



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

- WHEREAS:** The District Attorneys of Georgia play a critical and far-reaching role in the timely prosecution of crimes; and
- WHEREAS:** The impending furlough of state funded District Attorneys and their staff due to insufficient funds to meet payroll demands through the end of Fiscal Year 2007 would disrupt trial schedules, create backlog, impede access to the courts, slow the ability to obtain warrants, and prevent the District Attorneys of Georgia from performing their statutory duties; and
- WHEREAS:** The funding crisis will have an immediate and detrimental impact on the operation of the judicial branch and will substantially infringe upon the normal functioning of the courts of this State; and
- WHEREAS:** The Chief Justice of the Supreme Court of Georgia has executed an order declaring that, due to a lack of funding in the Amended 2007 Budget and resulting furlough of District Attorneys throughout this State, a judicial emergency exists effective May 31, 2007, within Georgia's forty-nine judicial circuits; and
- WHEREAS:** The provisions of O.C.G.A. § 38-3-51 provide that when the available funds are not sufficient for the purpose of paying such expenses incident to carrying out activities authorized by the "Georgia Emergency Management Act of 1981," the Governor may transfer from any available fund in the State treasury such sum as may be necessary to meet the emergency or disaster; and the moneys so transferred shall be repaid to the fund from which transferred when moneys become available for that purpose by legislative appropriation or otherwise; and
- WHEREAS:** An authorized judicial official has declared a judicial emergency, pursuant to O.C.G.A. § 38-3-60 thereby, authorizing the Governor to exercise the powers given to him by the "Georgia Emergency Management Act of 1981"; and

WHEREAS: The Office of Treasury and Fiscal Services has advised that the Department of Revenue has \$828,758.15 in unneeded state general funds for the current fiscal year.

NOW, THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That the Department Treasury and Fiscal Services electronically transfer from the state general fund appropriations account of the Department of Revenue \$828,758.15 to Office of the Governor – Governor’s Emergency Fund.

IT IS FURTHER

ORDERED: That these funds, upon requisition, will be made available the Prosecuting Attorneys’ Council to fulfill salary commitments for FY 2007 to all state paid district attorneys.

This 1st day of June, 2007.


GOVERNOR

ATTEST:


Executive Secretary