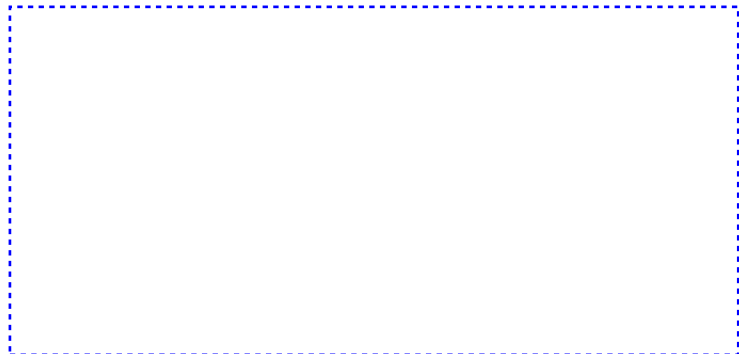




# *Getting to Know* Georgia

**A Guide for  
Exploring Georgia's  
History and Government**



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# HISTORICAL INFORMATION





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# The History of Georgia and Its Capital Cities

## SAVANNAH

On June 9, 1732, King George II signed the charter granting General James Edward Oglethorpe and a group of trustees permission to establish a thirteenth British colony to be named in honor of the King. The motives for the grant were to aid worthy poor in England, to strengthen the colonies, increase imperial trade and navigation, and to provide a buffer for Carolina against Spanish Florida. Even though the King had granted the charter for the colony, Oglethorpe wanted to get the consent of the Indians inhabiting the area. There had been an agreement with them that no more colonies would be located below the Carolina border.

In February 1733, James Edward Oglethorpe landed at Yamacraw Bluff - a site he considered perfect for his new colony. The only Indian tribe living within fifty miles of the new colony was a group of about 100 Yamacraw Indians. Tomochichi, the chief of the Yamacraws, greeted Oglethorpe with kindness because the Indians were pleased with the prospect of more settlers. Mary Musgrove, the daughter of an Indian woman and white trader, was hired as Oglethorpe's interpreter. On February 12, 1733, James Oglethorpe brought 114 settlers to Yamacraw Bluff, later known as Savannah, to establish the thirteenth and last British colony. Savannah became the center of colonial government in Georgia.

In 1752, nine years after Oglethorpe left Georgia for the last time, the trustees relinquished the charter, and Georgia became a royal colony. A governor appointed by King George II arrived in Savannah in 1754. Under royal government, provisions were made for a General Assembly, consisting of an elected lower house, called the House of Commons, and the Governor's Council, composed of twelve men appointed by the King and called the Upper House of the Assembly. The House of Commons first met in January 1755 with 19 representatives elected by landowners of 50 or more acres within the colony.

Savannah grew slowly until after the departure of the Spanish from Florida in 1763. By the start of the Revolution, Georgia had about 35,000 people with Savannah's population at approximately 2,500. During the last part of the colonial period, Savannah's export business increased considerably, reflecting an increase in farming, lumbering and Indian trade.

When Georgia's independence from British rule was declared in January of 1776, an Executive Council was elected. The revolutionary state government made Savannah its capital and the legislature met there in 1777 and 1778. During the Revolutionary War, the capture of Savannah caused the revolutionary government to retreat to Augusta in 1778. Upon the fall of Augusta in 1779, the government was temporarily located at Heard's Fort in Wilkes County from February 1780 to July 1781. Government officials returned to Augusta in 1782, only to move back to Savannah, which had been evacuated by the British. Between 1783 and 1785, the Georgia Assembly rotated between Savannah and Augusta, and the governor divided his official residence between the two cities.

During the Revolutionary War, many Georgians still felt loyalty to England. Therefore, the war was fought not only between American and British forces, but also between citizens who became revolutionaries, the Whigs, and those still swearing allegiance to the king, the Tories.

In 1786, Augusta, located in the rapidly expanding upcountry, became the new capital. Though the removal of the capital from Savannah diminished its political importance, its significance as a



port and trade center increased. Rice, naval stores, and lumber continued to be major exports, and a new item emerged in Georgia's economy: cotton.

## **AUGUSTA**

The 1783 session of the Georgia legislature passed an act moving the capital to Augusta because it was nearer the center of population. On February 22, 1785, the General Assembly held its last meeting in Savannah and Augusta officially became the second capital of Georgia. Oglethorpe founded Augusta in 1735 and named it after the Princess of Wales, wife of Prince Frederick. It soon became a bustling fort and trading post.

During Augusta's decade as state capital several historic events occurred. In 1785, lawmakers created the nation's first state chartered institution of higher learning - the University of Georgia. In 1788, Georgia became the fourth state to ratify the United States Constitution. In 1791, the nation's new president, George Washington, visited Augusta.

The state's worst political scandal, the Yazoo Land Fraud, took place in Augusta in 1795. At that time Georgia stretched westward to the Mississippi River. Land companies bribed members of the General Assembly to pass a law that allowed the companies to buy 35 million acres of Georgia's western lands extending to the Yazoo River. This land, which today encompasses Mississippi and Alabama, was sold for less than two cents per acre. The companies then made large profits by selling the land to the public.

## **LOUISVILLE**

The third capital was named Louisville in honor of King Louis XVI of France in appreciation for French aid during the American Revolution. The first permanent Capitol to be built in Georgia was completed in Louisville in 1796. There are no existing drawings of the building, but it is known that it was a two-story red brick structure. It was later used as a public arsenal and county courthouse before it was destroyed.

An important piece of legislation that was passed during the years that Louisville was the state capital was the Rescinding Act of 1796, which repealed the law authorizing the Yazoo land sale. The legislature also directed that the Yazoo Act be publicly burned on the statehouse grounds and that all copies of the legislation be destroyed.

During the 1799 session the present Great Seal of the State of Georgia was adopted by the General Assembly in Louisville. Governor James Jackson placed an advertisement in the "Louisville Gazette" which invited artists to submit designs for a seal. He offered a prize of \$30.00 for the winning design. Daniel Sturgis, the state surveyor, won the contest with his design.

The desire for land, and later gold, created a swift expansion beyond the old frontier, carrying with it increased trade along the rivers and migration of people along new roads into the wilderness. The primary basis for this new growth and economic expansion was the production of cotton through a slave labor system.

Two historic events, one precipitating the other, realized major changes in Georgia in the early 19<sup>th</sup> Century. In 1828 America's first gold rush occurred in the mountainous country around Dahlonega and caused rapid movement to that area. The craving for gold in extreme north Georgia brought about the removal of the Indians on the tragic "Trail of Tears" in 1838, an exodus that finalized Indian property ownership in the state.



Georgia's political activity in the early 1800s was characterized by an unstable two-party system in which the contending groups took different shapes as the issues and personalities changed. Often personalities were more important than philosophy in determining political allegiances. Beneath this surface of changing political activity, Georgia, along with other Southern states, was becoming increasingly rigid in her insistence on the importance of states' rights and about the protection of economic and social systems from any outside interference.

### **MILLEDGEVILLE**

Because of continued westward expansion, the Georgia legislature passed an act in 1804 to move the capital nearer to the geographic center of the state. The fourth capital was named Milledgeville in honor of John Milledge, a former governor of Georgia (1802-06), US senator (1806-09), and donor of the land for the University of Georgia. Situated on the fall line of the Oconee River, Milledgeville was chosen because of its central location and ample springs. Milledgeville remained the capital of Georgia for 61 years.

A brick Gothic style Capitol was erected at a cost of \$80,000. The General Assembly met for the first time in the building in 1807. Twice the building was partially destroyed by fire. Restored in 1943, the exterior of the present building is a replica of the original. Today, the old Capitol is part of Georgia Military College. In 1825 General Lafayette, who had come from France to aid the United States during the Revolutionary War, visited Milledgeville where he was honored with elaborate ceremonies. The Mansion, the first official residence for the governor and his family, was built in Milledgeville in 1838.

In 1860 the national debate over the extension of slavery into new territories reached a crescendo. Following the election of Abraham Lincoln as president, a special state convention voted on January 19, 1861, to secede from the Union. Secession is considered to be the most important legislation passed at Milledgeville. Only a few months later Georgia formally joined the Confederate States of America.

Sherman occupied the capital during his March to the Sea. The legislature adjourned and later reconvened in Macon in 1865. At the end of the war the legislature was allowed to reconvene at the Capitol in Milledgeville. During the war, the Great Seal of Georgia was hidden by secretary of state Nathan Barnett under his home. The Federals ordered an artist to make an identical seal. However he put the soldier's sword in the left hand instead of the right. This makes it possible for historians to recognize state papers stamped during that period.

During the war years, Georgia lost nearly 125,000 men and boys in battle as well as much of the state's material wealth. The rebuilding of the state afterwards was a slow and painful process. There were political conflicts between the newly enfranchised black citizens who, for the first time, were allowed to hold seats in the legislature, and the pre-war social structure, which sought to minimize the changes it had to accept in its traditional way of life. Georgia's economy was also crippled because of its heavy dependence on cotton production at a time when world market prices were at historically low levels. By the mid 1870s, the federal government abandoned its efforts to force reconstruction programs upon Georgia. The Democratic Party became solidly entrenched as the dominant political force in the state.

More Georgians became interested in efforts to diversify the state's economic base. Spokesmen such as Henry Grady, editor of *The Atlanta Constitution*, began talking about a "New South." Grady's vision was enticing to many Georgians, but its realization required years of additional effort.



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## **ATLANTA**

In 1837, a small settlement arose at the construction sight for the southern end of the Western and Atlantic Rail lines. Due to its location, the residents of the town called it "Terminus." In 1843, it was renamed Marthasville in honor of former Governor Wilson Lumpkin's daughter. In 1845 the chief engineer of the Georgia Railroad suggested the name Atlanta - from Atlantic in the W and A's railroad name.

Atlanta was considered by the General Assembly as a new capital sight as early as 1847. A new Constitutional Convention meeting in Atlanta in 1867 agreed to submit to the voters in a special election a permanent change of address for the capital to Atlanta. After weeks of competition between the proposed new capital and the previous one, Atlanta was chosen by an almost 2-1 margin. On July 4, 1868, the Georgia legislature met in Atlanta for the first time, convening in the combined City Hall and Fulton County Courthouse. When those accommodations proved too crowded, the Kimball Opera House was rented and later purchased by the council for use as a capitol.

Because of a shortage of funds, money for construction of a new building was not provided until 1883 when \$1,000,000 was appropriated. The Capitol was under construction for five years beginning October 24, 1884. The building opened on July 4, 1889 with \$118.43 left over from the original appropriation. Edbrooke and Burnham designed the building in Classic Renaissance style. Georgia marble, wood, iron and brick were used on the interior portions of the building and in the late 1950s Georgia gold was placed on the Capitol dome.

### **ATLANTA – A SYMBOL OF THE NEW SOUTH**

Atlanta, began as a transportation center, has gained recognition also as a commercial, financial, and cultural center for the southeast. New industries developed in Georgia and others moved from outside into the state.

Along with economic changes have come many more social and political changes. As a result of the Civil Rights Movement of the 1960s under the leadership of Dr. Martin Luther King, Jr., black voters, who after the Reconstruction era were excluded from effective participation in state politics, have assumed an active role in the political life of the state.

In January 1977, Georgia sent its first president to the White House - Jimmy Carter of Plains, a former Georgia governor. Profiting from the strong leadership of the past two decades, Atlanta has become an international city.

Atlanta hosted the Centennial Olympic Games in 1996. The games were the largest in history, featuring nearly 11,000 competitors.

Today Atlanta is known as a convention center and many large corporations are headquartered here including Coca-Cola, Cable News Network and Delta Airlines. With its continued social, political and economic growth, Atlanta truly has become a symbol of the New South.



## History of Atlanta

Atlanta is a young city, even by American standards. New Orleans, Charleston, Cincinnati and Chattanooga were all thriving cities before Atlanta was even a settlement. Atlanta is a bright, brash, aggressive town, tempered by fire, its rough edges smoothed by time and a dash of Southern charm. Despite its relative youth, Atlanta has a proud and unique heritage, a past well worth preserving.

From the beginning, Atlanta was in the South but not of the South. Founded as a rail terminus, ante-bellum Atlanta was a small, rough-and-ready railroad crossing. Its manners and mores were more like the frontier towns of the Old West than the mint julep-and-magnolia cities of the Old South. Transportation was, and still is, the catalyst for Atlanta's growth and economic vitality. From the beginning Atlanta attracted men and women of vision--opportunists who had the foresight to provide the facilities that would make Atlanta the most important city in the Southeast.

Over 150 years ago, the land that is now Atlanta belonged to the Creek and Cherokee Indians. The United States was well into the War of 1812 when the first white settlement, Fort Peachtree, was established on the banks of the Chattahoochee River near the Cherokee village of Standing Peachtree. The Creek Nation ceded their lands to the State of Georgia in 1825. The Cherokees lived with their white neighbors until 1835 when the leaders of the Cherokee nation agreed to leave their lands and move west under the Treaty of New Echota. At that time, Georgia officially took possession of Cherokee lands, an act that led to the infamous Trail of Tears.

Early settlers in the Atlanta area were farmers and craftsmen from Virginia, the Carolinas, and the mountains of North Georgia. They obtained their land by lottery disbursement and were, for the most part, deeply religious, hard-working, small landholders. They owned few slaves and lived in harmony with their Indian neighbors. They established churches and schools, traveled to Decatur for "store-bought" goods, and marketed their cotton in Macon, 100 miles south.

They were as close to a yeoman (small farmers/craftsmen) society as possible in the ante-bellum South. A few of their pre-Civil War homes, churches, cemeteries and mills still exist in the Metropolitan Atlanta area. Atlanta's inception was a combination of geography and necessity, spawned by the steam engine. In 1836, the Georgia General Assembly voted to build a state railroad to provide a trade route from the Georgia coast to the Midwest. The sparsely settled Georgia Piedmont was chosen as the terminal for a railroad that was to run "from some point on the Tennessee line near the Tennessee River, commencing ... near Rossville ... to a point on the southeastern bank of the Chattahoochee River" accessible to branch railroads. The new railroad was to be called the Western and Atlantic Railroad of the State of Georgia.

An experienced army engineer, Colonel Stephen Harriman Long, was selected to choose the most practical route for the new rail line. After thoroughly surveying half-a-dozen routes, Long found it necessary to choose a site eight miles south of the river where connecting ridges and Indian trails converged. He drove a stake into the red clay near what is now Five Points in Downtown Atlanta. The "zero milepost" today is marked by a plaque not far from that very spot in Underground Atlanta. The site staked out by Colonel Long proved to be perfect, the climate ideal. Atlanta is situated on the Piedmont Plateau at an elevation of 1,050 feet, yet there are no natural barriers such as mountains or large bodies of water to impede the city's growth.

In the fourteen short years between the time Colonel Long drove his marker into the ground and the start of the Civil War, Atlanta grew like the boom towns of the West. Instead of mining, Atlanta struck gold in the rail lines.





The little settlement of railroad workers, aptly named Terminus, soon attracted merchants and craftsmen, salesmen, land speculators and opportunists. Banks, warehouses, sawmills, a fledgling textile industry and ironworks soon followed. The city was re-named Marthasville in honor of Governor Lumpkin's daughter. A few years later, prominent citizens decided that Marthasville was too long and too bucolic a name for such a progressive city, and the name was changed to Atlanta.

Residential patterns were forming. Mechanicsville grew up around the railyards; a substantial merchant-residential community, West End, was established near White Hall Tavern. Residential avenues of affluent citizens began to form as luxurious homes were built on lower Peachtree, Whitehall, Marietta, Broad and Washington Streets.

But pre-war Atlanta was far from a quiet business community. To quote Atlanta historian Franklin Garrett: "While the number of good, moral citizens was increasing...the town was characterized as tough. It grew distinctively a railroad center (with) the vices common to rough frontier settlements. Drinking, resorts, gambling dives and brothels were run wide open... and the sporting element were insolent in their defiance of public order." There were more saloons than churches; more bawdy houses than banks.

## **THE WAR YEARS**

Atlanta had already attained a position of regional importance when the Civil War erupted. The city had four rail lines, a population of some 10,000 persons, 3,800 homes, iron foundries, mills, warehouses, carriage and wheelwright shops, tanneries, banks, and various small manufacturing and retail shops. It became the supply and shipping center of the Confederacy. Atlanta had all the facilities that made it necessary for Sherman to take the city and destroy it.

General William Tecumseh Sherman began his drive to Atlanta from Chattanooga in July 1864. After a series of bloody battles and a month long siege of the city, Atlanta surrendered on September 2. The city was in flames, but not entirely due to Union shells. Retreating Confederate troops blew up 81 boxcars of explosives, creating the blaze made famous in the spectacular fire scene in the film "Gone With The Wind." Sherman ordered the city evacuated, and all buildings of possible use to the confederacy destroyed. When Sherman began his march to the sea, only 400 structures were left standing. Atlanta was a ghost town of rubble and ashes.

The city was still smoldering when Atlantans returned and started rebuilding. The spirit that made Atlanta the hub of Southeastern commerce, the confidence in Atlanta's future, was stronger than ever. Five years after the holocaust, Atlanta was rebuilt and had more than doubled its pre-war population.

## **POST-WAR GROWTH**

Since the Battle of Atlanta had effectively wiped out most of the city's ante-bellum architecture, Atlanta was rebuilt in the various Victorian styles popular in that era. Ironically, of the few fine white-columned mansions in downtown Atlanta left intact by the war, two were demolished shortly thereafter to be replaced by city and state buildings. The city limits were initially circular, extending one mile from the zero milepost. Initial expansions of the city limits were circular, too. Early demographic patterns were re-established along much the same lines as before the war. West End continued to grow as an upper-class residential-business community. Wealthy white citizens built their Victorian mansions along Washington and Peachtree Streets.

In spite of the system of segregation, prosperous black enclaves emerged, concentrated after 1906



along Auburn Avenue - the "Sweet Auburn" district. Other black neighborhoods developed in Summerhill, Vine City, and many more residential pockets surrounding the central city.

From the end of the Civil War through the 1890s, Atlanta experienced rapid growth. By the end of the 1870s, the central business district spread from Union Depot toward the city limits. The city developed along the rail lines and around the depot. A wide path of railroad tracks cut right through the center of town, converging in the lower downtown gulch. A network of viaducts, planned in the early 1900s and completed a quarter-of-a-century later, was built to facilitate the flow of traffic over the tracks. The viaducts moved the business district up one level, thereby creating the area now known as Underground Atlanta.

A simple, utilitarian Italianate architecture was favored for Atlanta's railroad depots and influenced the design of the two and three story commercial buildings constructed before the turn-of-the-century. The railroads continued to be the cornerstone of Atlanta's economy through this period, into the automobile age and through World War II, when emphasis shifted to truck and air travel transport. Transportation and private enterprise spurred the city's growth. Several new rail lines were added to Atlanta's network in the 1890s. The consolidation of ten radiating lines in that decade, including five divisions of Southern Railway, definitely established Atlanta's dominance as the railroad center of the Southeast.

When the nation's economy stalled in the doldrums of recession and depression starting in the 1880s, an Atlanta promoter staged a series of fairs and expositions to bring business to this area.

The International Cotton Exposition of 1881 was staged to promote Atlanta as a textile center and lure mills from new England in an attempt to build a new economic base in the post-war South by diversifying from the region's agrarian base. The Piedmont Exposition of 1881 was a regional show to publicize Piedmont States' products and establish closer ties between agriculture and industry. The Cotton States and International Exposition of 1895, specifically proposed to counteract depression, advertised Atlanta as a transportation and commercial center. Historians consider the Exposition of 1895 a most important factor in Atlanta's emergence as the major city of the Southeast, based on Henry Grady's "New South" movement to re-enter the economic mainstream of American life. The Exposition gained world-wide publicity and by 1903 Atlanta was the headquarters for many national and regional companies.

The fair and exposition had the desired effect on Atlanta's growing industrial base as contrasted with the rest of the agrarian-oriented South. Textile mills came south, industrial complexes were built along the rail lines, and mill villages were built to house the workers.

One of the oldest and largest cotton mills and mill villages extant is the Fulton Bag and Cotton Mills (c. 1881) and its mill housing district, Cabbagetown, located within two miles of downtown Atlanta. Workers from the mountain counties of North Georgia, attracted by mill wages, left their Appalachian homes to settle here. The mill owners provided housing and health care. Cabbagetown, a six-block-square area in the shadow of the mill buildings, is characterized by narrow streets, large shade trees, simple frame one and two-story shotguns and cottages with Victorian styling in porch, door and window designs.

A forerunner of the Fulton Bag and Cotton Mills was the Exposition Mill, now demolished. The Exposition Mill was built on the former site of Oglethorpe Park, as the main building for the International Cotton Exposition of 1881, with a view to its ultimate use as a cotton mill. The Exposition building was sold to a group of businessmen a few months after the show closed and soon was put into production. It developed into one of the most important mill in the area. Other historic mills still standing in Atlanta are the VanWinkle Gin and Machine Company (c. 1893), and



the Whittier Mill (c. 1900), along with some of its mill houses.

Atlanta's residential perimeters were expanded by the advent of the horse-drawn streetcar in 1871, and suburban patterns developed along the lines of the electric streetcar starting in 1891.

At the same time, several major private developers emerged. Among these early Atlanta builders was Joel Hurt, who built Atlanta's first "skyscraper", as well as the eight-story Equitable Building, and Inman Park, Atlanta's first planned residential suburb. At the suggestion of architect John Root who was then designing the Equitable Building, Hurt invited Frederick Law Olmsted, the father of American landscape architecture, to Atlanta for consultation. Olmsted had already won national recognition for his natural terrain designs of New York's Central Park and Riverside Park in Chicago, and his influence is evident in many of Atlanta's parks and residential areas. Inman Park was actually designed by a landscape gardener, Joseph Johnson; however, the plan strongly reflects the Olmsted influence. The design is faithful to the natural terrain, with curved streets developed around open park areas.

Edgewood Avenue was built in a straight line to connect Inman Park to downtown Atlanta, and Hurt installed Atlanta's first electric streetcar on Edgewood to serve his new suburban community. Olmsted's firm also designed the suburb of Druid Hills and influenced the Ansley Park plan.

During this same period, the early 1880s, Confederate Colonel Lemuel P. Grant donated land to the city for Grant Park. Replacing Oglethorpe Park, it is Atlanta's oldest public park extant. Piedmont Park was initially part of the Gentlemen's (Piedmont) Driving Club. Members of the Club were a leading force in Atlanta's progressive development. The land was leased to the Exposition Company for the Cotton States Exposition in 1895, and later became a public park. The Olmsted Brothers re-designed the park in 1910.

Beginning with the Equitable Building, Atlanta quickly followed the Chicago School of architecture in the development of skyscrapers of "elevator buildings". The new high-rise buildings transformed the city's skyline from picturesque High Victorian to a cluster of multi-use skyscraper hotels and office buildings. The new skyscrapers attracted large railroad and insurance interests. Since office workers generally earned higher wages than factory or farm workers, the office buildings generated a demand for large retail stores and hotels to serve an increasing number of travelers to the city. It was not until after the World War I that business-men began to look at office buildings as an investment. This led to the building boom of the 1920s. A system of viaducts, conceived by architect Haralson Bleckley in 1901 and completed in 1928-1929, bridged the railroad gulch and raised the street level of downtown Atlanta. The original plan, conceived in the City Beautiful Beaux Arts tradition, included boulevards, walkways and parks.

The Great Depression has an architectural style all its own: Art Deco-Modern. Although building starts were sharply curtailed during this period of national economic hardship, a few of the commercial buildings that were constructed from the 1930s to World War II reflected the new Art Deco styling. Most residential buildings of the decade clung to the revival styles of architecture.

The early commercial buildings and the Victorian and post-Victorian homes built in the 1890 to 1930 period give Atlanta its distinctive personality. Many of these structures are potentially viable today and could be preserved, restored and rehabilitated for contemporary uses. The viaducts, which created the area now known as Underground Atlanta, and Plaza Park, completed in 1950, are the only elements of the Bleckley Plaza plan ever completed.

A variety of architectural styles evolved between 1890 and 1930, following national trends reviving elements of Gothic, Classical and Colonial styles. Turn-of-the-century revival architecture includes



*Beaux Arts Classicism, Neo-Classical, Tudor-Jacobean, Renaissance Revival, Colonial Revival and Commercial* styles. In addition, *Bungalow-Craftsman* and *20th Century Vernacular-Plain* styles emerged. There are many fine examples of these varied styles of architecture created by outstanding architects and craftsmen still standing in Atlanta. Excellent examples of homes constructed during this era of suburban growth may be found in the Druid Hills, Buckhead and Ansley Park neighborhoods.

Without these beautifully detailed old structures, Atlanta would be Anywhere, USA, a skyline of high-rises, round and square, pre-stressed concrete and mirrored glass sameness.

Atlanta is the capital City of the Southeast, a city of the future with strong ties to its past. The old in new Atlanta is the soul of the city, the heritage that enhances the quality of life in a contemporary city. Without these artifacts of our culture, Atlanta would simply not be Atlanta. In the turbulent 60s, Atlanta was "the city too busy to hate." It must never become the city too busy to care.

2

STATE  
GOVERNMENT





# Georgia Government

## Georgia Constitution

The state constitution provides the basic framework for Georgia's government. It takes precedence over any other source of law within the state, i.e., laws passed by the legislature, court decisions, and local ordinances. Only the United States Constitution is a higher authority in the event of conflict.

A new constitution ratified by the people of Georgia in 1982 became effective July 1, 1983. Georgia has had a total of ten constitutions. In reality, these constitutions were not all separate and distinct documents, since often the language of one was carried over to the following constitution. The Constitution of 1983 resulted in a major revision of the basic laws of the state.

To amend the constitution, two thirds of the House of Representatives and Senate chambers must vote in favor of the proposed amendment. The amendment is then passed on to the voters in the next general election. If the majority of people vote in favor of the amendment then it will be ratified.

## Executive Branch

The executive branch, the largest branch of state government in terms of both employees and funding, enforces law and carries out the programs, such as education, health, welfare, and transportation.

The chief official in the executive branch is the governor, who is elected by the voters for a four-year term, with succession to one consecutive term allowed. The governor has a number of powers in state government, including proposing new programs and laws for the state, proposing a state budget for the legislature to consider, vetoing legislation, and appointing members of many of the boards in state government.

In addition to the governor, Georgia's constitution provides for several constitutional officers who are the heads of executive departments and are elected directly by the voters for four-year terms. The authority for the offices of these officials is established in the state constitution. Currently, the list of constitutional officers includes the lieutenant governor, secretary of state, attorney general, commissioner of insurance (formerly comptroller general), superintendent of schools, commissioner of labor, and commissioner of agriculture.

A majority of executive departments are headed by policy-making boards whose members are appointed by the governor and confirmed by the Senate. Usually in cooperation with the governor, the boards appoint a department director or commissioner to administer agency affairs. A few department heads are appointed directly by the governor.

## Legislative Branch

The Georgia General Assembly, the formal title of the legislature, was formed in 1777, and is older than the United States Congress. At the time of its origin, the legislature consisted of a single house, but in 1789 it became a bicameral body, consisting of a House of Representatives and a Senate. The House of Representatives and Senate operate with similar powers, except that appropriation bills must originate in the House, while confirmation of the governor's appointments rests with the Senate. The concurrence of both bodies is necessary before any bill may become a law.

The House of Representatives has 180 members, and the Senate has 56. Two-year terms of office apply to both houses, and the entire membership of each body is elected at the same time. Presiding



over the House of Representatives is the speaker, a member of that body elected every two years by the membership. In the Senate, the lieutenant governor as president of the Senate serves as presiding officer. Both offices have a number of formal powers, including the appointment of committee members, the assignment of bills to committee, and the recognition of members who want to speak on the chamber floor.

At the heart of the legislature is its committee system, where most study and consideration of legislation occurs. Before a bill can come up for a vote before the full body, a committee must have studied the bill and reported it out of committee with a recommendation.

The General Assembly meets each year, beginning the second Monday in January, for a 40-legislative-day session. The typical session lasts until mid-March. During the session the legislature has the responsibility of enacting new laws, amending existing ones, or eliminating unnecessary ones. Additionally, one of the important functions of the legislature is to enact annually a budget for the state, termed a general appropriation act, which sets the level of funding for all programs in state government.

## **Judicial Branch**

The third branch of state government consists of courts of limited, general, and appellate jurisdiction. Judges of these courts are popularly elected, with trial and appellate judges selected on a non-partisan basis.

Courts of limited jurisdiction generally hear less serious cases. In this category are: (1) magistrate courts, which issue search warrants, try violations of county ordinances, and hear civil suits under \$2500; (2) probate courts, which probate wills, administer estates, and in some counties handle traffic cases; (3) state courts of counties, which hear civil cases and misdemeanor criminal cases; (4) juvenile courts, which hear cases involving youths under seventeen. Each county in Georgia has its own magistrate, probate, and juvenile court, while approximately sixty counties have a state court of the county. Magistrate, probate, and juvenile judges decide cases without a jury, while state courts provide for a jury trial. Decisions of magistrate and probate judges can be appealed to superior court where the case is tried anew, while juvenile and state court appeals go to Georgia's appellate courts.

The basic trial court with general jurisdiction for hearing cases involving state law is the superior court. Here, any civil or criminal case may be tried, and all felonies must be tried. Unless the defendant requests that the judge alone try the case, a jury is used to reach a verdict. The legislature has divided Georgia into forty-four superior court circuits, with each circuit containing from one to eight counties and served by one or more judges. Superior court must meet at least twice year within each county of a circuit; each county has its own superior court, although its judge may be shared with other counties in the circuit.

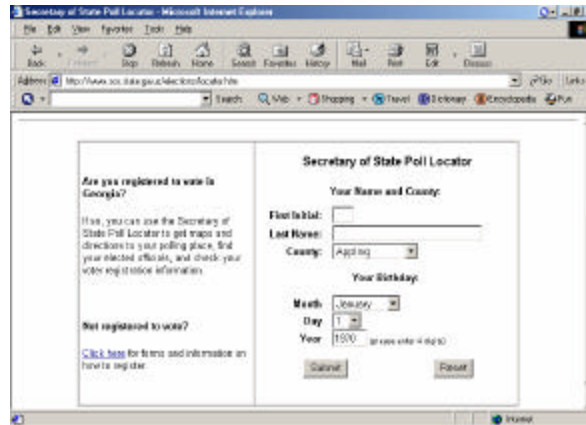
Georgia's two major courts of appellate jurisdiction are the Court of Appeals and the Supreme Court. These courts do not try cases, but hear appeals from lower courts. The Court of Appeals has nine judges and can hear any appeal from a trial court, unless the Constitution has specifically directed that the matter be heard by the Supreme Court. The Supreme Court consists of seven justices who make up the state's highest appellate body. Any appeal involving the constitutionality of any law, interpretation of the U.S. or Georgia Constitutions, and election matters must be heard by this court. Additionally, the high court may hear appeals in other matters, such as capital felonies, divorce, and alimony, and cases in which the Court of Appeals has requested ruling.



## Finding Elected Officials

An official directory of Georgia U.S. congressmen, state and county officers is available at the Secretary of State website at <http://www.sos.state.ga.us/cgi-bin/OfficialDirectoryIndex.asp>. Information about elected officials also can be found at <http://www.vote-smart.org>.

If you are a registered voter in Georgia, you can use the Secretary of State Poll Locator to get maps and directions to your polling place, find your elected officials, and check your voter registration information. Just log on to <http://www.sos.state.ga.us/elections/locator.htm>.



## Voter Registration and Statewide Election Information

Voter registration and statewide election information may be obtained by visiting the Secretary of State website at <http://www.sos.state.ga.us/elections/applications.htm>.

Voter registration applications are available at <http://www.sos.state.ga.us/elections/applications.htm>.

## Legislative Search Information

Information about Georgia General Assembly legislation, committees and the Georgia Legislative Budget Office can be obtained at <http://www.legis.state.ga.us>.

## Georgia Student Page Program

Members of the Georgia House of Representatives and Senate are served by student pages who deliver messages, obtain copies of bills and perform errands. Rules require pages to be at least 12 years of age. A representative or senator may name up to 10 pages during the legislative session and the lieutenant governor and speaker of the House of Representatives may name as many pages as he or she sees fit for each day the legislature is in session.

For more information about the page program, please contact your state representative's or state senator's office. Contact information may be obtained at the following websites:

<http://www.sos.state.ga.us/elections/locator.htm>  
<http://www.sos.state.ga.us/cgi-bin/OfficialDirectoryIndex.asp>  
<http://www.vote-smart.org>





## How A Bill Becomes A Law

### IDEA

- A. Conceived by individual legislator
- B. Conceived by Study Committee, Ad Hoc Committee, Interim Committee
- C. Conceived by citizen or citizens' group
- D. Conceived by special interest group or lobby

### II. DRAFTING

- A. Drafted by any of above mentioned groups or individuals utilizing private legal resources
- B. Drafted by legislative counsel on behalf of individual legislator, legislative committee, or subcommittee
- C. Copied after legislation in other states

### III. INTRODUCTION

- A. Filed with Clerk of House of Representatives.\*
- B. Read for first time (by title) to entire House by clerk (assigned to committee by speaker)
- C. Read second time automatically on next legislative day

### IV. COMMITTEE ACTION

- A. Chairman sets date for action on bill, notifies interested parties
- B. Interested persons testify, for and against
- C. Committee votes with several options available
  - 1. Recommend "do pass" for bill in original form
  - 2. Recommend "do pass" for bill with committee amendment
  - 3. Recommend "do pass" for bill as substituted by committee
  - 4. Recommend "do not pass" for bill either in original form or in amended or substituted form
  - 5. Pass bill with no recommendation
  - 6. Hold bill / no action

### V. BILL (if given "do pass" recommendation) RETURNED TO HOUSE

- A. Placed on calendar
- B. Called by speaker for third reading and vote
- C. Bill debated on floor / Bill may be amended or substituted on floor by majority vote
- D. Bill passed or defeated by majority vote (2/3 vote required for tax measure or constitutional amendment resolution)

### VI. TO THE SENATE

Bills that pass the House, in whatever form, are transmitted to the Senate where a similar process takes place

### VII. RETURN TO HOUSE

- ?? Senate amendments require House approval
- ?? If House concurs with Senate amendment in its entirety, measure is passed and sent to the governor
- ?? If House disagrees with the Senate amendment or changes any other language, bill is assigned to conference committee composed of three house and three senate members
- ?? Conference committee may rewrite entire bill or resolve differences on conflicting language
- ?? Conference committee report read in House and Senate which accepts or rejects the report
- ?? If accepted the bill is passed
- ?? If either chamber rejects the conference report, the measure is assigned to new conference committee or allowed to die

### VIII. BILL GOES TO GOVERNOR

- A. Governor may sign the bill into law
- B. May veto the bill
- C. Bills not acted on will automatically become law (has 6 days during session and 40 days after session)

### IX. VETO OVERRIDE

General Assembly may override a veto by 2/3 vote and measure becomes law

\*Many bills originate in the Senate and follow similar procedures as described in this outline.



## How A Bill Becomes A Law (For Young Students)

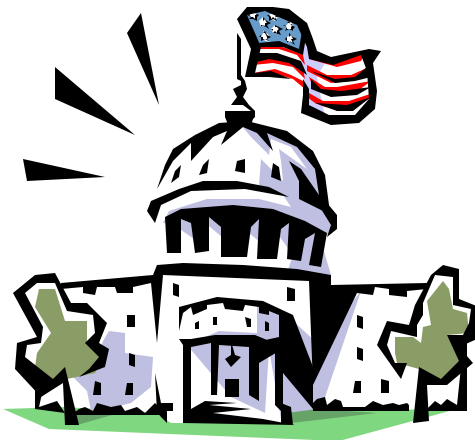
Ideas for a new law can come from any person or group. Even you can have an idea for a law. The idea must be told to a person called a **legislator**. Legislators are people who make laws.

Some legislators work in the **House of Representatives** and are called **state representatives**. Other legislators work in the **Senate** and are called **state senators**. After a legislator writes down the idea and shares it with other legislators, the idea becomes a **bill**.

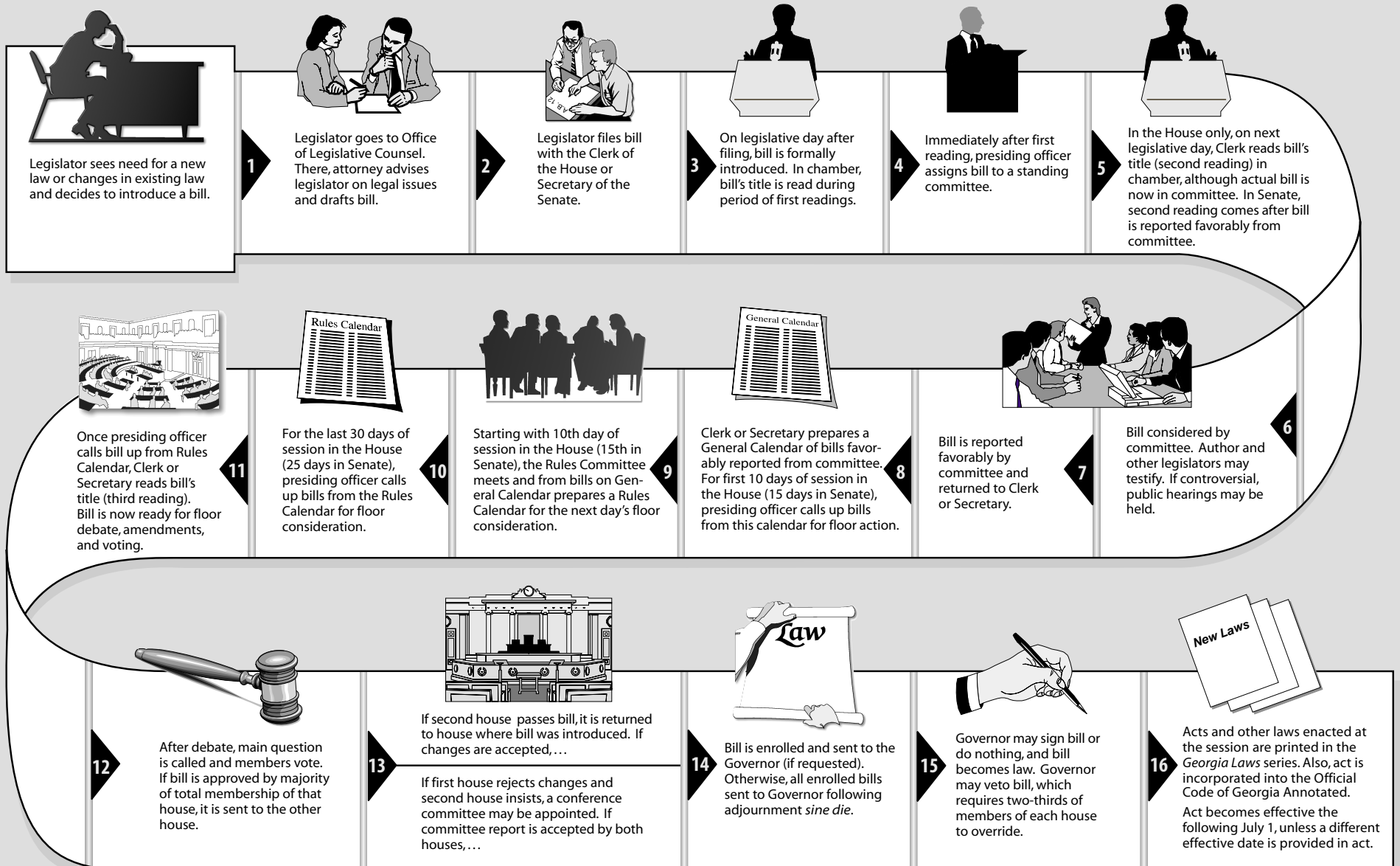
If most of the legislators do not like the bill, the bill may “die.” That idea cannot become a law at that time.

If the state representatives like the bill, most of them will vote “yes.” Then, the bill is sent to the legislators in the Senate. If the state senators like the bill, most of them will vote “yes.”

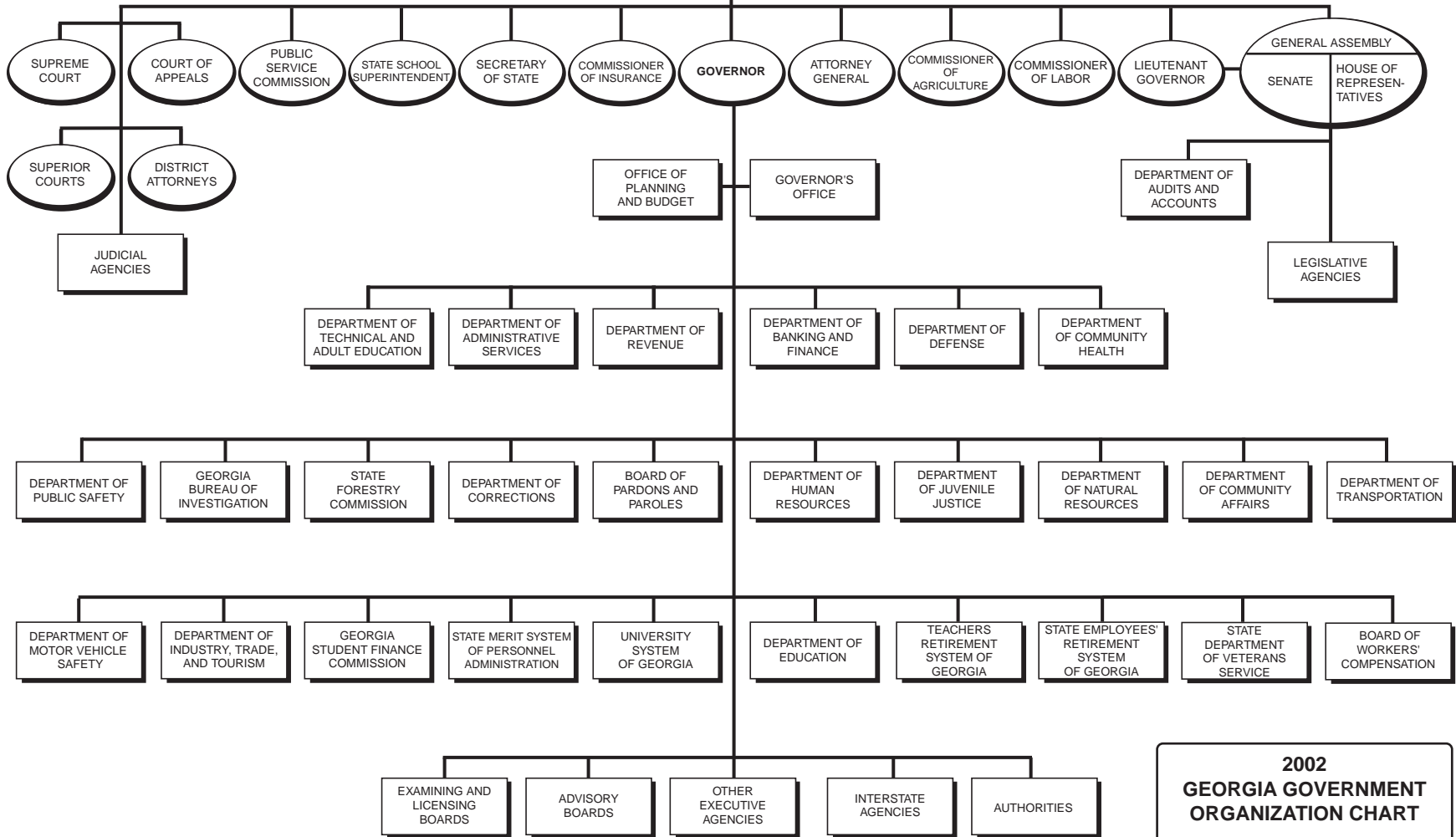
The bill is then sent to the **governor**. If the governor says “yes” to the bill, it becomes a **law**. If the governor says “no” to the bill, it does *not* become a law. This is called a **veto**. In Georgia, if the governor does nothing with the bill, it will become a law after 40 days.





# How a Bill is Passed in the Georgia Legislature



# GEORGIA ELECTORATE



**2002  
GEORGIA GOVERNMENT  
ORGANIZATION CHART**

 ELECTED  
 APPOINTED