

The House Committee on Transportation offers the following substitute to HB 160:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass transportation, so as to create the Georgia Commission on Transit Governance and Funding; to provide for the membership, powers, and duties of the commission; to provide for a report and proposal by the commission; to provide for assignment of the commission to the Department of Transportation for administrative purposes; to provide for cooperation of other government entities with the commission; to provide for other services to the commission; to provide for compensation and expenses; to provide for automatic repeal; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass transportation, is amended by adding a new Code section to read as follows:

"32-9-15.

(a) As used in this Code section, the term:

(1) 'Commission' means the Georgia Commission on Transit Governance and Funding created pursuant to subsection (b) of this Code section.

(2) 'Construction' means the supervising, inspecting, actual building, and all expenses incidental to the acquisition, actual building, or reconstruction of facilities and equipment for use in mass transportation, including designing, engineering, locating, surveying, mapping, and acquisition of rights of way.

(3) 'Mass transportation' means all modes of transportation serving the general public which are appropriate, in the judgment of the commission, to transport people, commodities, or freight by highways, rail, or other conveyance.

(4) 'Mass transportation facilities' means everything necessary for the conveyance and convenience of passengers and the safe and prompt transportation of freight by mass transportation.

(5) 'Metropolitan planning organization' has the meaning provided by Code Section 32-2-22.

(b)(1) There is created the Georgia Commission on Transit Governance and Funding. The commission shall consist of the following members:

(A) Four members appointed by the Governor;

(B) Five members of the Senate appointed by the President of the Senate, including the chairperson of the Senate Transportation Committee;

(C) Five members of the House of Representatives appointed by the Speaker of the House of Representatives, including the chairperson of the House Committee on Transportation;

(D) The commissioner of transportation, ex officio;

(E) The executive director of the Georgia Regional Transportation Authority, ex officio;

(F) The chief executive officer of the Metropolitan Atlanta Rapid Transit Authority, ex officio; and

(G) The directors of all metropolitan planning organizations, ex officio, none of whom shall have voting rights as members of the commission.

(2) All appointed members of the commission shall serve at the pleasure of the appointing authority. Any vacancy in such appointed membership shall be filled in the same manner as the original appointment. The chairperson of the Senate Transportation Committee and the chairperson of the House Committee on Transportation shall serve as cochairpersons of the commission. The cochairpersons shall call all meetings of the commission. The commission 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 its objectives and purposes pursuant to this Code section.

(c)(1) The commission shall be investigative and advisory only. The commission shall study and assess the needs for, potential methods of funding of, and means of providing a system of mass transportation and mass transportation facilities for any one or more metropolitan areas in this state, as determined by the commission. Such study shall include consideration of federal programs relating to mass transportation and mass transportation facilities. As a result of such study and assessment, the commission shall make a written report of its findings and a detailed proposal to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the director of planning provided for by Code Section 32-2-43 for a system of regional, integrated, and comprehensive mass transportation for such metropolitan area or areas as determined by the commission. Such proposal shall include a recommended unified regional

governance structure for such mass transportation system for any such metropolitan area or areas, along with a means of funding construction and operation of mass transportation and mass transportation facilities, including but not necessarily limited to state funding. Such proposal shall also include recommendations for any legislation the commission deems necessary or appropriate to accomplish the commission's proposals.

(2) Upon request of the commission, the director of planning provided for by Code Section 32-2-43; any state department, agency, or authority; and any metropolitan planning organization or metropolitan rapid transit authority shall cooperate with the commission in the performance of the commission's duties.

(3) The commission shall submit the report and proposal required by paragraph (1) of this subsection not later than December 31, 2017.

(d)(1) The commission shall be assigned to the department for administrative purposes only, as prescribed in Code Section 50-4-3.

(2) Subject to availability of funds, in addition to assistance of the department provided pursuant to paragraph (1) of this subsection, the commission may contract for the provision of private consulting and any other services to the commission for purposes of performing its duties under this Code section.

(3)(A) The legislative members of the commission shall receive the allowances provided for in Code Section 28-1-8.

(B) Members of the commission who are state or local government officials, other than legislative members, or state or local government employees shall receive no compensation for their services on the commission, but they may be reimbursed for expenses incurred by them in the performance of their duties as members of the commission in the same manner as they are reimbursed for expenses in their capacities as state or local government officials or state or local government employees.

(C) Members of the commission who are not legislators, state or local government officials, or state or local government employees shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21, as well as the mileage or transportation allowance authorized for state employees.

(D) Funds for the reimbursement of the expenses of state or local government officials, other than legislative members, and state or local government employees shall come from funds appropriated to or otherwise available to their respective governments, departments, authorities, or agencies.

(e) This Code section shall be automatically repealed, and the commission shall be abolished by operation of law, on December 31, 2018."

100 **SECTION 2.**

101 This Act shall become effective upon its approval by the Governor or upon its becoming law
102 without such approval.

103 **SECTION 3.**

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