

# CONVENING THE GENERAL ASSEMBLY OF GEORGIA IN SPECIAL SESSION

WHEREAS: Article V, Section II, Paragraph VII of the Constitution of the State of Georgia grants to the Governor the power to convene a special session of the General Assembly, stating and thereby limiting its purposes; and

WHEREAS: The Regular Session of the 2004 General Assembly adjourned sine die on April 7, 2004; and

WHEREAS: The general appropriations bill for Fiscal Year 2005 that the General Assembly passed in regular session, House Bill 1181, violates Article III, Section IX, Paragraph IV(b) of the Constitution of the State of Georgia in that it would appropriate funds that the State could only collect upon the passage of House Bill 869, relating to indigent defense funding, which the General Assembly did not pass; and

WHEREAS: The General Assembly has a constitutional duty to pass a general appropriations bill appropriating funds which do not, "in aggregate, exceed a sum equal to the amount of unappropriated surplus expected to have accrued in the state treasury at the beginning of the fiscal year together with an amount not greater than the total treasury receipts from existing revenue sources anticipated to be collected in the fiscal year . . . ." Ga. Const. art. III, § IX, ¶ IV(b); and

WHEREAS: The Governor has determined that certain purposes warrant the convocation of a special session; now

THEREFORE: By virtue of the power and authority that the Constitution of the State of Georgia confers upon me, I, Sonny Perdue, Governor of the State of Georgia, do hereby convene the General Assembly of this State in Special Session at ten o'clock (10.00) a.m. on Monday, May 3, 2004, for the purposes and only the purposes stated as follows:

1. To amend paragraph (1) of subsection (b) of Section 15-6-94 of the Official Code of Georgia Annotated, relating to membership on the Georgia Superior Court Clerks' Cooperative Authority.
2. To enact, revise, repeal, or amend general law relating to the funding and provision of indigent defense services, including, without limitation, services provided under Chapter 12 of Title 17 of the Official Code of Georgia Annotated.
3. If necessary, to receive an amended estimate of the State funds available for appropriation in Fiscal Year 2005 to reflect any new revenue sources created by action of the General Assembly under No. 2, above, and any change in anticipated revenue collections.
4. To enact, revise, repeal, or amend local laws.

This 23rd day of April 2004.