

Senate Bill 542

By: Senator Gillis of the 20th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act creating a Board of Commissioners of Candler County, approved
2 March 23, 1933 (Ga. L. 1933, p. 430), as amended, so as to change the description of the
3 commissioner districts; to provide for definitions and inclusions; to provide for continuation
4 in office of current members; to provide for the selection, powers, and duties of the vice
5 chairperson; to change certain provisions regarding compensation of members of the board;
6 to provide for the selection, powers, and duties of the clerk of the board; to provide for the
7 exercise of powers, duties, and authority of the board; to provide for appointment of certain
8 officers; to provide for the powers, duties, and authority of the chairperson; to provide for
9 audits; to repeal certain provisions regarding a published statement of moneys; to provide for
10 submission of this Act for approval under the federal Voting Rights Act of 1965, as
11 amended; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 An Act creating a Board of Commissioners of Candler County, approved March 23, 1933
15 (Ga. L. 1933, p. 430), as amended, is amended by striking subsections (a) and (b) of
16 Section 1, and inserting in their place new subsections (a), (b), and (b.1) to read as follows:

17 "(a) For purposes of electing members of the board of commissioners, other than the
18 chairperson, Candler County is divided into four commissioner districts. One member of
19 the board shall be elected from each such district. The four commissioner districts shall
20 be and correspond to those four numbered districts described in and attached to and made
21 a part of this Act and further identified as Plan Name: candlerccwk1 Plan Type: Local
22 User: Gina Administrator: Candler.

23 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
24 and describe the same geographical boundaries as provided in the report of the Bureau of
25 the Census for the United States decennial census of 2000 for the State of Georgia. The
26 separate numeric designations in a Tract description which are underneath a 'BG' heading

1 shall mean and describe individual Blocks within a Block Group as provided in the report
2 of the Bureau of the Census for the United States decennial census of 2000 for the State of
3 Georgia. Any part of Candler County which is not included in any such district described
4 in that attachment shall be included within that district contiguous to such part which
5 contains the least population according to the United States decennial census of 2000 for
6 the State of Georgia. Any part of Candler County which is described in that attachment as
7 being in a particular district shall nevertheless not be included within such district if such
8 part is not contiguous to such district. Such noncontiguous part shall instead be included
9 within that district contiguous to such part which contains the least population according
10 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise
11 provided in the description of any commissioner district, whenever the description of such
12 district refers to a named city, it shall mean the geographical boundaries of that city as
13 shown on the census map for the United States decennial census of 2000 for the State of
14 Georgia.

15 (b.1) Commissioner Districts 1, 2, 3, and 4, as they exist immediately prior to the effective
16 date of this Act, shall continue to be designated as Commissioner Districts 1, 2, 3, and 4,
17 respectively, but as newly described under this Act, and on and after the effective date of
18 this Act, such members of the board serving from those former commissioner districts shall
19 be deemed to be serving from and representing their respective districts as newly described
20 under this Act."

21 SECTION 2.

22 Said Act is further amended by striking in their entirety subsections (c) and (d) of Section 4.

23 SECTION 3.

24 Said Act if further amended by striking Section 6 and inserting in lieu thereof a new
25 Section 6 to read as follows:

26 "SECTION 6.

27 The compensation of the members of the board of commissioners, other than the chairperson,
28 shall be at the rate of \$4,800.00 per annum for the term of office beginning January 1, 2001,
29 and ending December 31, 2004. The chairperson shall be compensated at the rate of
30 \$10,000.00 per annum for the term of office beginning January 1, 2001, and ending
31 December 31, 2004. The compensation of the members of the board of commissioners and
32 the chairperson shall be payable in equal monthly installments from the funds of Candler
33 County; shall be subject to such increases as provided under Georgia law; and shall be

1 subject to amendment for any subsequent term by resolution or ordinance of the board of
2 commissioners."

3 **SECTION 4.**

4 Said Act if further amended by striking Section 7 and inserting in lieu thereof a new
5 Section 7 to read as follows:

6 "SECTION 7.

7 Said board of commissioners shall be authorized to appoint a clerk of said board. The clerk
8 shall be appointed by a majority vote of the board of commissioners to serve at the pleasure
9 of said board. It shall be the duty of the clerk to keep in permanent form a complete record
10 of the official acts of said board, including the receipt and disbursement of all county funds,
11 to perform generally the duties of the secretary to said board, and to perform such other
12 duties as may be required by said board. Said clerk shall report to and be under the
13 supervision and control of the county administrator. Said clerk shall receive such
14 compensation as may be fixed by said board, shall give bond with good security for the
15 faithful performance of his or her duties as such clerk as may be received by said board. The
16 compensation as set out in this section shall be fixed each year by the members of said
17 board."

18 **SECTION 5.**

19 Said Act if further amended by striking Section 9 and inserting in lieu thereof a new
20 Section 9 to read as follows:

21 "SECTION 9.

22 The board of commissioners shall exercise all powers now or hereafter vested in county
23 governing authorities by the Constitution and laws of this state, including, but not limited to,
24 the power to fix and establish, by appropriate resolution or ordinance entered on its minutes,
25 policies, rules, and regulations governing all matters which the board of commissioners has
26 authority as the governing authority of Candler County."

27 **SECTION 6.**

28 Said Act if further amended by striking Section 12 and inserting in lieu thereof a new
29 Section 12 to read as follows:

1 (2) To be the official spokesperson for the county governing authority and the chief
2 advocate of policy as established by the board of commissioners;

3 (3) To sign ordinances and resolutions upon their final passage and sign deeds, bonds,
4 contracts, and other instruments and documents in any case in which the general laws of
5 this state or any ordinance or resolution of the board of commissioners so requires and
6 authorizes;

7 (4) To call special meetings of the board of commissioners, but two members of the
8 board of commissioners shall also be authorized to call special meetings;

9 (5) To be recognized as the official head of the board of commissioners by the courts for
10 purposes of receiving civil process, by the Governor for purpose of the military law, and
11 for all ceremonial purposes;

12 (6) To assist as necessary the county administrator in preparing and organizing the
13 agenda for regular and special meetings;

14 (7) To represent the board of commissioners in matters not specifically assigned to the
15 county administrator involving the relationship of the county government with elected
16 county officers and in intergovernmental relations, particularly where questions of public
17 policy are at issue; and

18 (8) To perform such other duties as may be required by law or ordinances or resolutions
19 of the board of commissioners."

20 **SECTION 9.**

21 Said Act is further amended by adding a new section immediately following Section 13B,
22 to be designated Section 13C, to read as follows:

23 "SECTION 13C.

24 At the first regular meeting of the board of commissioners that is held in January following
25 each regular election of members of the board, the board shall elect one of its members to
26 serve as vice chairperson for such term as may be established by resolution or ordinance of
27 the board. When the vice chairperson serves in place of the chairperson, said officer may
28 exercise the powers of the chairperson, subject to any limitations provided by resolution or
29 ordinance of the board, but said officer shall not receive the compensation of the chairperson
30 while serving in the chairperson's place. The vice chairperson may serve as chairperson in
31 the absence of the chairperson as well as fill a vacancy in the office of chairperson in
32 accordance with the provisions of this Act."

1 Plan Name: candlerccwk1 Plan Type: Local User: Gina Administrator: Candler

2 Redistricting Plan Components Report

3 District 001

4 Candler County

5 Tract: 9501

6 BG: 1

7 1099 1100 1101 1102 1103 1104 1111 1112 1113 1114 1116 1117

8 1126 1127 1128 1129 1999

9 BG: 3

10 Tract: 9503

11 BG: 1

12 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

13 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

14 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035

15 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047

16 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059

17 1060 1061 1062 1068 1071 1080 1085 1088 1992 1993 1994 1997

18 1998 1999

19 District 002

20 Candler County

21 Tract: 9502

22 BG: 2

23 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

24 2012 2013 2014 2015 2025 2026 2027 2032 2033 2035 2036 2068

25 2069 2070 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083

26 2084 2085 2086 2087 2088 2089 2094 2095 2096 2097 2098 2099

27 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111

28 2112 2113 2114 2115 2116 2993 2994

29 BG: 4

30 4000 4001 4002 4016 4017 4018 4019 4039 4040

31 Tract: 9503

32 BG: 1

33 1063 1064 1065 1066 1067 1069 1070 1072 1073 1074 1075 1076

34 1077 1078 1079 1081 1082 1083 1084 1086 1087 1089 1090 1091

1 1995 1996

2 BG: 2

3 District 003

4 Candler County

5 Tract: 9501

6 BG: 2

7 2044 2045 2046 2047 2056 2057 2058 2059 2060 2061 2062 2063

8 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075

9 2076

10 Tract: 9502

11 BG: 1

12 1000 1001 1002 1003 1004 1006 1007 1008 1009 1010 1011 1012

13 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

14 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036

15 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048

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17 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072

18 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084

19 1085 1086 1998 1999

20 BG: 2

21 2016 2017 2018 2019 2020 2021 2022 2023 2024 2028 2029 2030

22 2031 2034 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046

23 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058

24 2059 2060 2061 2062 2063 2064 2065 2066 2067 2071 2072 2073

25 2090 2091 2092 2093 2995 2996 2997 2998 2999

26 BG: 4

27 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014

28 4015 4020 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030

29 4031 4032 4033 4034 4035 4036 4037 4038

30 District 004

31 Candler County

32 Tract: 9501

33 BG: 1

34 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

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9 BG: 2
10 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
11 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
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14 2052 2053 2054 2055 2077 2078 2998 2999
15 Tract: 9502
16 BG: 1
17 1005