

# Foundations of Georgia Government



# U.S. Governments in 2002



## Local governments include

- counties (shown)
- cities
- townships
- school districts
- special districts

# Georgia's State Government (like our Federal Government) Has 3 Branches...

**Executive  
Branch**

**Enforces  
the Laws**

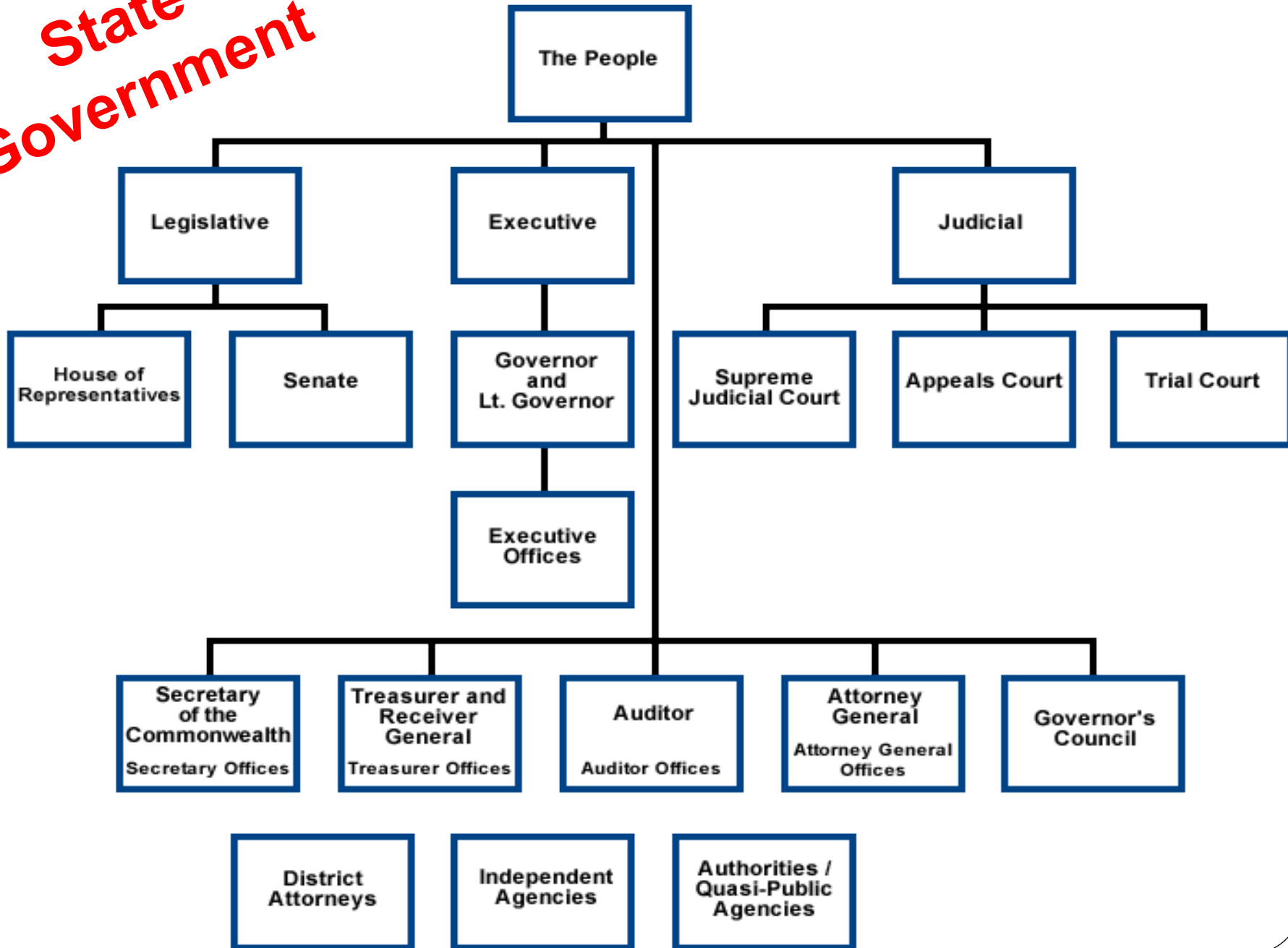
**Legislative  
Branch**

**Enacts  
the  
Laws**

**Judicial  
Branch**

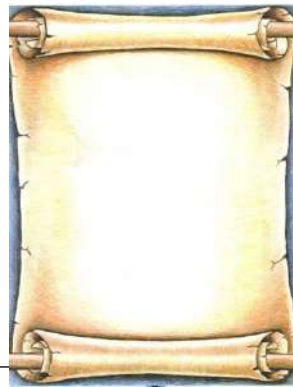
**Interprets  
the Laws**

# State Government



# *Georgia's Constitution*

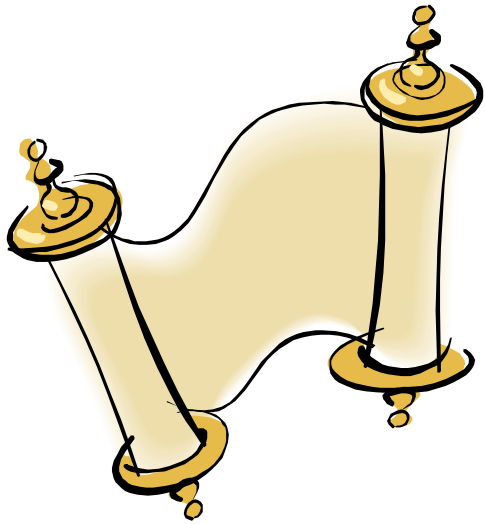
- Georgia adopted its first state constitution in 1777.
- In 1983, Georgians approved the state's 10<sup>th</sup> Constitution.
- Purpose has always been the same... It gives voters the right to control state government by electing state officials. Citizens may also suggest laws that improve the way the state is governed.



# Georgia's Government

**What is the Georgia state constitution?**

- It is the governing document that explains the laws, governmental offices, and citizens' rights and responsibilities in the state of Georgia.



# Georgia's Government

**What is the basic structure of the Georgia state constitution?**



- The state constitution is a living document. It is used everyday in governmental decisions.
- Structure of the Georgia state constitution:
  - Preamble (Introduction)
  - Articles (11 main articles)
    - Sections
    - Paragraphs
- Georgia State Constitution

# Georgia's Government

**What is the basic structure of the Georgia state constitution?**



- **Article I**: Bill of Rights
- **Article II**: Voting & Elections
- **Article III**: Legislative Branch
- **Article IV**: Constitutional Boards & Commissions
- **Article V**: Executive Branch
- **Article VI**: Judicial Branch
- **Article VII**: Taxation & Finance
- **Article VIII**: Education
- **Article IX**: Counties & Municipal Corporations
- **Article X**: Amendments to the Constitution
- **Article XI**: Miscellaneous Provisions



# The Executive Branch (Largest Branch)

- Governor is the chief executive officer of the state



*Governor Sonny Perdue*  
Office of the Governor

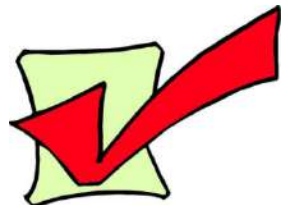


- Lieutenant Governor
  - Attorney General
- Commissioner of Agriculture
  - Commissioner of Labor
  - Commissioner of Insurance
- Public Service Commissioners
  - Secretary of State
- State School Superintendent

# The Governor

# Election

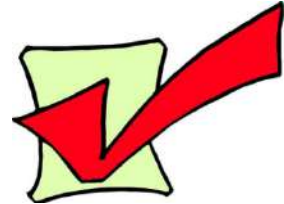
- Elected by a majority of the popular vote
- Serves a 4 year term
- May serve 2 consecutive terms



# Qualifications

- Must be at least 30 years of age
  - Must be a citizen of the US for at least 15 years
  - Must be a resident of the state for at least 6 years
- 
- 

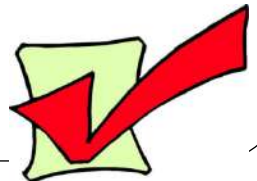
If Governor dies or resigns, the Lieutenant Governor takes over until the next general election.



Should both the Governor and the Lieutenant Governor die or resign, the Speaker of the House of Representatives serves until a new Governor is elected.

# Formal Powers of the Governor

- Manages the State's Budget
- Appoints State Officials
- Makes an annual "State of the State" address
- Prepares budget bills
- Serves as Commander-in-Chief of the Georgia National Guard
- Makes Sure Laws Are Enforced
- Sends Georgia Highway Patrol officers and the Georgia Bureau of Investigation into communities in times of danger.
- Paroles or Pardons Convicted Criminals
- Appoints State Justices
- Vetoes Bills or Signs Into Law



# Informal Powers of the Governor

guides state agencies

issues proclamations

appoints people to state boards and executive offices

works with legislators to get laws passed

represents the state in various meetings and events

communicates personal position on important issues

**Who Is Our  
Current  
Governor?**



**Honorable Nathan Deal**  
**Governor of State of Georgia**



**Our Most  
Famous  
Governor**



◆ **1962**

**Georgia  
Senator**

◆ **1970**

**Georgia  
Governor**

◆ **1976**

**US President**

◆ **2002**

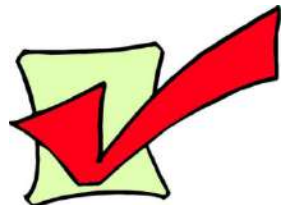
**Nobel Peace  
Prize**

**Honorable Jimmy Carter**

# The Lieutenant Governor

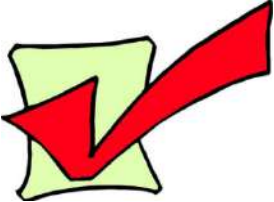
# Terms

- Elected by a majority of the popular vote
- Can serve unlimited number of consecutive terms



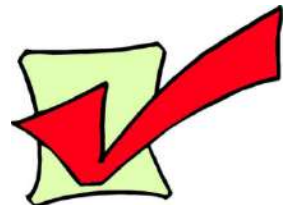
# Qualifications

## SAME AS GOVERNOR

- Must be at least 30 years of age
- Must be a citizen of the US for at least 15 years
- Must be a resident of the state for at least 6 years
- If Governor dies or resigns, the Lieutenant Governor takes over until the next general election. 
- Lieutenant Governor also serves as the chief executive officer when the Governor is out of state.

# Powers of the Lieutenant Governor

- Presiding officer of the State Senate
- Makes senate committee appointments
- Assigns senate bills to committees
- Recognizes members of the senate who wish to speak
- May affect the passage or failure of some senate bills



**Who Is Our  
Current  
Lieutenant  
Governor?**



**Casey Cagle**



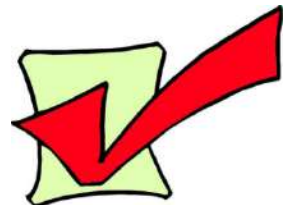
# Georgia's Elected Officials

# State Attorney General

- ❑ Chief Legal Officer for the State
- ❑ Head of the Department of Law



Sam Olens

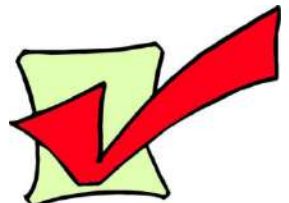


# Commissioner of Agriculture

- ❑ Head of the Agriculture Department
- ❑ Directs agriculture or agribusiness programs
- ❑ Maintains state farmers' markets
- ❑ Supervises services such as inspections
- ❑ Expands market opportunities for Georgia agriculture

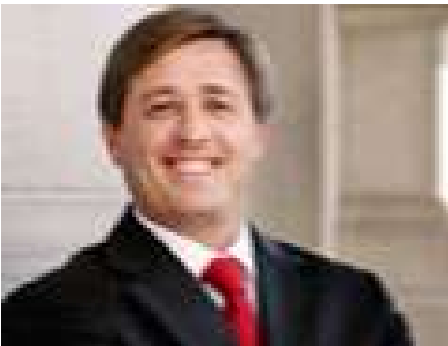


Gary Black

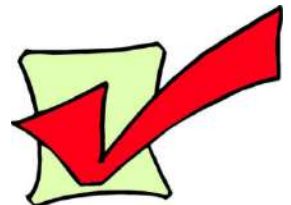


# Commissioner of Labor

- Head of the Labor Department
- Regulates the health and safety of workers
- Enforces state labor laws
- Administers unemployment insurance programs
- Maintains statistical data on labor



Mark Butler

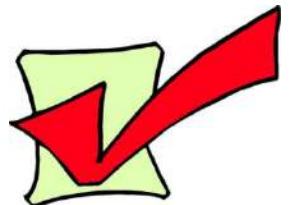


# Commissioner of Insurance

- Regulates insurance carriers
- Issues insurance licenses



Ralph Hudgens



# Public Service Commissioners

- ❑ Regulates utilities in Georgia
- ❑ Controls the rates and services of transportation companies, telephone companies and electric companies



**Chuck Eaton**



**Tim Echols**



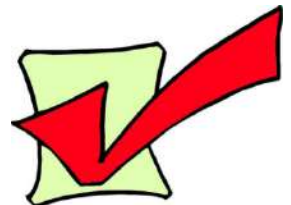
**Doug Everett**



**Lauren  
"Bubba"  
McDonald,  
Jr.**



**Stan Wise**

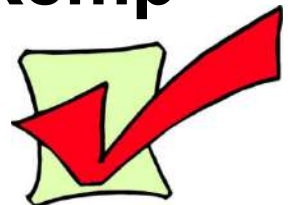


# Secretary of State

- Maintains the state's official records
- Publishes laws passed by the legislature
- Supervises elections
- Appoints examining boards
- Grants corporate charters
- Regulates securities, stocks, and bonds



**Brian Kemp**

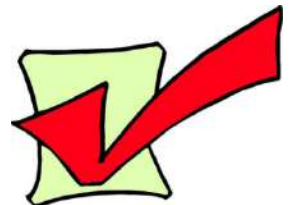


# State School Superintendent

- Head of the Department of Education
- Directs statewide educational programs
- Enforces state education regulations and laws
- Administers state and federal education funds
- Certifies and licenses teachers and other educators
- Approves textbooks for use in Georgia schools



John Barge





**Appointed  
Officials,  
Boards,  
& Commissions**

□ These positions are not provided for in the state's constitution, nor are they elected, but their jobs are called for by law.

**Example: Chief Drug Inspector**

□ Another sector of Georgia's government are boards and agencies.

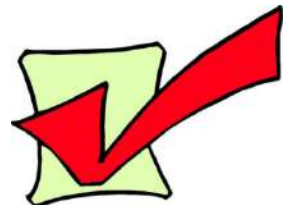
**There are over 30 major agencies...**

**Examples:**

**State Board of Pardons & Paroles**

**Board of Natural Resources**

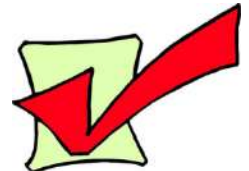
**State Personnel Board**



# The Legislative Branch



- The Georgia state constitution grants law-making power to the legislative branch.
- Georgia's legislature is officially known as the *Georgia General Assembly*.
- Formed in 1777 as a 1 house legislature.
- That makes it older than the Congress of the United States.
- In 1789, the *Georgia General Assembly* was reorganized.



# Bicameral (2 Houses)

**Georgia General  
Assembly**

```
graph TD; A[Georgia General Assembly] --> B[Senate]; A --> C[House of Representatives];
```

The diagram illustrates the bicameral structure of the Georgia General Assembly. At the top is a box labeled "Georgia General Assembly". A vertical line descends from this box and splits into two horizontal lines, each leading to a box below. The left box is labeled "Senate" and the right box is labeled "House of Representatives".

**Senate**

**House of  
Representatives**







# Senate

# House of Representatives

**56 Members**

**180 Members**

**At Least 25 Years Old**

**At Least 21 Years of Age**

**Citizens of the United States**

**Citizens of Georgia for at Least 2 Years**

**Must Have Been Legal Residents  
of the District from Which They Were Elected for At Least 1 Year**

**Propose and Pass Bills  
(All Bills Must Be Approved by Both Houses Before Being Sent to the Governor)**

**Elected by Popular Vote to 2 year terms**


**No Limit on Number of Terms**

**Confirm Appointments the Governor  
Makes to Executive Offices**

**Write Appropriations (Spending**



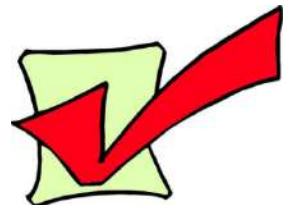
# Legislative Sessions

- Meet Yearly
- 40 Days
- Lieutenant Governor Presides Over the Senate
- Speaker of the House Presides Over the House of Representatives
- During a 40-day session, more than 1,000 bills will be proposed. 



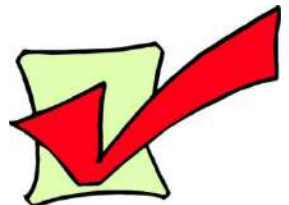
# Powers of the Presiding Officer

- Determines the order of business
- Controls debate
- Rule out proposed amendments to bills
- Enforces rules of procedure for the General Assembly
- Controls meeting times and recesses of the General Assembly
- Order a roll call vote on any issue



# Committees

- ❑ Like Congress, members of the Georgia house and senate are organized into committees.
- ❑ All bills must be reviewed by a house or senate committee before they can be brought to either the whole house or sent for a vote.



- **can pass laws, amend (change) them, or do away with them**

**public  
health**

**taxes**

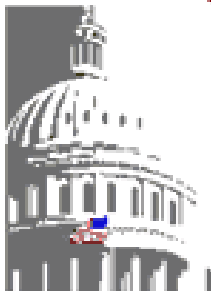
**criminal  
matters and  
punishments**

**Types of  
Legislation**

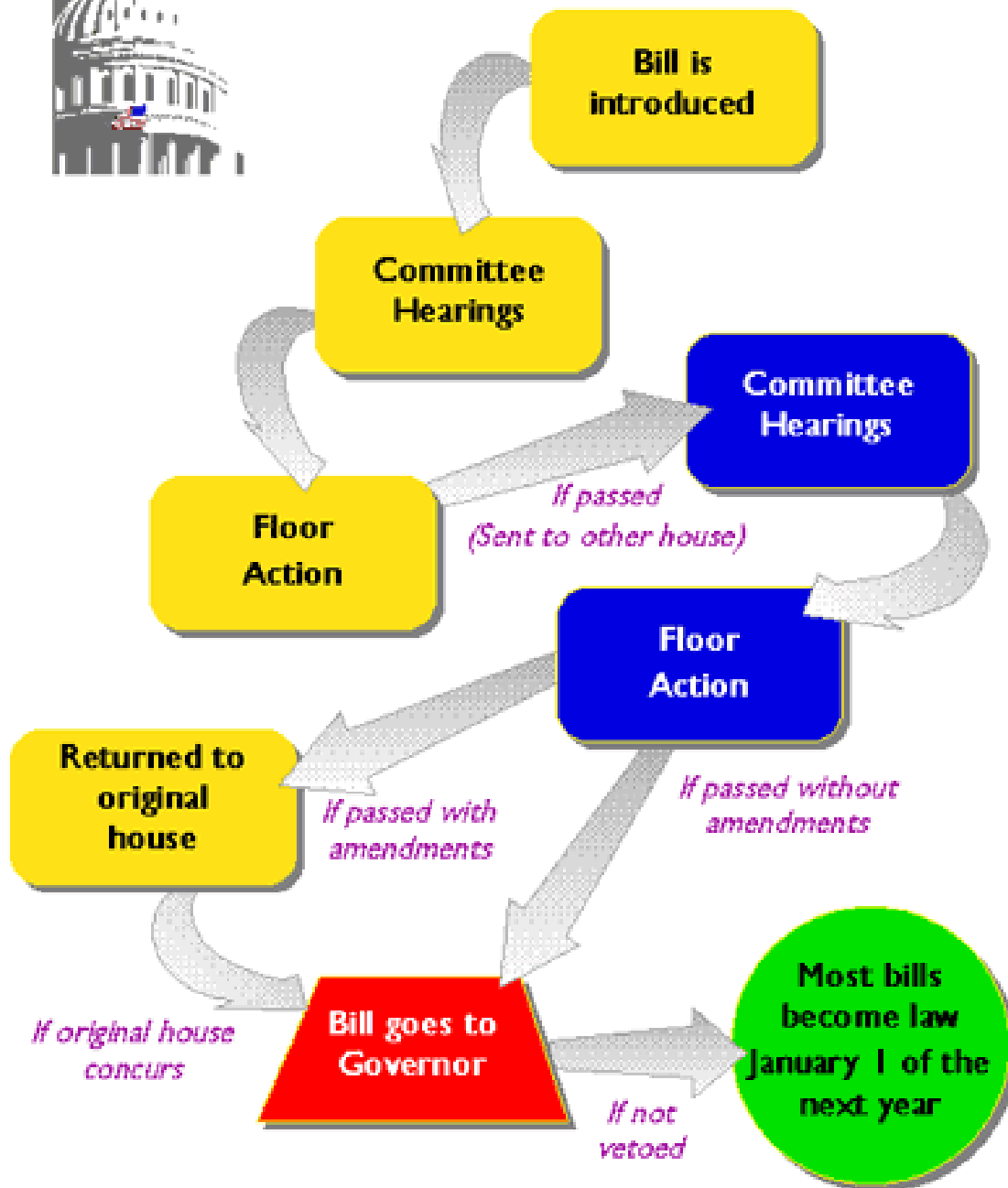
**regulation of  
businesses  
&  
professions**

**property**

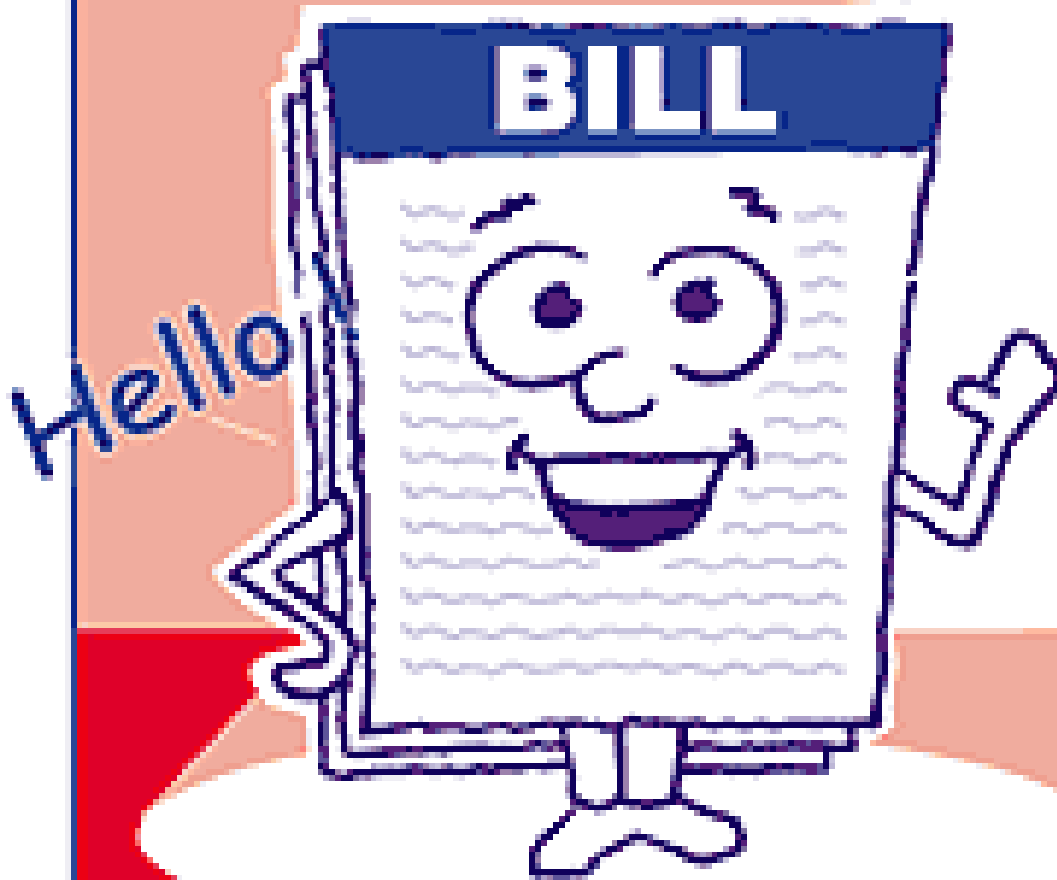
**education**



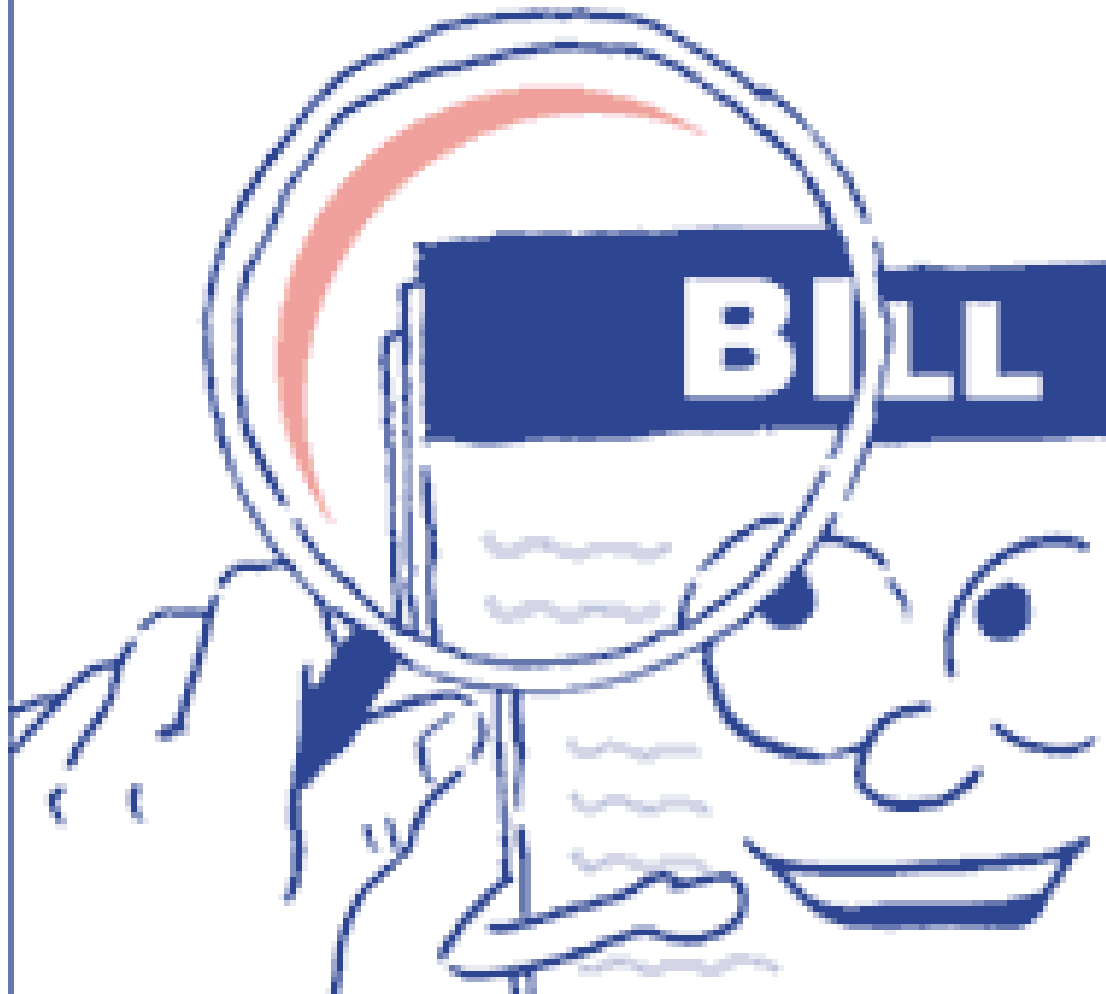
# How a Bill Becomes a Law



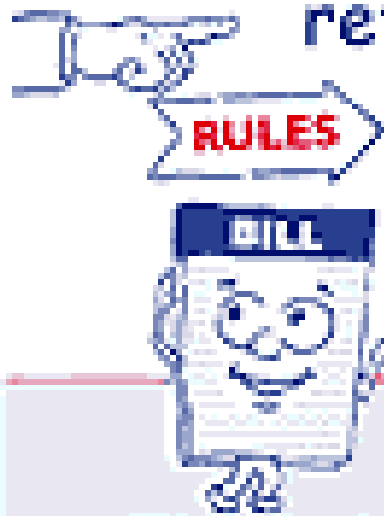
A bill may be introduced in either the Senate or House of Representatives.



**A committee studies the bill  
and often holds public  
hearings on it.**

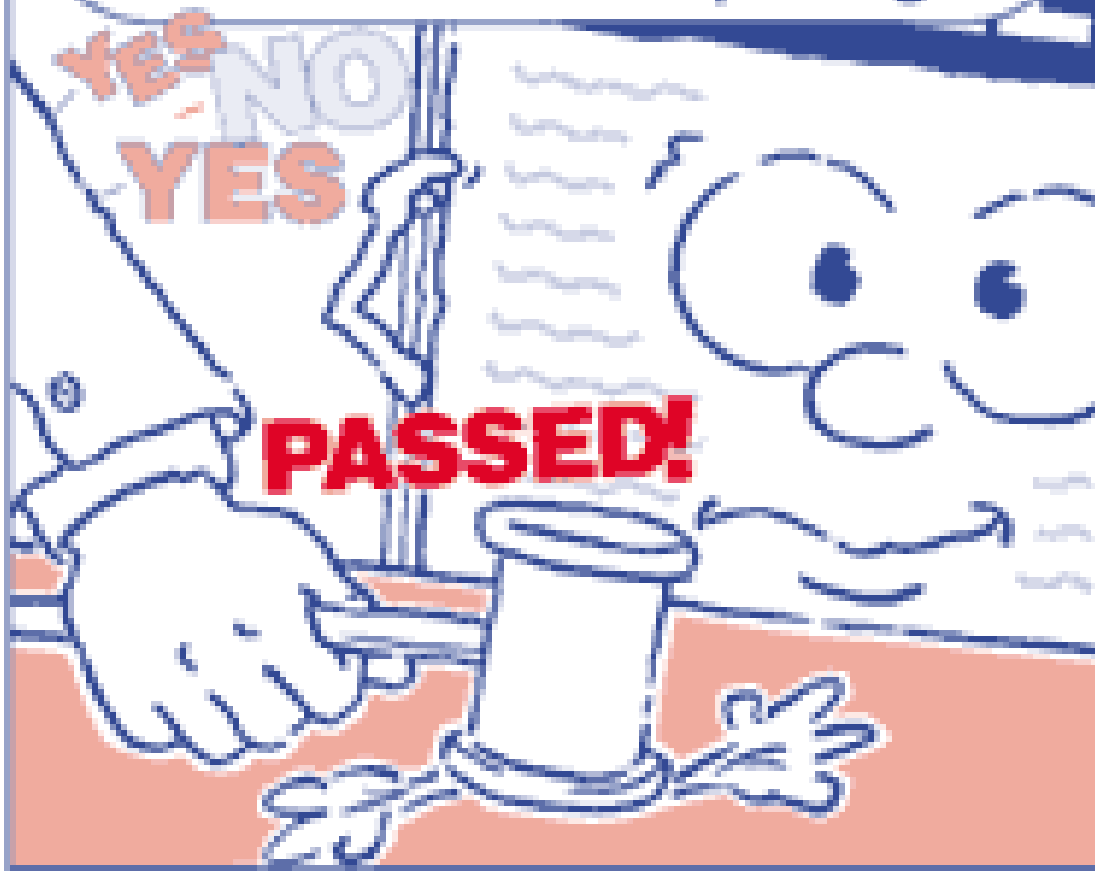


A committee report is read in open session of the House or Senate, and the bill is then referred to the Rules Committee.

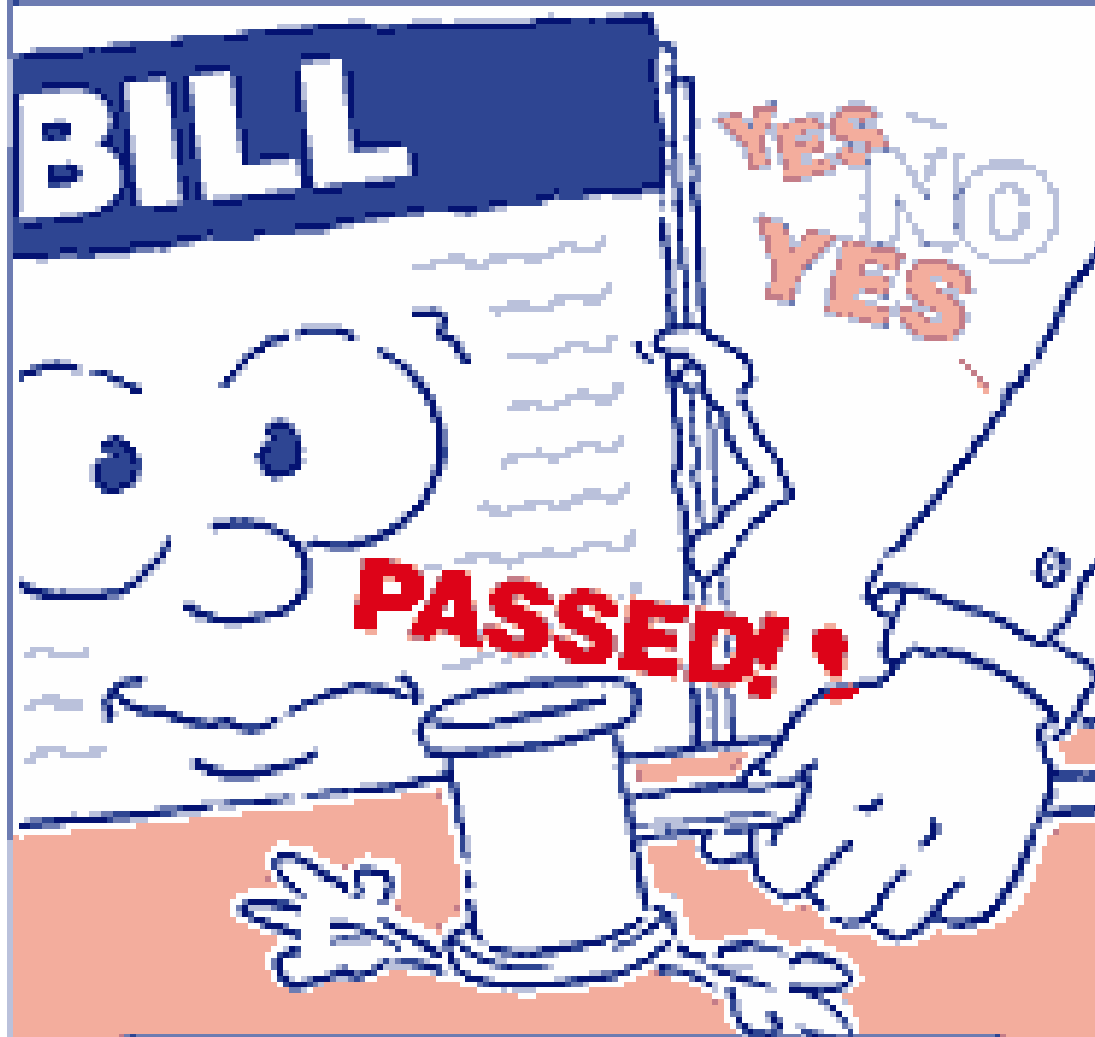


The Rules Committee can either place the bill on the second reading of the calendar for debate before the entire body, or take no action.

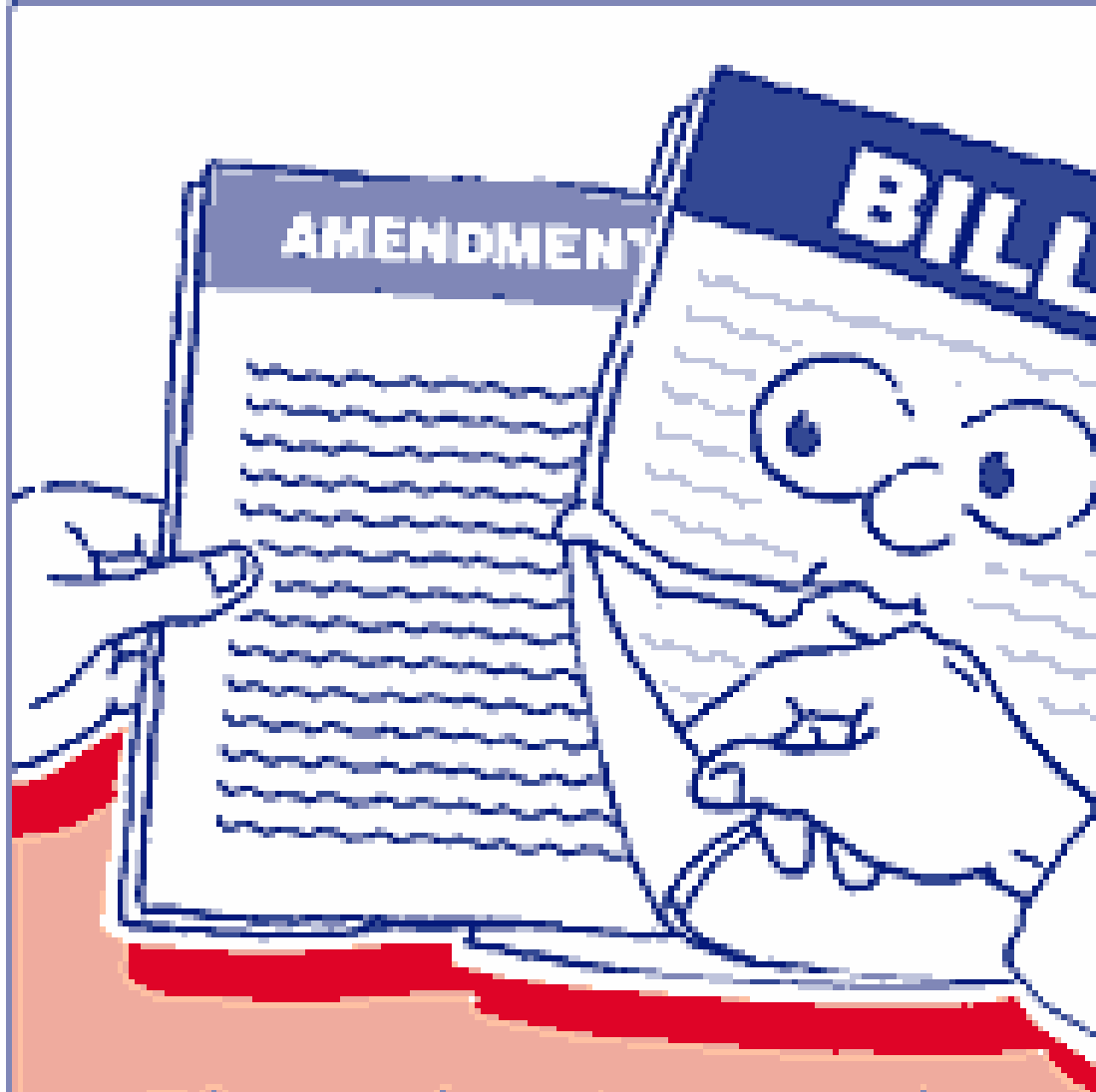
At the second reading a bill is subject to debate and amendment before being placed on the third reading calendar for final passage.





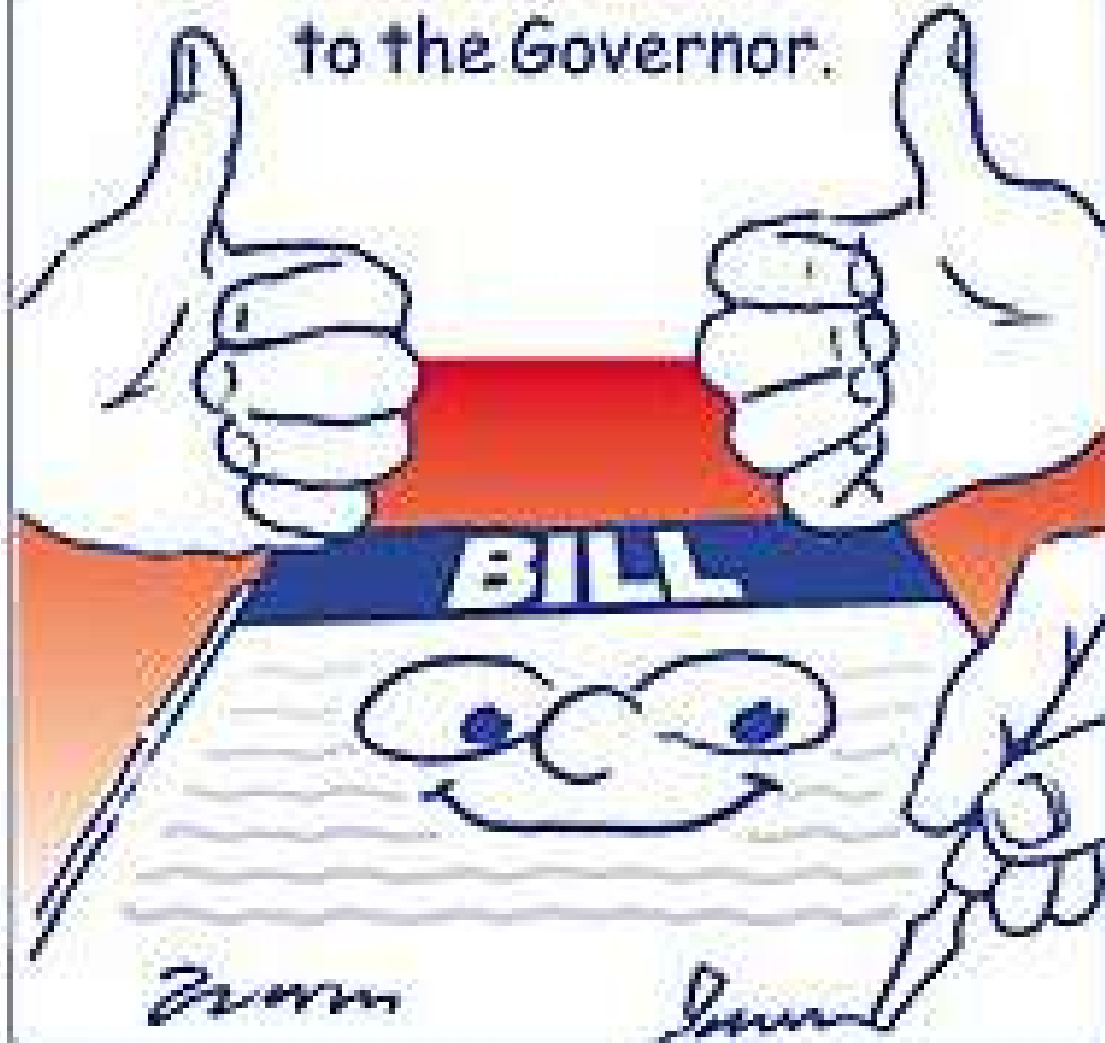


After passing one house, the bill goes through the same procedure in the other house.



If amendments are made  
in one house, the other  
house must concur.

When the bill is accepted in both houses, it is signed by the respective leaders and sent to the Governor.



# How a Bill Is Passed in the Georgia Legislature



Legislator sees need for a new law or changes in existing law and decides to introduce a bill.

1



Legislator goes to Office of Legislative Counsel. There, attorney advises legislator on legal issues and drafts bill.

2



Legislator files bill with the Clerk of the House or Secretary of the Senate.

3



On legislative day after filing, bill is formally introduced. In chamber, bill's title is read during period of first readings.

4

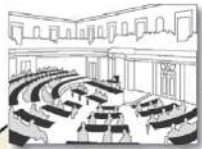


Immediately after first reading, presiding officer assigns bill to a standing committee.

5



In the House only, on next legislative day, Clerk reads bill's title (second reading) in chamber, although actual bill is now in committee. In Senate, second reading comes after bill is reported favorably from committee.



Once presiding officer calls bill up from Rules Calendar, Clerk or Secretary reads bill's title (third reading). Bill is now ready for floor debate, amendments, and voting.

11



For the last 30 days of session, presiding officer calls up bills from the Rules Calendar for floor consideration.

10



Starting with 10th day of session, the Rules Committee meets and from bills on General Calendar prepares a Rules Calendar for the next day's floor consideration.

9



Clerk or Secretary prepares a General Calendar of bills favorably reported from committee. For first 10 days of session, presiding officer calls up bills from this calendar for floor action.

8



Bill is reported favorably by committee and returned to Clerk or Secretary.

7

Bill considered by committee. Author and other legislators may testify. If controversial, public hearings may be held.

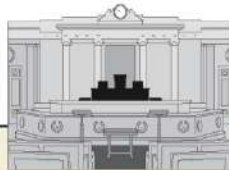
6



12

After debate, main question is called and members vote. If bill is approved by majority of total membership of that house, it is sent to the other house.

13



If second house passes bill, it is returned to house where bill was introduced. If changes are accepted, ...

If first house rejects changes and second house insists, a conference committee may be appointed. If committee report is accepted by both houses, ...

14



Bill is enrolled and sent to the Governor (if requested). Otherwise, all enrolled bills sent to Governor following adjournment *sine die*.

15



Governor may sign bill or do nothing, and bill becomes law. Governor may veto bill, which requires two-thirds of members of each house to override.

16



Acts and other laws enacted at the session are printed in the *Georgia Laws* series. Also, act is incorporated into the Official Code of Georgia Annotated. Act becomes effective the following July 1, unless a different effective date is provided in act.

# Reapportionment

- Occurs each 10 years following the census
- legislature must redraw the voting districts to make them have the equal numbers of people
- 2001: districts drawn by Democratic legislature ruled unconstitutional
- 2004: revisions made to district map
- gerrymandering: drawing up a election district to support a particular group

# Georgia's Congressional Districts



# The Judicial Branch

- Consists of the state's courts



**7 Judges**

Supreme Court

**12 Judges**

Court of Appeals

**49 Circuits / 205 Judges**

Superior Court

159 Courts  
159 Chief Magistrates  
354 Magistrates

State Court

Juvenile Court

Municipal Court

Probate Court

Magistrate Court

**70 Courts**  
**120**  
**Judges**

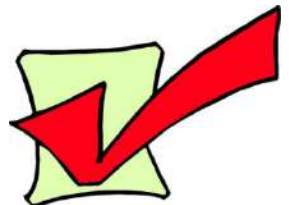
**159 Courts**  
**120**  
**Judges**

**370 Courts**  
**350**  
**Judges**

**159 Courts**  
**159**  
**Judges**

# Duties

- Interpret the State Constitution
- Protect legal rights of citizens
- Enforce laws of the state





# Supreme Court

- **Reviews decisions made by other courts in civil and criminal cases.**
- **Rules on questions involving the constitutionality of state statutes, all criminal cases involving a sentence of death, and petitions from decisions of the Court of Appeals.**
- **No trials are held at the appellate level;**
- **Oral arguments are heard by the entire court.**

# Court of Appeals

- **First review for many civil and criminal cases decided in the trial courts.**
- **Correct legal errors or errors of law made at the trial level, not to alter jury verdicts or the outcome of bench trials.**

# Superior Court

- **Exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land.**
- **Corrects errors made by lower courts**

# State Court

- **misdemeanor violations, including traffic cases, and all civil actions, regardless of the amount claimed, unless the superior court has exclusive jurisdiction.**
- **Issue search and arrest warrants**

# Juvenile Court

- **protect the well-being of children, provide guidance and control conducive to child welfare and the best interests of the state, and secure care for children removed from their homes.**

# Municipal Court

- **municipal ordinance violations, issue criminal warrants, conduct preliminary hearings, and may have concurrent jurisdiction over shoplifting cases and cases involving possession of one ounce or less of marijuana.**

# Probate Court

- wills, administration of estates, appointment of guardians and involuntary hospitalization of incapacitated adults and other individuals.
- oaths of office and issue marriage licenses.
- They may hold habeas corpus hearings or preside over criminal preliminary hearings.

# Probate Court Continued

- Unless a jury trial is requested, may also hear certain misdemeanors, traffic cases and violations of state game and fish laws
- election supervisors and make appointments to certain local public offices.



# Magistrate Court

- **civil claims of \$15,000 or less; certain minor criminal offenses; distress warrants and dispossessory writs; county ordinance violations; deposit account fraud (bad checks); preliminary hearings; and summonses, arrest and search warrants.**

# Magistrate Court Continued

- **May grant bail in cases where the setting of bail is not exclusively reserved to a judge of another court.**
- **No jury trials are held in magistrate court. If a defendant submits a written request for a jury trial, cases may be removed to superior or state court.**

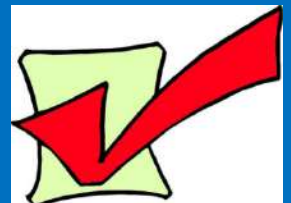
# Types of Court Cases

**Civil Cases**  
disputes  
between  
citizens

**Criminal Cases**  
involve  
violation  
of laws

**Felony**  
serious  
crime  
with  
severe  
punish-  
ments  
allowed

**Misdemeanor**  
less  
serious  
crime  
with  
smaller  
punish-  
ments



# The Jury System



□ Trial before one's peers

□ Two Types:

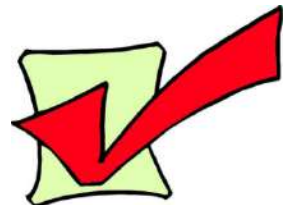
1) Grand Jury – determines whether or not persons accused of crimes should be indicted (officially charged) and required to stand trial.

2) Trial Jury – group of citizens who are charged with judging a person charged with a crime



# Young People and the Law

- Over 2,500 children in jail in Georgia
- juvenile: citizen under the age of 17
- truancy: failure to attend school
- juveniles must follow state's laws, but violators may be tried by a juvenile court
- Common Crimes: smoking, drinking alcohol, loitering (hanging around a public place without permission), violating curfews, running away



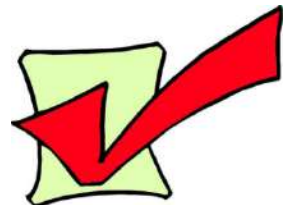
# Juvenile Court System

- every county has a juvenile court
- purposes:
  - help and protect children
  - ensure protection of children coming under their jurisdiction
  - provide care for children removed from their home
- delinquent behavior: act that would be a crime if committed by an adult (example: burglary, etc..)
- unruly behavior: act that would *not* be a crime if committed by an adult (example: smoking, drinking, etc...)



# Steps in Juvenile Justice Process

- 1. juvenile “taken into custody”**
- 2. intake: intake officer evaluates case**
- 3. detain or release (to parents)**
- 4. detained juveniles sent to RYDC (regional youth detention center)**
- 5. probable cause hearing before a juvenile court judge**
- 6. dismissal, informal adjustment, or formal hearing**
- 7. if the juvenile committed a serious offense or multiple offenses, a judge has many sentencing options**



# **Georgia's Seven Deadly Sins Act**

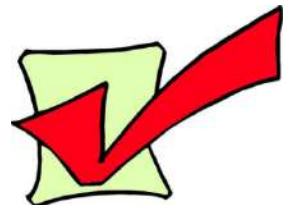
- **1994: legislature addressed issue of increasingly violent youth crime**
- **juveniles charged with certain crimes (murder, rape, armed robbery with a firearm) could be treated as adults by the courts**
- **superior courts handle these cases**
- **mandatory 10-year sentences were a part of the new law**





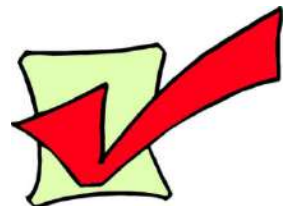
# Rights of Juveniles

- juveniles have the right to a fair and speedy trial
- no juries in juvenile cases
- parents or guardians may be present at hearings
- attorney must be provided if child's parents cannot afford one



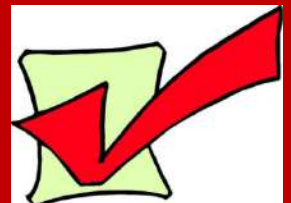
# **Students' Rights Under School Law**

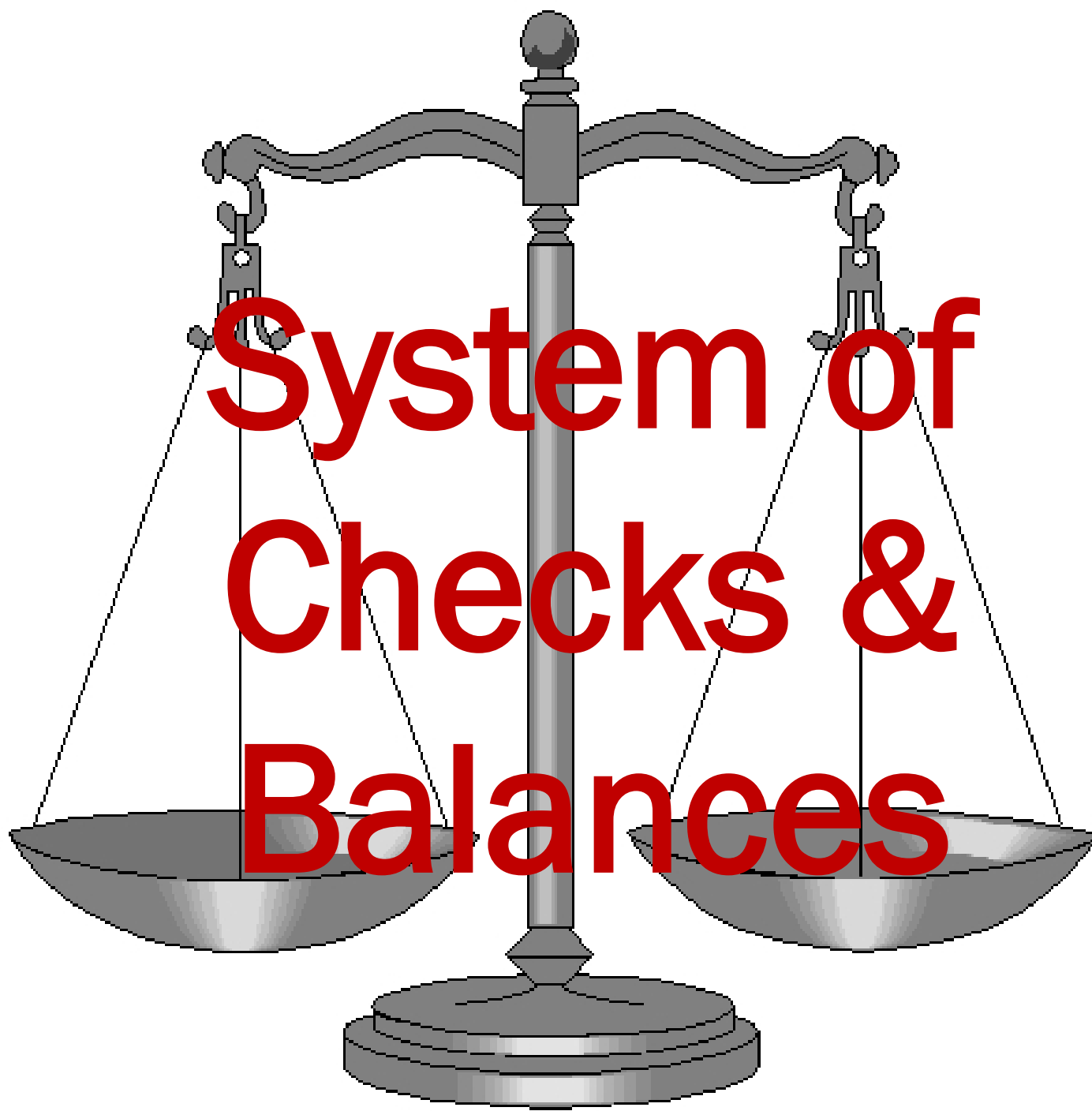
- sometimes students' rights have been in conflict with schools' authority**
- courts have ruled that students' civil rights are in effect at school; however, schools have been given broad power to control and manage the school environment**



# **Students' Responsibilities Under School Law**

- **students have a legal right to a free public education**
- **responsibilities of students:**
  - **attend school regularly from ages 6-16**
  - **follow reasonable rules and regulations**
  - **work with school officials to prevent disruption and violence which keeps students from learning and achieving**

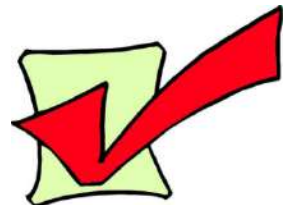




**System of  
Checks &  
Balances**

# Separation of Powers

- **each branch of government has its own powers**
- **similar to US Constitution**
- **designed so that no branch or person can become too powerful**
- **checks and balances system depends on citizens choosing wisely when they vote**



# Executive Branch

- Impeach officials in the Executive or Judicial Branches
- Override a Governor's veto of bills to make them into laws
- Must also confirm appointments made by the Governor
- Propose constitutional changes

- Veto bills passed by the legislative branch
- Call special sessions of the legislature
- Has some appointment powers when officers of the court resign or die

■ Determines whether or not laws are constitutional

# Legislative Branch

# Judicial Branch



# How Is Georgia's Government Funded?

# Budget Revenues

