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The 2011 Special Legislative Session of the Georgia General Assembly is expected to convene on Monday, August 15 in order to reapportion the General Assembly and Congressional districts in Georgia based on the latest Census data. Governor Nathan Deal has not yet released the official proclamation to summon legislators for a special session, so reapportionment is the only definite issue on the agenda so far. However, the Governor may declare that other priorities are on the table, such as tax reform or charter school legislation.

The 2010 Census showed conclusively that the population of Georgia is growing quickly; we now have almost 9.7 million residents, up more than 18% from the 2000 Census count of 8.2 million people. Based on this increase and a general population shift from the Midwest and Northeast states to the Southern states, Georgia will gain one Congressional seat, for a total of fourteen seats in the U.S. House of Representatives. The population boost also means that the total number of residents in each state Senate and House district will increase.

Article V, Section II, Paragraph VII of the Georgia Constitution governs the use of special legislative sessions. There are few limits on how long a special session may last or what subjects may be considered. Under the Constitution, a special session cannot last more than forty days without a vote for extension by three-fifths of all members of the General Assembly, nor can the Governor amend his proclamation listing the issues to be discussed once a special session has begun without approval by three-fifths of the members. The forty day limit is also extended if the impeachment of a state officer is taking place. There is a provision meant for extraordinary situations that requires the Governor to call a special session, if three-fifths of the members of each house of the General Assembly certify that there is a state emergency requiring legislative action. Otherwise, the Governor's proclamation is essentially a set of rules for the special session.

Although only the Governor is empowered to call a special session, the Constitution authorizes the General Assembly to handle apportionment in Article III, Section II, Paragraph II. The only parameters are that the districts be contiguous and that reapportionment occur after each federal census.

Redistricting has been a contentious issue for decades. The first major problem arose due to the requirement in the 1877 state constitution that legislative apportionment be based on geography rather than population, with a specific list of which counties comprised each of the 44 Senate and 175 House districts. Following each census, the six counties with the largest

population would each have three House representatives, the twenty-six counties with the next largest populations would have two representatives, and the remaining 105 counties would only have one representative each. This formula remained constant even though more Senate and House districts were added.

A second major problem arose in the 1960s when the courts began issuing orders requiring more fairly drawn districts to ensure equal voting rights for minorities. Both matters were eventually resolved after the 1970 Census when the General Assembly contracted with the University of Georgia to create the Legislative Reapportionment Services Office at the Carl Vinson Institute of Government. This year, however, the General Assembly created a new joint reapportionment office to handle redistricting.

Traditionally, special sessions for the purpose of reapportionment are held every ten years after the federal census data is released. However, the Governor is not limited to this schedule and may call a special session at any time if the annual legislative session has adjourned. Over the past ten years, there have been four special sessions of the Georgia General Assembly: two back-to-back sessions in 2001, and one each in 2004 and 2005.

The most recent reapportionment in 2001 was highly contentious due to a major shift in the political leanings of the state from Democrat to Republican. The three maps so narrowly approved by the General Assembly for the congressional and state Senate and House districts in September 2001 were immediately challenged in court, leading to a long legal battle and intense federal involvement before the finalized maps were approved in 2004.

Governor Perdue called a special session in 2004 in order to address a major imbalance in the Fiscal Year 2005 budget. Lawmakers passed the budget with the assumption that a comprehensive indigent defense bill would also pass; the budget therefore included a large appropriation for the Public Defender Standards Council. When the indigent defense bill failed to pass by Day 40, the budget was left out of balance and therefore unconstitutional. The General Assembly convened for one week in May 2004 to rectify the situation by passing indigent defense overhaul legislation.

In 2005, Governor Perdue called a second special session for the sole purpose of enacting a temporary suspension of aviation and motor fuel taxes from September 2, 2005 through September 30, 2005. The alleviation from fuel taxes was due to the substantial rise in fuel prices caused by Hurricane Katrina. This special session also adjourned within a week due to the strict limitations of the Governor's proclamation.

Recent history shows that special sessions may be long or short, divisive or calm. Perhaps in an effort to avoid the expensive legal battles of the 2001 reapportionment, this year legislators have already pledged to keep the process open and fair.