

House Bill 464

By: Representatives Williams of the 83rd, Smith of the 19th and Stancil of the 16th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to
2 coordinated and comprehensive planning and service delivery, so as to provide for legislative
3 findings; to encourage political subdivisions to coordinate for the development of regional
4 sources of drinking water and waste-water treatment facilities; to provide for loans for such
5 projects; to provide that the director of the Environmental Protection Division of the
6 Department of Natural Resources and the Georgia Environmental Facilities Authority shall
7 establish criteria for applying for eligibility for such loans; to amend Code Section 50-23-5
8 of the Official Code of Georgia Annotated, relating to the purpose, powers, and duties of the
9 Georgia Environmental Facilities Authority, so as to provide that such authority shall
10 cooperate in making loans to local governmental agencies to finance projects related to the
11 development of such regional projects; to provide an effective date; to repeal conflicting
12 laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to coordinated
16 and comprehensive planning and service delivery, is amended by inserting at the end thereof
17 the following:

18 "ARTICLE 3

19
20 36-70-40.

21 It is the intent of the General Assembly to encourage the political subdivisions of the state
22 to join with other political subdivisions within a geographical region in planning for the
23 provision of water and waste-water treatment services to the citizens of the region. The
24 General Assembly finds that, given sufficient financial assistance, the local governing
25 authorities will freely coordinate to preserve the quality of life of their citizens more

1 efficiently than a state mandated master plan would do. Political subdivisions are
 2 encouraged to coordinate the development drinking water sources, including reservoirs,
 3 wells, and water treatment systems, as well as waste-water treatment facilities which serve
 4 three or more political subdivisions. Such cooperative projects may be in the form of
 5 jointly funded projects or intergovernmental contacts pursuant to which one political
 6 subdivision develops the project for the purpose of providing such services to its citizens
 7 and to the citizens of other political subdivisions.

8
 9 36-70-41.

10 Political subdivisions which intend to implement a joint project of the nature described in
 11 Code Section 36-70-40 may apply to the Georgia Environmental Facilities Authority for
 12 low-interest loans to facilitate such projects. Such application shall contain sufficient
 13 documentation to show that the agreement, in whatever form, will have the effect of
 14 supplying the required services to the citizens of at least three political subdivisions.

15 36-70-42.

16 The director of the Environmental Protection Division of the Department of Natural
 17 Resources shall coordinate with the Georgia Environmental Facilities Authority to adopt
 18 criteria for eligibility to receive and procedures for making loans to local governments to
 19 finance projects consistent with the implementation of this article. Such criteria shall be
 20 completed not later than December 31, 2001, and the director shall distribute copies of such
 21 criteria to each political subdivision in the state as soon thereafter as is practicable."

22 **SECTION 2.**

23 Code Section 50-23-5 of the Official Code of Georgia Annotated, relating to the purpose,
 24 powers, and duties of the Georgia Environmental Facilities Authority, is amended by striking
 25 the word "and" at the end of paragraph (30) of subsection (b), by striking the symbol "." at
 26 the end of paragraph (31) of said subsection and inserting in lieu thereof the symbol and
 27 word "; and", and by inserting at the end of said subsection the following:

28 "(32) To cooperate with the director of the Environmental Protection Division of the
 29 Department of Natural Resources in adopting criteria and procedures for making loans
 30 to local governments to finance projects consistent with the implementation of regional
 31 water projects as provided by Article 3 of Chapter 70 of Title 36 and to make such loans
 32 available to local governmental entities."

1 **SECTION 3.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 4.**

5 All laws and parts of laws in conflict with this Act are repealed.