

House Bill 596

By: Representative Parham of the 94th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 6 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia
2 Annotated, relating to the Oconee River Greenway Authority, so as to change certain
3 provisions relating to definitions; to change certain provisions relating to creation,
4 membership, compensation, qualifications, accountabilities, and assignment of the authority;
5 to change certain provisions relating to the purpose and nature of the authority; to change
6 certain provisions relating to general powers of the authority; to repeal conflicting laws; and
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 6 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
11 relating to the Oconee River Greenway Authority, is amended by striking paragraphs (4) and
12 (5) of Code Section 12-3-401, relating to definitions, and inserting in lieu thereof the
13 following:

14 ~~"(4) ' Greenspace ' has the meaning provided by paragraph (3) of Code Section 36-22-2.~~
15 ~~(5) ' Project ' means greenspace real property which borders, or is contiguous to~~
16 ~~greenspace real property which borders, the Oconee River or any impounded waters~~
17 ~~thereof in any county or counties within the geographic jurisdiction of the authority and~~
18 ~~improvements thereto of every kind and character deemed by the authority necessary or~~
19 ~~convenient for its corporate purpose."~~

20 **SECTION 2.**

21 Said part is further amended by striking subsection (b) of Code Section 12-3-402, relating
22 to creation, membership, compensation, qualifications, accountabilities, and assignment of
23 the authority, and inserting in lieu thereof the following:

24 "(b) The authority shall consist of the commissioner of natural resources or the designee
25 thereof, the director of the State Forestry Commission or the designee thereof, the mayor

1 of Milledgeville, the president of Georgia Military College, ~~and~~ the chairperson of the
 2 governing authority of each county which is in the geographic jurisdiction of the authority
 3 or the designee thereof, and two residents of each county which is in the geographic
 4 jurisdiction of the authority who have training or experience in biology, botany, or
 5 environmental science and who shall be appointed by the chairperson of the governing
 6 authority of such county."

7 SECTION 3.

8 Said part is further amended by striking Code Section 12-3-403, relating to purpose and
 9 nature of the authority, and inserting in lieu thereof the following:

10 "12-3-403.

11 The corporate purpose and the general nature of the business of the authority shall be the
 12 acquisition or establishment of projects; ~~their maintenance and protection; and, to the~~
 13 ~~extent~~ consistent with but not limited to one or more of the goals specified in paragraph (3)
 14 of Code Section 36-22-2; their maintenance and protection; and their development or
 15 restoration. The authority's purpose also shall be to engage in such other activities as it
 16 deems appropriate to promote use of any project by means of promoting tourism and
 17 educational, entertainment, recreational, athletic, or other events within the state and to
 18 promote the use of the educational, historical, cultural, recreational, and natural resources
 19 of the state by persons using or visiting any project."

20 SECTION 4.

21 Said part is further amended by striking paragraph (5) of Code Section 12-3-404, relating to
 22 general powers of the authority, and inserting in lieu thereof the following:

23 "(5) To plan, survey, subdivide, administer, construct, erect, acquire, own, repair,
 24 remodel, maintain, add to, extend, improve, equip, operate to ensure maximum use of,
 25 and manage projects as defined in this part, such projects to be located on property owned
 26 or leased by the authority or the State of Georgia or under the control and management
 27 of the authority and to engage in such other activities as it deems appropriate to promote
 28 use of any project by means of promoting tourism and educational, entertainment,
 29 recreational, athletic, or other events within the state and to promote the use of the
 30 educational, historical, cultural, recreational, and natural resources of the state by persons
 31 using or visiting any project. The cost of any such project shall be paid from its income,
 32 from the proceeds of revenue anticipation certificates of the authority, or from such
 33 proceeds and any loan, gift, or grant from the United States of America or any agency or
 34 instrumentality thereof, or the State of Georgia, or any county, municipal corporation,
 35 authority, or local government or governing body;"

1 **SECTION 5.**

2 Said part is further amended in Code Section 12-3-404, relating to general powers of the
3 authority, by inserting a new paragraph to read as follows:

4 "(8.1) To organize a nonprofit corporation the purpose of which is to benefit and assist
5 the authority in fulfilling the corporate purpose of the authority, pursuant to the
6 provisions of Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code';".

7 **SECTION 6.**

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