GENERAL COUNTY GOVERNMENT

Proposed 2023-2024 Policy Platform

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Now more than ever, Georgia counties' capabilities are being stretched beyond their limits. Counties are charged with implementing costly state and federal mandates without sufficient appropriations or revenue sources to pay for meeting the state or federal government's objectives. Citizens' demands for more and better services are also increasing. Thus burdened, many county governments struggle to meet greater demands for traditionally urban-type governmental services. Counties must be able to respond to today's issues without being limited by inefficient and ineffective restrictions imposed by state law, particularly with regard to the structure of county governments.

ADMINISTRATION AND GOVERNANCE

State and Federal Mandates/Fiscal Analysis – Even though certain federal and state-mandated programs may benefit the public, accountability suffers when Congress or the General Assembly decide that a program should be created or a service provided, but do not take responsibility for assessing a proposal's cost and providing the means to pay for it. While Congress and the General Assembly have enacted legislation to require fiscal analysis of future legislative proposals impacting local governments, existing mandates continue. Therefore:

- ACCG recommends that existing mandates be identified, the impact of each be assessed, and the means for eliminating or funding each mandate be identified.
- ACCG also proposes that the monetary threshold for requiring fiscal analysis of a bill before the General Assembly (currently set at $5 million aggregate statewide impact) be lowered to $1 million if a proposed mandate would affect counties alone, rather than in combination with cities and schools.
- Furthermore, the fiscal analysis process should be expanded to review legislative and regulatory proposals that would result in the loss or reduction of revenues as well as increases in expenditures.
- The state's fiscal note act, which requires fiscal notes to be prepared for all bills "having a significant impact" on anticipated revenues or expenditures of state agencies, should be expanded to require fiscal notes for regulatory decisions that will have a fiscal impact.
- All current and any newly proposed state reporting or legal notice requirements impacting counties should be consolidated, eliminated, or otherwise streamlined to reduce unnecessary and duplicative resources at the local level.
- Finally, ACCG urges the General Assembly and Congress to reject legislation which would mandate new or increased county expenditures without the consent of the local governing bodies charged with levying the taxes necessary to implement the mandate, or unless the legislature provides new local revenues to finance the mandate.

School Growth – Planning for student population growth should be a joint effort between the county, city, and school board. The county, municipalities located within the geographic area of a school district, and the local board of education that is experiencing or anticipating growth in student population (to the extent that additional schools or classrooms may need to be

constructed) should hold one or more public hearings as needed and collaborate with the district school board that jointly establishes the specific ways in which planning for growth, including school facility siting, shall be coordinated and how infrastructure to support expansion should be financed. Furthermore, state law should be changed to authorize ESPLOST and all other available funds received by boards of education to help pay for road, sidewalk, signage and other safety costs directly related to newly constructed or renovated schools.

Development Impact Fees – Under current law, counties cannot impose development exactions as a condition of zoning approval except in the form of impact fees. However, given the complexity of development impact fees and the extremely high cost of creating and implementing an impact fee program, ACCG proposes the following:

- The impact fee law should be revised to eliminate impediments for its use and allow for a simpler, more streamlined impact fee system.
- As an alternative, counties should be authorized to impose other exactions in lieu of impact fees.
- The impact fee law should be amended to authorize counties to levy impact fees within municipalities as well as the unincorporated area so long as the service for which the fees are levied is offered on a countywide basis to municipal as well as unincorporated residents and property owners.

Districting: Home Rule – ACCG contends that districting and redistricting of counties are matters best determined by the local community. Home rule should prevail in the design of commissioner districts for counties — just as it does for city districts — without action by the state legislature. All districting and redistricting decisions would continue to be approved by the state Office of Legislative and Congressional Reapportionment and be subject to the requirements of the Voting Rights Act.

Open Meetings/Open Records – While recognizing that open government is in the best interest of the people, ACCG maintains that the public's right to know should be balanced against the government's need for discretion, cost to the public and respect for privacy, especially personal information pertaining to citizens maintained by governments. To ensure the foregoing, ACCG proposes the following:

- Public agencies should be authorized to hear evidence regarding charges of sexual harassment involving public employees in executive session. The intent is to encourage victims to come forward while at the same time protecting employees falsely charged.
- The practical implications of retaining or deleting electronic media, such as e-mails, as records otherwise subject to disclosure under the open records act should be reviewed to determine what, if any, amendments to the open records law may be needed to address the nature of electronic communications in contrast to paper communications.
- Amend state law to allow for an exception to the open records act regarding property assessment data that has not been finalized or approved by the Board of Tax Assessors to ensure that the public is not misinformed.
- Amend state law to allow for an exception to the open records act for records created during the deliberative process which shall include internal communications that consist of advice, recommendations, opinions and other material reflecting the policymaking processes of the governmental body.
- Restore the provisions from the open records law that previously allowed responses to requests for public records from out-of-state requestors to be at the discretion of the governing authority of the agency as provided by policy.

- Working with legislators, the public and county election officials to better manage and accommodate the numerous and voluminous ballot and other election record requests during and immediately following an election. County election officials are already hard pressed to comply with recent changes to state election law and the inundation of these requests poses a significant challenge to conducting and certifying elections in the timeframes required by law.

Publication of Annual Financial Statements – According to O.C.G.A. § 36-1-6, all counties are required to publish a financial statement once each calendar year in a local newspaper. The statement must also be posted twice each year for a period of not less than 30 days on the bulletin boards of the various county courthouses. This law, enacted in 1952, has been superseded by the broader and more detailed requirements of the 1980 budget and audit law and more recent requirement that all budgets and audits be posted on the Carl Vinson Institute of Government Website, and should be repealed to avoid confusion, duplication and cost to taxpayers.

County Liability: Failure to Wear Seat Belts – O.C.G.A. § 40-8-76.1(d) provides that the failure of an occupant of a motor vehicle to wear a seat safety belt cannot be considered evidence of negligence or causation, and cannot otherwise be considered evidence used to diminish any recovery for damages. This adds significant additional costs to claims and insurance for counties. Georgia, like most states, has adopted the comparative negligence doctrine into its tort law. The comparative negligence doctrine is the principle that reduces a plaintiff's recovery proportionately to the plaintiff's degree of fault in causing or contributing to damage or injury.
However, as a result of the current law Georgia defendants, including counties, cannot invoke the comparative negligence doctrine in defending claims made by plaintiffs whose injuries are in whole or in part related to their failure or their choice not to wear a seatbelt. The law should be amended to eliminate this problem.

Direct Appeals from Denial of Sovereign Immunity - Sovereign immunity protects the taxpayers from having to pay for certain lawsuits against the state, county, or city. Prior to 2016, in cases where the state, county or city claims sovereign immunity as a defense, but is denied by the trial court, the trial could be suspended while the denial of sovereign immunity was immediately appealed. In 2016, the Georgia appellate courts eliminated this direct appeal and are now requiring Georgia governments to pursue an "interlocutory review" when sovereign immunity is denied by the trial court. This could result in taxpayers having to fund the entire cost of the complete trial before being able to appeal the denial of sovereign immunity. The Georgia appellate courts have stated that the legislature can easily amend the direct appeal statute and add immunity as a basis for a direct appeal. ACCG urges the General Assembly to specifically allow direct appeal of immunity issues to protect constituents and taxpayers from bearing the burden of unnecessary litigation costs in cases where immunity clearly applies.

Building Inspections: Public Duty Doctrine – Traditionally, under the public duty doctrine, local governments have not been held liable for damages to private parties resulting from improperly constructed buildings that were subject to a county's or city's building inspection program. That doctrine, as it applies to local building inspection programs, has been overruled by the Courts. This ruling potentially subjects counties to costly negligent inspection lawsuits when an inspector fails to find code violations by conducting a proper inspection. Given that the cost of supporting a building inspection program that is adequate to avoid liability for poorly constructed buildings, ACCG proposes that the General Assembly correct the decision of the Court and legislatively reinstate the public duty doctrine to local government building inspection operations.

Utilities: Improperly Installed Lines – The General Assembly should provide that counties shall be held harmless from liability resulting from cut utility, communication and other lines when the owners of the lines fail to install the lines at a depth sufficient to allow for routine maintenance of the public rights of way. Furthermore, such entities should be subject to state and/or local penalties for failure to install lines properly. Private utilities should be required to notify counties when they are installing infrastructure in the county right of way.

Public Works Bidding - Currently, Georgia law requires local governments to bid out public works projects that have an estimated value of $100,000 or more. As this amount has not been changed in over two decades, inflation and material costs have increased substantially, and many vendors elect not to go through the time and effort to submit bids for small projects, ACCG asks the General Assembly to raise this bid threshold from $100,000 to $250,000. This will save counties time and money by not having to bid out smaller projects and should increase competition among vendors who otherwise may not be willing to go through the bid process.

Location and Control of Utilities – Because the availability of utilities often determines and drives development, the location of public and private utilities should be subject to the county's land use plan. Additionally, because of the cost to the taxpayers of moving a utility not located in the right of way when a road is expanded, public and private utilities should be required to locate within the county's road right of way if, in the county's discretion, there is space available. Finally, control by counties of access to the public rights of way by utilities and other commercial enterprises must be clarified and strengthened to protect the public's interest.

Immigration Administration and Enforcement – In the absence of Federal action, Georgia and other states have enacted their own illegal immigration reform laws in recent years. While the bulk of Georgia's measures have fallen on local governments to comply with and enforce, ACCG feels that true, meaningful reform entails that state agencies and private entities be equally responsible for whatever mandates are required of counties and cities to provide maximum effectiveness and ensure uniformity in the law's application. All immigration policy must be enacted considering the added costs and administrative impact to local governments, thus local taxpayers, and the negative impact on legal U.S. businesses and residents through additional regulatory challenges. Immigration policy should also clearly define the requirements that state and local governments must abide by.

Qualifications-Based Selection (QBS) of Design Professionals – Qualifications-based selection is the process of selecting a design professional such as an architect, engineer or related technical professional whereby competing firms are evaluated and ranked based on their qualifications. Contract terms, including price, are negotiated with the top ranked firm based on a fully developed scope of work. If a county or other public entity is unable to reach agreement with the first firm, it terminates negotiations and begins negotiations with the second ranked firm. While ACCG endorses the use of QBS by counties at their discretion for procurement of design professional services, ACCG opposes legislation mandating the use of QBS by county governments.

INTERGOVERNMENTAL RELATIONS

Annexation–While annexation of unincorporated areas by municipalities may be appropriate it may also be abused when its primary objectives are the expansion of the city tax base, or to circumvent the county's land use plan, zoning ordinance or alcoholic beverage ordinance. These

tactics may cause severe service delivery problems and loss of county revenues. To help alleviate these and other challenges, changes to annexation law should:

- specify that annexation be allowed solely to provide public services not otherwise available from the county or to incorporate an unincorporated island;
- require that the economic and fiscal impacts resulting from proposed annexations be assessed and reported including any effects on the county's ability to retire debt or pay its pension obligations;
- require that annexing cities reimburse counties to the extent of any negative fiscal impacts resulting from annexation, including the cost of any stranded infrastructure;
- ensure that the integrity of the county's land use planning process is not undermined;
- bar the effective date of annexation until such time that an annexing city provides the same level of service to areas proposed for annexation as it does within the balance of the city;
- strengthen the signature verification process in those annexation methods that require signatures;
- require sufficient notification to the county prior to annexation of any unincorporated islands;
- prohibit cities from using public property to meet contiguity requirements when property proposed for annexation does not otherwise touch the city boundary; and
- require that affected counties be given advance notice of any annexation or boundary adjustments proposed by local legislation.

Deannexation - In addition to legislation to regulate annexation, the General Assembly should protect property rights by authorizing property owners to deannex themselves from a municipality under the same conditions and safeguards as annexation, particularly if the city has not provided the property owner with the services that were promised within a given time frame. Any such procedure should allow for a property owner to deannex without obtaining the approval of the municipality or General Assembly as current law requires.

Creation of New Cities – The creation of new cities duplicates local administrative structures and can disrupt long term planning, create service delivery challenges and inefficiencies, and impose greater costs on taxpayers both within and outside the new city. To that end, any legislation to create new cities should only be introduced following a signed petition of at least 10 percent of the registered voters in the proposed city's jurisdiction. It should be introduced in the first year of the General Assembly's biennial session and voted upon in the second year, with no changes in boundaries of the proposed municipality in the second year.

During the interim between sessions a comprehensive financial viability study should be conducted to determine:

- the economic viability of the proposed city;
- the financial impact on the county and adjacent municipalities in terms of lost fees and other revenues;
- the impact on existing service delivery areas, agreements and investments;
- the per-capita tax base of the proposed new city relative to the County as a whole, then adjusting its borders to equalize tax base and millage levy yield between them; and
- the perspectives of both proponents of the new city and other affected stakeholders, among other factors.

Furthermore, ACCG urges the General Assembly to reject any legislation that would require that infrastructure investments made by county taxpayers be transferred to new municipalities that are

created. In addition, since the creation of new cities will likely have implications for all citizens of a county, the incorporation of new cities should be dependent on a countywide vote in addition to a vote within the proposed corporate boundaries. The creation of a new city should not be dependent upon said city going into immediate debt upon its creation.

ACCG believes that "city lites", as well as existing cities not appropriately providing the three services required by Georgia statute, create undue complications on effective and efficient governance. Furthermore, the notion that a newly created "city lite" is limited to only the services it promises during the incorporation process is constitutionally flawed. ACCG also believes that newly created cities should be required to provide more than just three services.

The following safeguards should be enacted to ensure that new and existing cities are, in fact, providing the minimum number of services required to be active municipalities:

- define and provide minimum thresholds for each of the possible municipal services;
- require that each service claimed be provided and enforced in fact, not just on paper;
- make it clear that in order for an intergovernmental contract with a county to count towards the minimum number of city services, the contract must be for a service, or level of service, not otherwise provided by the county to county residents generally; and
- require that a valid and enforceable contract be in place for each municipal service that is claimed. Each contract should:
    - include measurable consideration approximating the cost/value of the service provided by the contracting party to the city; and
    - be in writing and be entered on the minutes of the city and of any other public entity if it is providing the service.

Lastly, the General Assembly should:

- reinstate the "3-mile" provision to protect counties and existing cities from the creation of new municipal governments;
- prohibit the creation of any unincorporated islands in the creation of any new cities;
- require that the legislation to create a new city be sponsored by a legislator whose district falls, in whole or in part, within the proposed city's boundaries; and
- require a cityhood initiative committee be formed and subject to open records and lobbying disclosures.

Service Delivery Strategies – Implementation of the Service Delivery Strategy Act continues to pose challenges to counties and cities alike. Technical amendments and clarifications are needed to facilitate implementation and minimize disputes. At a minimum, in order to minimize conflict in future revisions to local service delivery strategies, the Service Delivery Strategies (SDS) Act should be amended as follows:

- Key definitions and principles detailed in the joint SDS handbook authored by ACCG, GMA, DCA and CVIOG should be clearly set forth in the statute;
- The frequency and scheduling of future revisions to local service delivery strategies should be clarified;
- Require SDS renegotiations only once every 10 years and for these to be completed in the same years as LOST negotiations;
- The judicial dispute resolution procedures in current law should be eliminated or clarified;
- Ensure that cities cannot charge higher utility rates or fees to unincorporated residents unless that cost is "reasonably" related to the cost of providing the service;

- Current law should be amended to clarify that all revenues generated by taxes and fees levied or imposed primarily in the unincorporated areas of the county — like business and occupation taxes, hotel-motel taxes and alcoholic beverage taxes — may be used by the county to offset the cost of county services provided primarily to unincorporated residents and property owners or for the county's share of the cost of providing services jointly funded with one or more cities;
- Any service area granted to a government outside their jurisdiction should be able to be changed without an agreement if the authorized government is asked to provide the service and fails to do so;
- ~~The General Assembly should establish a study committee to examine and improve SDS and LOST negotiations between counties and cities;~~
- The General Assembly should enact legislation that would result in all taxpayers being treated equitably whether they live within a municipality or in unincorporated areas; and
- Legislation should be enacted which would prevent subsidization of city operations by counties and unincorporated taxpayers through utility franchise fees, through county property tax exemptions on municipal profit-making enterprises, and through 'double-dip' distributions of sales tax revenues that provide inequitable benefits to municipal residents.

Extraterritorial Condemnation and Acquisition of Land by Cities – Cities have the power to condemn and purchase property outside their boundaries. This can be done without the cooperation of the county government and without regard for the county's land-use plans or zoning ordinances. ACCG recommends that any extraterritorial condemnation or purchase by a city be subject to approval by the affected county, and any use of property condemned by a city outside its boundaries be subject to the land use plans and zoning ordinances of the county wherein the condemned property is located.

Local Authorities Subject to County Ordinances – From time-to-time local authorities, whether they are established by local acts of the General Assembly or activated by resolution of a county, make land use and other decisions affecting the health, safety and welfare of the community. Where a county governing authority has enacted zoning, cell tower, stormwater, environmental or other land use or health regulations as authorized by law, the General Assembly should ensure that local authorities are not immune or exempt from such regulations.

Extraterritorial Provision of Services by Cities – On its face, the Georgia Constitution appears to require intergovernmental agreements between two local governments if one wishes to extend its services into the territory of the other. While the contracting requirement is eminently logical, cities are routinely taking advantage of a loophole in the Constitution to provide services extraterritorially without an agreement or even discussion with the county. This tactic, typically done to take advantage of revenue potential or extending water/sewer lines or to promote annexation, leads to conflict and unhealthy competition between counties and their cities. Moreover, it leads to an inefficient use of public resources. ACCG urges the General Assembly to condition the provision of municipal services by a city outside its boundaries on entering into an intergovernmental agreement with the affected county or expressly including the extraterritorial service in a county-approved service delivery strategy verified by the Department of Community Affairs.

Georgia Broadband Deployment Initiative – ACCG asks the Georgia General Assembly to continue to appropriate funds to the Georgia Broadband Deployment Initiative (GBDI) to maintain the state created maps and to direct broadband grant funding to eligible local

governments and their private sector partners in unserved and underserved areas. ACCG supports the efforts of the GBDI Stakeholder Advisory Council and urges that any changes to the grant program be fully vetted by this group, understanding it that it takes a combination of local, state, and federal funds to bolster private broadband investment in many areas of the state.

Home Rule – Design Standards, Short-Term Rentals, and Build-to-Rent Subdivisions - In recent years, numerous bills have been introduced which would substantially prohibit or preempt Georgia's cities and counties from responding to their constituents' demands through establishing appropriate local oversight of residential design standards, short-term rentals, and build-to-rent subdivisions within their jurisdictions. ACCG opposes these state preemptions, believing that county elected officials, working with and accountable to their community, are in the best position to determine the oversight of these practices at the local level. One size certainly doesn't fit all of Georgia's counties in these areas, and this legislation sets a very dangerous precedent of state usurpation of Constitutional home rule authority.

Housing Affordability and Accessibility

ACCG continues to work with various stakeholders to develop meaningful solutions to address Georgia's critical shortage of market-rate workforce housing. While ACCG continues to oppose preempting local government zoning and land use regulations, the association supports state-authorized flexibility and incentives to encourage the development of more housing that someone making 120% or less of the median income of the area can afford.

Elected Officials' Campaign and Financial Disclosure Statements – Current law requires public officials to file annual financial disclosure statements detailing fiduciary positions held by each official as well as financial and business interests. For the sake of efficiency, ACCG recommends that O.C.G.A. § 21-5-50 be amended to authorize county officials to submit a simplified "No Changes" financial report when the answers to questions required to be answered by law have not changed from the previous year. ACCG also urges the General Assembly to provide enhanced enforcement provisions eliminating any incentive for non-compliance.

Georgia's Voting Equipment, COVID-19, and Improved Elections – ACCG commends the General Assembly for calling for, and funding, the replacement of Georgia's dated voting equipment. ACCG encourages the state to continue working with, and providing funding to, counties to adequately train local election officials and the public on the use of the new technology; keep the equipment's software, warranties and maintenance updated; and ensure machines' replacement, when necessary. As the General Assembly continues to have numerous election bills introduced each session, ACCG urges legislators to carefully consider the impact this legislation has on counties' ability to effectively administer, fund and staff Georgia's elections. The association supports changes in state law to:

- Remove references to old direct-recording electronic voting equipment, which is no longer used;
- Sync up the federal and state deadlines for registering for Georgia's primary runoff election;

- Allow voters the option to provide a photocopy of their ID with their absentee ballot, as a backup, in order to prevent their absentee ballot from being rejected due to a signature mismatch;
- Require the Georgia State Election Board, if it removes a county election superintendent, to pay any and all additional funds required or requested by the temporary superintendent above what the county has already budgeted or appropriated for that office;
- Allow counties to decide whether to employ absentee ballot drop boxes for future elections; and
- Authorize counties to establish vote centers on election day.

Election Issues Likely to be Brought Up Next Session for the Committee's Consideration

- Reducing the general election runoff threshold from 50% to 45%.
- Legislation requiring that ballot materials be unsealed.
- Removing election responsibilities from Probate judges.
- Requiring all county election boards to have same size, make up and administration.

Special Election Cost Reimbursement – Under current law, counties must bear the cost of special elections. As a result, affected counties must allocate funds away from essential, state-required public services to pay for these elections over which they have no control. ACCG supports legislation requiring the state to reimburse counties for all expenses incurred in the preparation for and conduct of special elections to fill a vacancy in any statewide office, the Georgia General Assembly, the offices of U.S. Senator or Representative, or to approve a statewide referendum.

Commissioners' Term in Office – the "Lame Duck" Period - Legislation has recently been introduced to have newly-elected mayors, city council members and county commissioners take office on the Monday following the general election. For myriad reasons ACCG opposes this statewide attempt to address a few cited instances whereby outgoing city or county governing authorities have had the requisite votes to make what may be unpopular decisions during the time between the election and new officials assuming office. ACCG instead recommends that local legislation, specific to a desiring jurisdiction or local delegation, is a more appropriate and constructive approach in avoiding unintended statewide ramifications. Furthermore, if "lame duck" malfeasance has risen to the level that corrective action is required by the Georgia General Assembly, ACCG believes that the abbreviated term-of-office provisions should apply uniformly to all outgoing elected officials both at the state and local level.

Nonpartisan Elections – ACCG supports legislation authorizing the nonpartisan election of the members of county governing authorities, subject to a local referendum called by the local governing authority.

Consolidated Government Elections – ACCG supports holding nonpartisan elections for members of Georgia's consolidated governments during the state's general elections in even-numbered years.

INTERNAL COUNTY RELATIONS

County Officers/Magistrates/Coroners: Compensation – While some county officials are compensated on a salary basis, other county officials are compensated by fees for work performed or through a combination of fees and salary. Fee compensation reflects an earlier time in Georgia history when county officials paid their own expenses out of the fees collected:

- Since county officials collecting fees do not pay the county for the cost of office space, HVAC, supplies or personnel, even when providing services to the state or federal government rather than the county, ACCG recommends that all fees collected by county officials be deposited in the general fund of the county to defray the cost of those offices, and that all full-time county officials be paid on a salary basis rather than a fee basis or a combination of fees and salaries.
- Except in counties with a population under 35,000, coroners are generally paid on a fee basis $175 per investigation/$250 if a jury is impaneled) or by salary established through local legislation. ACCG proposes that county governing authorities be authorized to establish compensation for coroners on a salary basis by county resolution or ordinance.
- State law dictates that coroners receive the same per-diem rate ($247) that state legislators receive for participating in state-required training, regardless of the distance traveled or whether an overnight stay is involved. This is in addition to the reimbursement of actual transportation costs and training registration fees paid by the county. ACCG believes that coroners' per-diem rates and other cost allowances should be determined by their respective county commissions, or at least not exceed the per-diem/costs received by the commissioners.
- ACCG opposes any increases in state supplements or salaries for county officers, coroners and magistrates given that existing salaries are automatically increased to reflect cost of living and longevity adjustments and, furthermore, counties can provide or increase supplements at the local level and/or legislators may do so through local legislation.
- In addition, if the General Assembly does approve an increase in compensation for any county officer or magistrate, any such increase should not become effective until after the next general election affecting that office.

County Officers/Magistrates/Coroners: Governance – ACCG supports cooperative efforts between ACCG and the county officers/magistrates' associations to resolve organizational inefficiencies focusing on budgetary, procurement and personnel problems which otherwise could lead to increased liability exposure. In particular, the following should be accomplished:

- Legislation should be enacted to require that a common set of personnel policies be implemented in each county that would be applicable to the employees of the county governing authority and the employees of the county officers.
- Current law, which impliedly authorizes county governing authorities to implement procurement systems as an extension of commissioners' fiscal and budgetary responsibilities, should be amended to expressly authorize procurement systems applicable to all county departments and functions.
- To address the issue of vacancies in the offices of elected county officials, both constitutional and statutory, state law should create a consistent policy for temporary replacement, as well as permanent replacement by the governor or other appropriate authority until the next applicable election cycle. ACCG recommends the appointment of a blue-ribbon committee to come forward with specific recommendations in this regard.
- ACCG opposes amending Georgia's Constitution to add any additional county elected officials as constitutional officers since this would unduly complicate relations with the county governing authority on such issues as contracting, purchasing, budgeting and other administrative matters. Rather than making coroners constitutional officers or fulltime employees with substantial statutory pay raises, as has been proposed in recent years, ACCG supports legislation allowing counties to abolish the elected office of the coroner and

instead contract with or hire an at-will coroner to fulfill state-required coroner duties, including the option to contract with adjoining counties in hiring a regional coroner**.**

Nepotism in County Government – The General Assembly should authorize county governing authorities to adopt nepotism policies that apply to employees and officials generally, including constitutional officers and their employees.

Copying and Storing of Newspapers by Clerk of Court, Sheriff, and Probate Judge – Current law requires that clerks of court, sheriffs and probate judges procure and preserve for public inspection a complete file of all newspaper issues in which their advertisements appear. Newspapers may be bound, microfilmed, photostatted or photographed and must be maintained for 50 years. As a matter of efficiency, the law should be amended to allow for digital storage of newspapers, to limit preservation to those portions of newspapers reporting ads placed by county officials, or to authorize county governing authorities, in their discretion, to suspend the storage of newspapers.

Eliminate Outdated Notice Requirements in Legal Organ – Various state laws require counties to post notices in their legal organs or local newspapers so that the public is provided with adequate notice of the events or actions required to be listed. The requirement that counties pay to post notice in local newspapers is both antiquated and costly for Georgia taxpayers. Most citizens and business that look for these notices have access to computers, thus are more likely to look for the notices on the Internet. This is especially true of businesses that operate outside the state or outside the county that do not have access to local papers. Counties should be provided with the flexibility to post mandated notices on their websites or on a common statewide website instead. The press is free to post these notices in newspapers as a public service to which they are committed but should not be subsidized by local taxpayers in doing so.

County Employee Mandates – ACCG believes that personnel management practices and compensation to local government employees are properly functions for local determination. ACCG strongly opposes any state or federal mandated salaries, benefits or other special treatment for any county employees or class of employees. ACCG further opposes any legislation which would provide for collective bargaining rights for public safety officers employed by local governments or for any other local government employees.

Subdivision Regulations – Under current law, whenever a county board of commissioners or city council prepares and adopts subdivision regulations, no plat of subdivision of land within the county or city can be filed or recorded in the office of the clerk of superior court without approval of the county or the city. However, the law also provides for an exception. Approval by the county or city is not a precondition for filing a plat where no new streets or roads are created, no new utility improvements are required, or no new sewer improvements or septic tank approvals are required. The General Assembly should eliminate these loopholes to better protect the health and safety of the public.

APPROPRIATIONS

Libraries – Presently, the General Assembly appropriates a limited amount of state funds towards the cost of supporting public libraries in Georgia. Local governments pay most of the cost. ACCG, therefore, recommends that the General Assembly provide its fair share by substantially increasing funding to improve and expand library services throughout the state.