

A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS
EXPRESSING SUPPORT FOR HOUSE RESOLUTION 158, A MEASURE ALLOWING
THE GEORGIA GENERAL ASSEMBLY TO DEDICATE FEE COLLECTIONS FOR
THEIR STATUTORILY-DESIGNATED PROGRAMS

WHEREAS, Georgia's 159 counties, more than 500 municipalities, local businesses, and citizens annually submit millions of dollars in fees and payments to the state; and

WHEREAS, in many cases these fees were created to aid local governments in implementing programs such as hazardous waste cleanups, clean community programs, indigent defense and judicial programs, peace officer training, and teen driver training; and

WHEREAS, it is the understanding of the Newton County Board of Commissioners (the "Board") that the state government significantly redirects these fees to fund unrelated portions of the state budget; and

WHEREAS, without full funding from the proceeds of state-mandated fees, local governments often must raise taxes or further raise user fees to fund programs designed to keep their citizens healthy and safe; and

WHEREAS, it is the Board's understanding that, of the \$469 million collected since 1993 in state-mandated landfill tipping fees, hazardous waste processing fees and other waste-related fees, nearly 40 percent of such collections have been diverted from their designated purpose of funding the Georgia Hazardous Waste Trust Fund and Georgia Solid Waste Trust Fund; and

WHEREAS, it is the Board's understanding that, in the case of the teen driving program known as Joshua's Law, which generates between \$3-\$10 million annually, only about \$8 million has been used to fund teen driver programs since the program's creation in 2005; and

WHEREAS, it is the Board's understanding that, with respect to the Peace Officer & Prosecutors Training Fund that generates an estimated \$27 million annually, an estimated \$70 million was redirected to fund unrelated portions of the state budget between 1987 and 2009; and

WHEREAS, because of these diversions of fees, among others, remediation of tire dumps and hazardous waste sites remain underfunded, teen drivers have inadequate guidance, and peace officers cannot get funding for additional and necessary training programs; and

WHEREAS, these diversions of fees are therefore detrimental to the health, safety, and welfare of Georgia's citizens; and

WHEREAS, the Georgia Municipal Association and the Association County Commissioners of Georgia support legislation to end the practice of these fee collections becoming de facto taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY AS FOLLOWS:

1.

The Board supports efforts to address the aforementioned funding problem by adopting a constitutional amendment giving the Georgia General Assembly general authority to establish dedicated trust funds and dedicate revenues sources to designated programs.

2.

The Georgia General Assembly should adopt a resolution on this issue, such as proposed House Resolution 158, during the 2018 legislative session so that a constitutional amendment can be put before voters in November 2018.

3.

The Governor of the State of Georgia should sign and approve such a constitutional amendment resolution.

4.

Upon adoption of this Resolution, copies shall be mailed or electronically submitted to the Governor, Lt. Governor, Speaker of the House of Representatives, and the local legislative delegation.

5.

The effective date of this Resolution shall be immediately after adoption.

So resolved this 21st day of November 2017.

NEWTON COUNTY BOARD OF COMMISSIONERS


Marcello Banes, Chairman

Attest:


Jackie Smith, County Clerk

