

## Georgia's Government

Throughout its history, Georgia has operated under eleven constitutions (SS8CG1a):

**GA's first constitution was a provisional government called** the *Rules and Regulations*.

GA's first *permanent* constitution was the Constitution of 1777, a form of government that weakened the executive branch and strengthened the legislature.

GA's current constitution was adopted in 1983, and was intended to be a shorter, more modern constitution for the state.





Throughout its history, Georgia has operated under eleven constitutions (SS8CG1a):

The Constitution of 1983:

Preamble – States the purpose of the constitution

Article 1 (Bill of Rights) – States specific rights guaranteed by the constitution (e.g., life, liberty, property, etc.)

Article 2 (Voting and Elections) – Sets qualifications and rules for elections

Article 3 (Legislative Branch) – Describes the structure and powers of the General Assembly (the Senate and House and Representatives)





Throughout its history, Georgia has operated under eleven constitutions (SS8CG1a):

The Constitution of 1983:

Article 4 (Constitutional Boards and Commissions) – Sets up government bodies such as the Public Service Commission, State Transportation Board, and the Board of Pardons and Paroles

Article 5 (Executive Branch) – Establishes offices and powers of Governor and Lieutenant Governor

Article 6 (Judicial Branch) – Establishes state court system



Throughout its history, Georgia has operated under eleven constitutions (SS8CG1a):

The Constitution of 1983:

Article 7 (Taxation and Finance) – Authorizes power to tax, and purposes and methods of taxation

Article 8 (Education) – Establishes public education system supported by taxes, and Board of Education to oversee it

Article 9 (Counties and Municipal Corporations) – Describes powers and structure of county government

Article 10 (Amendments to the Constitution) – Describes the process for amending the constitution



## Throughout its history, Georgia has operated under eleven constitutions (SS8CG1a):



The Constitution of 1983:

#### Article 11 – Miscellaneous Provisions



Throughout its history, Georgia has operated under eleven constitutions (SS8CG1a):



What do you remember about... The Constitution of 1983?

1. What Article provides for GA's education system?

2. Name the board in Article 4 that deals with the prison system \_\_\_\_\_

3. If you had a question on voting qualifications, which article would you refer to?

4. What article describes the powers of the Governor?

5. Which section states the constitution's purpose? SS8CG1 – The student will describe the role of citizens under Georgia's constitution.

The three basic <u>functions</u> of government are separated into:

1. The Legislative Branch – the General Assembly (Senate and House of Representatives) makes the law

2. The Executive Branch – the Governor, Lieutenant Governor, Secretary of State, Attorney General, and State Treasurer enforces the law

3. The Judicial Branch – the State Supreme Court, Court of Appeals, Circuit Courts, and Municipal Courts interprets the law

Dividing the basic <u>functions</u> of government into three branches ensures that no single branch has more power than the other. Each branch can check the power of the others, ensuring that no branch becomes too powerful. This is called *checks and balances*:

Example 1 – The General Assembly (Legislative) may pass a bill, but the Governor (Executive) may <u>veto</u> it.

### **CHECK YO SELF FOOL!!!**

Dividing the basic <u>functions</u> of government into three branches ensures that no single branch has more power than the other. Each branch can check the power of the others, ensuring that no branch becomes too powerful. This is called *checks and balances*:

Example 2 – The Governor (Executive) may <u>veto</u> a bill, but the General Assembly (Legislative) may override the <u>veto</u> if they have enough votes.

### CHECK YO SELF FOOL!!!

Dividing the basic <u>functions</u> of government into three branches ensures that no single branch has more power than the other. Each branch can check the power of the others, ensuring that no branch becomes too powerful. This is called *checks and balances*:

Example 3 – The State Supreme Court (Judicial) can declare laws passed by the General Assembly (Legislative) to be unconstitutional.

## **CHECK YO SELF FOOL!!!**

> What do you remember about... the three branches of government?

1. The Legislative Branch \_\_\_\_\_ laws. In Georgia, it is called the \_\_\_\_\_

2. The Executive Branch laws. The highest member of the Executive Branch is the

3. The Judicial Branch \_\_\_\_\_ laws. The Georgia Supreme \_\_\_\_\_ is the head of this branch.

Both the U.S. Constitution and the GA Constitution give all citizens basic rights and responsibilities (SS8CG1c):

**Basic Rights of all Citizens:** 

- Right to free speech
- Right to worship freely
- Right to a trial by jury

**Basic Responsibilities of all Citizens:** 

- Take care of one's self
- Respect the rights of others
  - Obey rules and laws

Both the U.S. Constitution and the GA Constitution give all citizens basic rights and responsibilities (SS8CG1c):

Match the Basic Right with the Corresponding Responsibility:

- 1. \_\_\_\_ Buy a car
- 2. \_\_\_\_ Say what you feel is true
- 3. \_\_\_\_ Dress in clothes you like
- 4. \_\_\_\_ Travel where you want
- 5. \_\_\_\_ Go to school

- A. Don't say things that hurt other's feelings
- B. Obey school's dress code
- C. Obey traffic laws
- D. Do your homework
- E. Register car and pay sales taxes

One of the basic rights AND responsibilities of all citizens is the right AND responsibility to VOTE (SSSCG1d):



In the state of Georgia, you must meet the following requirements in order to vote:

• You must be a citizen of the United States

• You must be a legal resident of Georgia and of the county where you wish to vote

• You must be at least 18 years old on election day

### **BUT**...

Citizens MAY NOT vote if they are convicted felons OR if they are declared, by a judge, to be mentally incompetent.

One of the basic rights AND responsibilities of all citizens is the right AND responsibility to VOTE (SS8CG1d):

Each state has its own set of election guidelines and requirements:

- Elections in Georgia are run by the Secretary of State's office
- Voter registration deadlines are usually 30 days before an election
- Presidential elections, according to the US Constitution, *must* be held every four years on the first Tuesday of November
- Special elections may be held at other times throughout the year

One of the basic rights AND responsibilities of all citizens is the right AND responsibility to VOTE (SS8CG1d):



#### What happens on election day?

- Polling places are open from 7:00 a.m. to 7:00 p.m.
- Voters standing in line at 7:00 p.m. *must* be allowed to vote
- Employers are required to give employees up to two hours to vote
  - If a voter can't vote on election day, there are two options:
    1. Absentee Ballots Voting by mail before an election
    2. Advance Voting Voting the week prior to the election

SS8CG1 – The student will describe the role of citizens under Georgia's constitution.

One of the basic rights AND responsibilities of all citizens is the right AND responsibility to VOTE (SS8CG1d):



What do you remember about... Voting and Elections in Georgia?

- 1. Voters must be \_\_\_\_\_ years old to vote in Georgia.
- 2. Voter registration deadlines are usually \_\_\_\_\_ days before the election.
- 3. Elections in Georgia are normally controlled by the office of the \_\_\_\_\_.

4. Presidential elections are held on the first \_\_\_\_\_\_ of November.



# Georgia's Legislative Branch

The three basic <u>functions</u> of government are separated into:

1. The Legislative Branch – the General Assembly (Senate and House of Representatives) makes the law

2. The Executive Branch – the Governor, Lieutenant Governor, Secretary of State, Attorney General, and State Treasurer enforces the law

3. The Judicial Branch – the State Supreme Court, Court of Appeals, Circuit Courts, and Municipal Courts interprets the law

The Legislative Branch is called the General Assembly. It is a <u>bicameral</u> legislature made up of the House of Representatives and the State Senate:

**Qualifications for Office:** 

• U.S. Citizenship

- GA Citizenship for at least two years
- Legal residence in their district for at least one year
- Senators must be 25 years old; Representatives must be 21
  - House has 180 members & Senate has 56 members

The Legislative Branch is called the General Assembly. It is a <u>bicameral</u> legislature made up of the House of Representatives and the State Senate:

#### **Duties of Office:**

- Senators and Representatives are elected to two year terms
  - All elections for the legislature are held at the same time
- All members of the legislature are elected in their local districts
- Legislative sessions are on the first Monday in January for 40 days
- Members make laws and represent the views of their constituents



What do you remember about... the General Assembly?

| Names of the Two Houses |  |
|-------------------------|--|
| <b>Terms of Office</b>  |  |
| <b>Elected Where</b>    |  |
| Length of Session       |  |
| Duties                  |  |

#### Leadership in the State Senate:

• The State Constitution states that the President of the Senate is the Lieutenant Governor (the only person in government is a member of the Executive and Legislative branches). His powers include:

1. The ability to cast a vote if there is a tie

2. The power to make committee assignments

3. The power to name committee chairmen.

• The other Senate leaders are elected by the Senators: President Pro Tempore (serves with Lt. Gov. is absent), Secretary, Administrative Floor Leader, Messenger, Doorkeeper

Leadership in the State House of Representatives:

• The State Constitution states that the House of Representatives has the right to choose *ALL* of its leaders.

• The leader of the House of Representatives is called the Speaker of the House. He is usually elected by the members of the majority political party.

• Other officers of the House of Representatives include the Speaker Pro Tempore, Clerk, Messenger, Sheriff, and Doorkeeper.

**Legislative Procedure in the House and Senate:** 

- *Most* lawmaking work takes place in committees.
- Both houses use committees to study bills before they are sent to the house floors for formal debate and votes.
  - Committee chairmanships are *highly* coveted positions, appointed by the leaders of each house.
- The most important committees are involved with taxation, appropriations (spending public money), judiciary, education, and house rules.



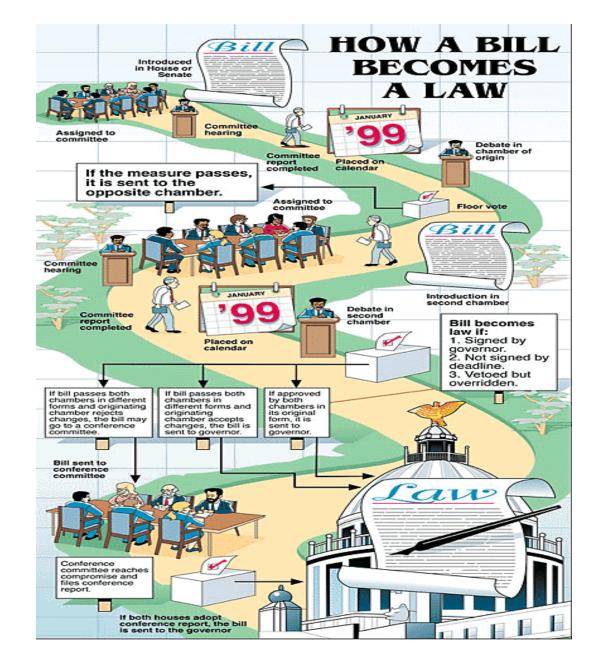
1. What state official is President of the Senate?

2. What does the President Pro Tempore do?

3. What is the role of committees?

4. Who appoints committee members? \_\_\_\_\_

5. What committee deals with spending issues? \_\_\_\_\_



SS8CG2 – The student will analyze the role of the legislative branch in Georgia state government.

> What do you remember about... How a Bill Becomes a Law?

- 1. The governor introduces bills into the General Assembly.
- 2. Committees study bills before sending them for a vote.
- 3. Committees can recommend changes to a bill.
- 4. Amendments are added in committees.
- 5. A bill does not have to pass both houses to become law.

6. If the governor vetoes a bill, it is finished.

SS8CG2 – The student will analyze the role of the legislative branch in Georgia state government.



# Georgia's Executive Branch

The three basic <u>functions</u> of government are separated into:

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3. The Judicial Branch – the State Supreme Court, Court of Appeals, Circuit Courts, and Municipal Courts interprets the law

According to the Georgia Constitution, state's Chief Executive is the Governor:

**Qualifications for Governor** 

• 30 years old

• U.S. citizen for fifteen years

• Citizen of Georgia for six years

According to the Georgia Constitution, state's Chief Executive is the Governor:

**Duties of the Governor** 

• Elected by a popular vote of all eligible Georgia voters

- Serves four-year terms
- Is limited to two consecutive terms
- May propose new programs or laws
- May call special legislative sessions or veto bills
  - May propose and direct the state budget
    - May appoint members of state boards

According to the Georgia Constitution, the second highest member of the Executive Branch is the Lieutenant Governor:

- The office of governor becomes vacant, the Lt. Governor takes over until the next election...THEREFORE...
- The qualifications for office are identical to the Governor's
  - Unlike the Governor, the Lt. Governor has no terms limits

• Unlike President and Vice President of the U.S., the Governor and Lt. Governor do not run on the same ticket. It is possible, then, for them to be in different political parties!!!

• The Lt. Governor is President of the Senate and is, therefore, the only officer who is a member of two branches of government!!!

According to the Georgia Constitution, the second highest member of the Executive Branch is the Lieutenant Governor:



• In 2006, Casey Cagle became the first Republican to ever hold that office.



1. Age -

2. U.S. Citizenship -

3. State Citizenship -

Like the U.S. Constitution, the GA Constitution provides for a separation of powers (SS8CG3a,b,c):

According to the Georgia Constitution, there are six other elected members of the Executive Branch:

1. <u>Attorney General</u> – serves as the state's attorney in court

2. Secretary of State – handles all administrative duties in the state, including recordkeeping, chartering new businesses, supervising elections, and regulating the sale of corporate stocks and bonds

Like the U.S. Constitution, the GA Constitution provides for a separation of powers (SS8CG3a,b,c):

According to the Georgia Constitution, there are six other elected members of the Executive Branch:

3. <u>State School Superintendent</u> – heads the Department of Education; certifies teachers, approves textbooks and distributes educational funds; this department as the largest budget of all state agencies

4. <u>Agriculture Commissioner</u> – oversees and regulates the state's agriculture industry, including food production, consumer safety, and livestock (decisions made by this office are critical to the economy, since agriculture is a major industry in GA)

Like the U.S. Constitution, the GA Constitution provides for a separation of powers (SS8CG3a,b,c):

According to the Georgia Constitution, there are six other elected members of the Executive Branch:

5. <u>Insurance Commissioner</u> – regulates insurance businesses and protects consumers

6. <u>Labor Commissioner</u> – investigates labor complaints, works to protect the health and safety of industrial workers, and handles unemployment insurance

Like the U.S. Constitution, the GA Constitution provides for a separation of powers (SS8CG3a,b,c): What do you remember about... the Executive Branch?

- \_ 1. Represents GA in a murder case
- \_\_\_\_ 2. Investigates new company selling life insurance in Georgia
- \_\_\_\_ 3. Sets salaries for state teachers
- \_\_\_\_ 4. Calls for volunteers to help at polling places on election day
- \_\_ 5. Promotes 4-H programs to interest young people in agriculture
  - 6. Investigates charges of unsafe work conditions in a chemical plant

- A. Attorney General
- **B.** Secretary of State
- C. State School Superintendent
- **D.** Agricultural Commissioner
- E. Insurance Commissioner
- F. Labor Commissioner

Just as the United States is subdivided into 50 states, so the state of Georgia is subdivided into 159 counties (more than any other state except Texas)...

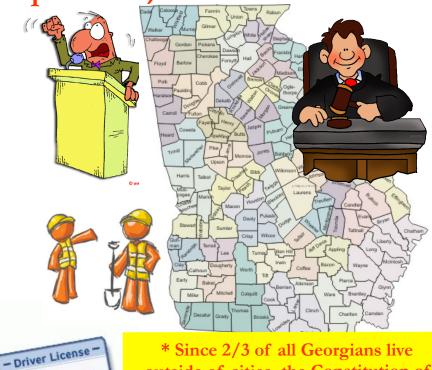
- Georgia's first *permanent* state constitution, the Constitution of 1777, established the state's first eight counties
- The headquarters of county government (similar to a capital city) is called the county seat (e.g., the seat of Walker County is LaFayette).



\* Georgia, according to legend, has so many counties so that a farmer, who needed to do business at the county seat, could get there and back in a single day

Just as the United States is subdivided into 50 states, so the state of Georgia is subdivided into 159 counties (more than any other state except Texas)...

- The original purpose of GA counties was to determine jurisdiction for state representatives.
- Over the years, county responsibilities have increased to include elections, road building and repair, automobile licensing, welfare programs, and conducting local courts.



outside of cities, the Constitution of

1983 granted even more responsibilities to county government.

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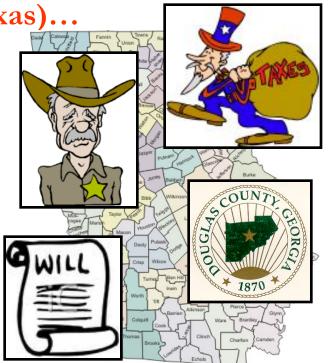
- Most counties in the U.S. are governed by an elected board of commissioners.
- Georgia is unique because it is the *only* state in the U.S. that allows counties to choose between a single commissioner or a board of commissioners.
- As of 2010, eight GA counties are governed by a sole commissioner.



Just as the United States is subdivided into 50 states, so the state of Georgia is subdivided into 159 counties (more than

any other state except Texas)...

- In addition to the commissioner(s), there are four other elected county officials:
  - 1. <u>Sheriff</u> the chief law enforcement official in a county.
  - 2. <u>Tax Commissioner</u> tax collection.
  - 3. <u>Clerk of the Superior Court</u> keeps court records, administers oaths, and is the keeper of the court seal.

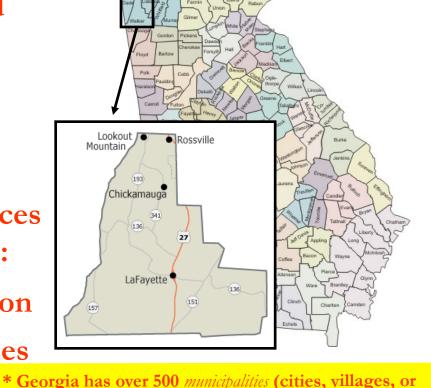


4. Judge of the Probate Court – oversees estates, marriages, adoptions, name changes, etc.

Just as the state of Georgia is subdivided into 159 counties, so each county contains multiple cities...

- Cities are local governments granted charters by the General Assembly.
- Georgia's first cities originated in areas that were important trade centers.
- A city's purpose is to provide services beyond those provided by counties:
  - police protection fire protection
  - garbage collection water services
    - administer state programs

SS8CG5 - The student will analyze the role of local governments in the state of Georgia.



towns with organized governments).

#### County vs. City Government (SS8CG5a).



### There are significant differences between counties and cities...

- 1. <u>Origins</u>: Counties are created by the state constitution, while cities are created by a charter from the state legislature, the General Assembly.
- 2. <u>Services</u>: Counties and cities must agree on who provides what service, in order to avoid duplication.
  Sometimes, there is conflict between county and city jurisdiction.
- 3. <u>Form of Government</u>: Counties have a county commission while cities have one of three government forms...





#### What do you remember about County and City government???

1. Created by the state constitution 2. Created by a legislative charter 3. The principal law enforcement officer in the county government 4. Responsible for tax collection 5. Administers oaths, manages court records, custodian of the court seal 6. Administers estates, name changes, adoptions, marriages, etc. 7. The principal law enforcement officer in the city government 8. The most common form of county government.

A. Sheriff **B.** Board of **Commissioners C.** Cities D. Tax Commissioner E. Probate Court Judge F. Clerk of the **Superior Court G.** Counties H. Chief of Police



Most cities in Georgia have one of the following forms of government...

- 1. <u>Strong Mayor-Council</u>: a definite separation of powers between the mayor and the city council:
  - Mayor has total responsibility for dayto-day operations of the city
  - Mayor hires and fires city staff, writes the city budget, and may veto actions of the city council
  - The city council serves as the city legislature and may have the power to override the mayor's veto

- Most commonly used in large cities



# Most cities in Georgia have one of the following forms of government...

- 2. <u>Weak Mayor-Council</u>: the mayor and city council share the policymaking responsibilities:
  - The city council possesses most of the power in the city
  - The mayor's responsibilities are primarily ceremonial; the mayor is *not* a true chief executive
  - The city council makes most city appointments, creates the city's budget, and makes the city's laws

- Most commonly used in small towns

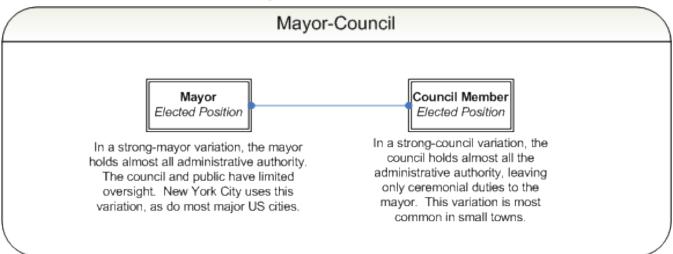


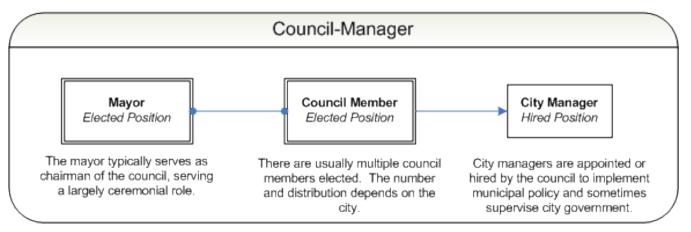
Most cities in Georgia have one of the following forms of government...

- 3. <u>Council Manager</u>: the city government is set up to resemble a corporation:
  - The citizens ("shareholders") elect a city council ("board of directors")
  - The city council establishes policies, passes city ordinances, and supervises the city government
  - The council hires a city manager to handle the day-to-day operations, hire and fire staff, and administer the budget
  - The mayor may performs ceremonial duties and may be a member of the council



## Most cities in Georgia have one of the following forms of government...





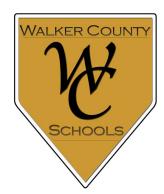
Special-Purpose Governments (SS8CG5c).

In addition to County and City government, Georgia also has a form of local government, established by cities or counties to meet specific needs, called Special-Purpose Districts or Administrations...

- Special-Purpose Administrations are funded by loans or user fees (not taxes).
- Special-Purpose Administrations are flexible, can provide services across county or city lines, and concentrate on a single need.
- Examples of Special-Purpose Administrations include...









What do you remember about... City Government and Special-Purpose Government???

A. Strong Mayor-

B. Weak Mayor-

Council

Council

- 1. Clear separation of powers between Mayor and Council; mayor hires and fires, administers budget, and may veto the city council
- 2. Mayor is ceremonial and the council runs the city's day-to-day operations
- \_ 3. A powerful city council hires a person C. Council Manager to run the city
- 4. Special-purpose government is a form of local government. T / F
  5. A public school system is a special-purpose government. T / F
  6. Taxes help pay for special-purpose governments. T / F
  7. Special-purpose governments may not cross city lines. T / F

#### Funding State Government (SS8E4a).



State governments collect *revenue* (money needed to run the government) from four major sources:

 Sales Tax – a tax paid on things people buy and consume (also called a "consumption tax"), such as store merchandise

2. Federal Grants – The U.S. government gives states grants to help with education or to build interstate highways



SS8E4 – The student will identify sources and services provided by state and local governments.

#### Funding State Government (SS8E4a).



State governments collect *revenue* (money needed to run the government) from four major sources:

- 3. Personal Income Tax the U.S. government, state government, and some city governments tax the earnings of citizens from their employment or investments.
- 4. Property Taxes Private homes, land, and business property are taxed according to their value.

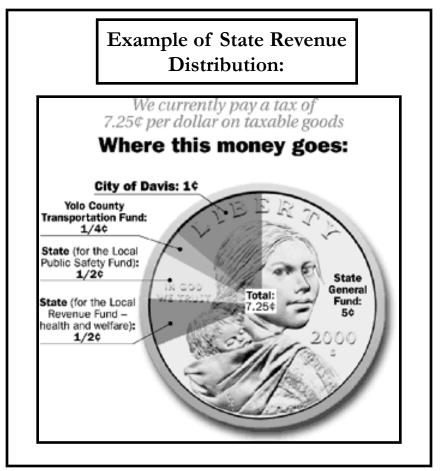


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### Distributing State Revenue (SS8E4b,c).

State revenue is distributed among state and local programs (e.g., education, roads, public transportation, police, etc.):

- Since funds are limited, elected officials have to determine how to allocate the state's money.
- The Georgia Constitution states that Georgia must operate under a balanced budget.
- The General Assembly must pass *appropriations* (permission to spend money from the budget on particular needs).

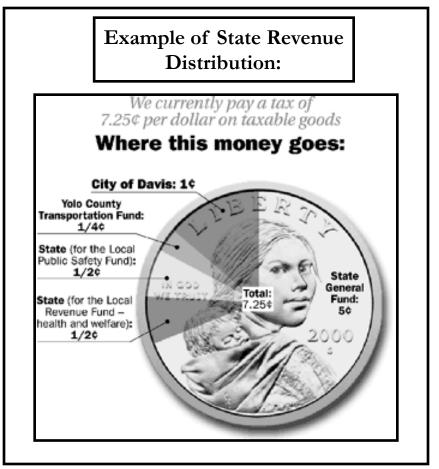


SS8E4 - The student will identify sources and services provided by state and local governments.

### Distributing State Revenue (SS8E4b,c).

Because the Georgia Constitution does not permit the state to go into debt, the budget process is often difficult:

- The budget process begins in the Spring when state agencies make their budget requests for the year
- In the Fall, the Office of Planning and Budget (OPB) considers what requests must be cut or modified.
- With the OPB's advice, the Governor presents his budget proposal to the General Assembly in January of each year.

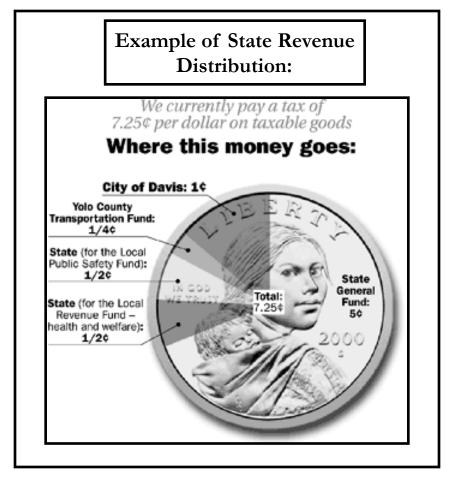


SS8E4 - The student will identify sources and services provided by state and local governments.

### Distributing State Revenue (SS8E4b,c).

Because the Georgia Constitution does not permit the state to go into debt, the budget process is often difficult:

- A Governor' s budget includes funding for the agencies and programs he considers important.
- The final, approved state budget must describe three things:
  - 1. How much revenue (\$) should be available.
  - 2. How much revenue (\$) the state will spend.
  - 3. Where the revenue (\$) will be spent.



SS8E4 - The student will identify sources and services provided by state and local governments.

How much do you remember... about state revenue???

- 1. Taxes on private homes, land, etc.
- 2. Legislation that allows spending from the state budget
- \_ 3. Taxes on goods that are bought and consumed.
- 4. Money normally granted to help states with education or highway building
- 5. Taxes on the earnings of citizens from employment or investment
- \_ 6. Money required to fund the government
- \_\_\_\_7. Budget requirement that prevents the state from going into debt

A. revenue
B. sales tax
C. balanced budget
D. federal grants
E. income tax
F. property tax
G. appropriation



### **ENDURING UNDERSTANDINGS:**

In a democratic society, rule of law influences the behavior of citizens, establishes procedures for making policies, and limits the power of government? In what ways do the Constitution of 1983, the separation of powers in Georgia's government, and the requirement to have a balanced budget limit the powers of Georgia's government? Explain.





#### Acknowledgements

Hodge, Cathy M. <u>Time Travel Through Georgia</u>. Athens, GA: WesMar Incorporated DBA/Voyager Publications, 2005.

Marsh, Carol. <u>The Georgia Experience: 8<sup>th</sup> Grade Social Studies Teacher's Edition</u> <u>Student Workbook</u>. Peachtree City, GA: Gallopade International, 2008.