, it is important to ensure that companies that have already invested in the State of Georgia and that already serve Georgians, as well as new entrants with new products and services, are afforded the same accommodations and obligations into the future in their use of the right of way; and

WHEREAS, to accomplish these goals, the State of Georgia should pursue a comprehensive examination of its laws, regulations, and policies to determine what changes are necessary to achieve modernization, fairness, and technology neutrality regarding access to the rights of way and the taxation of services.
NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

(1) **Creation of Senate study committee.** There is created the Senate Advanced Communications Technologies and Use of State and Local Government Right of Way Policy Modernization Study Committee.

(2) **Members and officers.** The committee shall be composed of five members of the Senate to be appointed by the President of the Senate. The President shall also appoint an additional four members of the committee as follows:

   (A) A mayor;
   
   (B) A county commissioner; and
   
   (C) Three individuals who represent a broad range of views and expertise on communications deployment and taxation issues. The President shall designate a member of the committee as chairperson of the committee.

(3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.

(4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) **Allowances and funding.**

   (A) Members of the committee who are members of the General Assembly shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.
   
   (B) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) **Report.**

   (A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.
   
   (B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.
   
   (C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee.
A report so approved shall be signed by the chairperson of the committee and filed with
the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary
of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) Abolishment. The committee shall stand abolished on December 1, 2018.