

Senate Bill 186

By: Senator Whitehead, Sr. of the 24th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 15 of Title 20 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Medical Center Authority, so as to change certain provisions relating to  
3 establishment of the authority, appointment of members, terms of office, vacancies, removal  
4 from office, compensation, authority's existence, and accountability of members; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 15 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia  
9 Medical Center Authority, is amended by striking Code Section 20-15-3, relating to  
10 establishment of the authority, appointment of members, terms of office, vacancies, removal  
11 from office, compensation, authority's existence, and accountability of members, and  
12 inserting in lieu thereof the following:

13 "20-15-3.

14 (a) There is created a body corporate and politic to be known as the Georgia Medical  
15 Center Authority which shall be deemed to be an instrumentality of the State of Georgia  
16 and a public corporation; and by that name, style, and title such body may contract and be  
17 contracted with, sue and be sued, implead and be impleaded, and complain and defend in  
18 all courts of this state.

19 (b) The authority shall consist of 15 members. ~~Eleven members shall be appointed by~~  
20 ~~the Governor for staggered initial terms of office as follows: four members for two years,~~  
21 ~~and seven members for three years. Two members shall be appointed by the Speaker of the~~  
22 ~~House of Representatives to serve initial terms of office of two years and two members~~  
23 ~~shall be appointed by the President of the Senate to serve initial terms of office of two~~  
24 ~~years.~~

1 (1) Those persons appointed to the authority prior to July 1, 2005, and serving for terms  
 2 to expire in June, 2006, shall continue to serve for the remainder of the terms to which  
 3 they were appointed;

4 (2)(A) In 2005 and quadrennially thereafter, the Governor shall appoint two members.

5 (B) In 2006 and quadrennially thereafter, the Governor shall appoint three members;

6 (3) In 2005 and quadrennially thereafter, the Senate Committee on Assignments shall  
 7 appoint one member; and

8 (4) In 2006 and quadrennially thereafter, the Speaker of the House of Representatives  
 9 shall appoint one member.

10 ~~After their initial terms of office, members~~ Except as otherwise provided by paragraph (1)  
 11 of this subsection, members shall serve for terms of office of four years each. Members  
 12 ~~shall serve for the terms of office specified and until the appointment and qualification of~~  
 13 ~~their respective successors. No person may be appointed as a member of the authority~~  
 14 ~~unless that person has been a resident of this state for at least two years and is at least 21~~  
 15 ~~years of age. Any elected or appointed state, county, municipal, or school board official or~~  
 16 ~~employee, except members of the board of regents and officials and employees of the~~  
 17 ~~legislative or judicial branches of state government, are authorized to be appointed as~~  
 18 ~~members of the authority, and any person so appointed is authorized to serve as a member~~  
 19 ~~of the authority.~~

20 (c) All successors shall be appointed in the same manner as original appointments.  
 21 Members may be eligible for reappointment. Vacancies in office shall be filled in the same  
 22 manner as original appointments. An appointment to fill a vacancy shall be for the  
 23 unexpired term. The authority shall elect its own officers. A majority of the membership  
 24 of the authority ~~constitutes~~ shall constitute a quorum. No action shall be taken by the  
 25 authority except in the presence of a quorum and upon approval of a majority of those  
 26 members present. No vacancy on the authority shall impair the right of the quorum to  
 27 exercise all rights and perform all duties of the authority. The authority shall otherwise  
 28 provide for its own organization and conduct of business according to *Robert's Rules of*  
 29 *Order.*

30 (d) The Governor, after notice and opportunity for hearing, may remove from office any  
 31 member of the authority for any of the following reasons:

32 (1) Inability or neglect to perform the duties required of members;

33 (2) Failure to attend, without prior approval of the chairperson of the authority, four  
 34 consecutive regularly scheduled meetings of the authority;

35 (3) Incompetence; or

36 (4) Dishonest conduct.

1 (e) The members of the authority shall receive a daily expense allowance and  
2 reimbursement for transportation costs as provided for in Code Section 45-7-21; and the  
3 members of the authority shall not receive any other compensation for their services as  
4 such.

5 (f) The authority shall have perpetual existence. Any change in name or composition of  
6 the authority shall in no way affect the vested rights of any person under this chapter or  
7 impair the obligations of any contracts existing under this chapter.

8 (g) The members of the authority shall be accountable in all respects as trustees. The  
9 authority shall keep suitable and proper books and records of all receipts, income, and  
10 expenditures of every kind and shall submit for inspection all the books, together with the  
11 proper statement of the authority's financial position, to the state auditor.

12 (h) The authority is assigned to the Department of Community Affairs for administrative  
13 purposes only."

14

## **SECTION 2.**

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