

House Bill 1298

By: Representative Hanner of the 148<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To create and establish the Preston-Weston-Webster County Charter and Unification  
2 Commission; to provide for a short title; to provide for definitions; to provide for the  
3 appointment of the members of said commission; to provide for the organizational meeting  
4 of the charter and unification commission and for the election of a chairperson; to provide  
5 for the powers and duties of said commission; to provide that the charter and unification  
6 commission shall be authorized to employ a staff to assist it in carrying out its powers and  
7 duties; to provide for the expenses of the charter and unification commission and for the  
8 payment of those expenses by the governing authorities of the City of Preston, the City of  
9 Weston, and the County of Webster; to provide that said commission shall be authorized to  
10 study all matters relating to the governments of the County of Webster, the City of Preston,  
11 and the City of Weston and all matters relating to the establishment of a single county-wide  
12 government with powers and jurisdiction throughout the territorial limits of Webster County;  
13 to provide for the submission of such proposed county-wide government charter to the  
14 qualified voters for approval or rejection; to provide for the conduct of such election and for  
15 the certification of the results thereof; to provide for all procedures and other matters  
16 connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for  
17 other purposes.

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

19 **SECTION 1.**

20 This Act shall be known and may be cited as the "Preston-Weston-Webster County Charter  
21 and Unification Commission Act" and is enacted pursuant to the authority granted by Article  
22 IX, Section III, Paragraph II of the Constitution of the State of Georgia.

23 **SECTION 2.**

24 As used in this Act, the following terms shall have the meanings ascribed to them unless the  
25 context clearly requires otherwise:

1 (1) "Charter and unification commission" or "commission" shall mean the  
2 Preston-Weston-Webster County Charter and Unification Commission provided for in  
3 this Act.

4 (2) "Governing authority of the City of Preston" shall mean the mayor and city council  
5 of the City of Preston, a municipal corporation of the State of Georgia.

6 (3) "Governing authority of the City of Weston" shall mean the mayor and city council  
7 of the City of Weston, a municipal corporation of the State of Georgia.

8 (4) "Governing authority of the County of Webster" shall mean the Board of  
9 Commissioners of Webster County, a political subdivision of the State of Georgia.

### 10 SECTION 3.

11 (a) There is created the Preston-Weston-Webster County Charter and Unification  
12 Commission, which shall consist of nine members to be appointed within 30 days of the  
13 effective date of this Act as provided in this section.

14 (b) The governing authority of the City of Preston shall appoint two members to the charter  
15 and unification commission who shall be citizens of the City of Preston at the time of such  
16 appointment and for the duration of their respective terms as members of such commission.

17 (c) The governing authority of the City of Weston shall appoint one member to the charter  
18 and unification commission who shall be a citizen of the City of Weston at the time of such  
19 appointment and for the duration of his or her term as a member of such commission.

20 (d) The governing authority of the County of Webster shall appoint four members to the  
21 charter and unification commission who shall be citizens of unincorporated Webster County  
22 at the time of such appointment and for the duration of their respective terms as members of  
23 such commission.

24 (e) The seven members of the charter and unification commission provided for in  
25 subsections (b), (c), and (d) of this section shall jointly appoint two members to the Charter  
26 unification commission who shall be citizens of Webster County at the time of such  
27 appointment and for the duration of their entire terms as members of such commission.

28 (f) If a governing authority or the commission refuses or fails to appoint a member of the  
29 commission as required by this section, the senior superior court judge of the Southwestern  
30 Judicial Circuit shall make such appointment within ten days following the expiration of the  
31 30 day period allowed for appointments provided for in subsection (a) of this section.

32 (g) No member of the charter and unification commission shall hold any other elective  
33 public office.

34 (h) To be eligible for appointment as a member of the charter and unification commission,  
35 a person must be at least 21 years of age and shall have been a resident of the State of

1 Georgia for a period of at least five years and registered as an elector to vote in Webster  
2 County for a period of at least two years prior to his or her appointment.

3 (i) If a member of the charter and unification commission should die, become disabled,  
4 remove his or her residence and place of domicile to a place outside the territorial limits of  
5 the appointing jurisdiction, resign, or become unable or decline to serve for any reason  
6 whatever as a member of the charter and unification commission, said commission shall  
7 declare a vacancy in his or her office as a member of such commission and within 15 days  
8 thereafter the governing authority that appointed that member or the commission, if the  
9 member was appointed by the commission, shall appoint a successor promptly to fill such  
10 vacancy.

11 (j) A certificate of appointment shall be issued by the appointing entity of each member of  
12 the charter and unification commission and filed in the office of the Probate Court of  
13 Webster County with a duplicate original of such certificate being transmitted to, and filed  
14 with, the chairperson or the secretary of the charter and unification commission.

15 (k) A majority of the members of the charter and unification commission shall constitute a  
16 quorum for the transaction of business. Such quorum shall not be applicable with respect to  
17 any committees or subcommittees which, at the discretion of the charter and unification  
18 commission, may be appointed. A majority of the members of each such committee or  
19 subcommittee shall constitute a quorum for the conduct of its business.

20 (l) The charter and unification commission may appoint advisory committees or  
21 subcommittees from among the general populace to advise it with respect to its work;  
22 provided, however, that the charter and unification commission may not delegate any of the  
23 duties, powers, or obligations imposed upon the commission and granted to it by this Act to  
24 any such advisory committee or subcommittee. Any such advisory committee or  
25 subcommittee so appointed shall serve at the discretion of the commission and shall serve  
26 subject to such terms, conditions, and charges as may be imposed upon it by the commission.

27 (m) All persons who shall, from time to time, serve as members of the charter and  
28 unification commission or its committees or subcommittees and all agents, employees, and  
29 staff appointed or hired by the charter and unification commission from time to time shall  
30 be afforded coverage and shall be included in the insured class, under the provision of such  
31 policies, riders, or other insurance contracts from time to time in force and held by the  
32 governing authority of the County of Webster, extending to members of such governing  
33 authority of the County of Webster, and what is commonly referred to as "public official's  
34 liability insurance coverage," to the same extent and as nearly as practicable with identical  
35 coverage and limits as afforded to the individual members of the governing authority of the  
36 County of Webster. Any and all additional premium amounts payable by the County of  
37 Webster due to the extension of such coverage to the members of the charter and unification

1 commission and its appointees, agents, employees, and staff shall be paid, when due and  
2 payable, one-third by the County of Webster, one-third by the City of Preston, and one-third  
3 by the City of Weston, which payments shall be made in addition to all other amounts  
4 otherwise payable under the provisions of this Act.

5 (n) The governing authority of the County of Webster, the governing authority of the City  
6 of Preston, the governing authority of the City of Weston, and the governing authority of any  
7 county-wide government created under a charter adopted pursuant to this Act are authorized  
8 and directed to expend funds for fees, costs, and expenses incurred in providing for the  
9 defense of the members of the charter and unification commission arising out of their activity  
10 as members of such commission and in providing for the defense of any proposed charter  
11 submitted by the commission, whether prior to the referendum thereon or after the  
12 referendum thereon is conducted.

#### 13 **SECTION 4.**

14 (a) The charter and unification commission shall hold an organizational meeting not less  
15 than 30 days nor more than 45 days after the date this Act becomes effective. Any three or  
16 more members of the charter and unification commission, composed of at least one member  
17 appointed by the governing authority of the City of Preston, one member appointed by the  
18 governing authority of the City of Weston, and one member appointed by the governing  
19 authority of the County of Webster, shall call such organizational meeting. The call of such  
20 organizational meeting shall designate the time, date, and place that such organizational  
21 meeting shall be held.

22 (b) The first order of business at the organizational meeting shall be the designation, by the  
23 majority vote of those members present, of a temporary chairperson to preside until a  
24 permanent chairperson is elected. The second order of business at the organizational meeting  
25 shall be the election of a permanent chairperson, who shall be elected by the majority vote  
26 of all members of the charter and unification commission.

27 (c) The charter and unification commission shall be authorized to elect a secretary, who need  
28 not be a member of the commission, and such other officers from the membership of the  
29 charter and unification commission as it shall deem necessary. The charter and unification  
30 commission shall be further authorized to employ such staff as may be required to assist it  
31 in studying all matters relating to the governments of the City of Preston, the City of Weston,  
32 and the County of Webster and in drafting a charter. The charter and unification commission  
33 shall not employ any person who holds any elective public office.

34 (d) The members of the charter and unification commission shall not receive per diem or  
35 other compensation for their services, but the members shall be reimbursed for actual  
36 expenses incurred by them in carrying out their duties. The staff employed by the

1 commission shall be paid compensation as determined by the commission within the limits  
2 of funds available to it. The governing authority of the City of Preston, the governing  
3 authority of the City of Weston, and the governing authority of the County of Webster are  
4 authorized to expend public funds in carrying out the provisions of this Act and shall share  
5 equally the expense thereof. The governing authority of the City of Preston, the governing  
6 authority of the City of Weston, and the governing authority of the County of Webster shall  
7 initially appropriate up to \$5,000.00 for the charter and unification commission and the  
8 treasurer or other fiscal authority of each of those governing authorities shall honor, from  
9 time to time, vouchers or warrants signed by the chairperson of the charter and unification  
10 commission for amounts up to an aggregate total of such amount. The governing authorities  
11 shall appropriate such additional funds in equal amounts as may be necessary to meet the  
12 expenses of the charter and unification commission, provided that such additional  
13 expenditures shall be first approved by each of the governing authorities.

14 (e) The charter and unification commission is also authorized to solicit, receive, and expend  
15 contributions, grants, gifts, and other funds from other sources to be utilized by it in the  
16 conduct of its business.

17 (f) All public officials and employees of the City of Preston, the City of Weston, and the  
18 County of Webster upon request shall furnish the charter and unification commission with  
19 all documents, books, records, data, and information necessary or appropriate in the opinion  
20 of the charter and unification commission for it to carry out its duties, except for information  
21 that is confidential or privileged by law; shall furnish such other assistance and aid to the  
22 commission as it shall request; and shall appear and give testimony, at the request of the  
23 commission, before the commission or before any of its committees, subcommittees, or  
24 advisory committees.

25

#### **SECTION 5.**

26 The commission shall be authorized to study all matters relating to the governments of the  
27 City of Preston, the City of Weston, and the County of Webster and all matters relating to  
28 the establishment of a single county-wide government with powers and jurisdiction  
29 throughout the territorial limits of Webster County. The commission shall upon completion  
30 of its study issue a written report of its findings, conclusions, and recommendations. If, after  
31 conducting such study, the charter and unification commission shall deem it to be in the best  
32 interests of the governments proposed to be affected, the commission shall draft a proposed  
33 charter creating a single county-wide government, and if such charter is approved by the  
34 voters under the provisions of this Act, then the newly created county-wide government shall  
35 supersede and replace the existing governments of the City of Preston, the City of Weston,  
36 and the County of Webster and may also supersede and replace any public authorities and

1 special service districts located and operating within Webster County. If the charter and  
 2 unification commission does not deem it to be in the best interests of the governments  
 3 proposed to be affected to recommend the establishment of a single county-wide government  
 4 but concludes from its study that it is feasible to consolidate specific governmental services,  
 5 programs, and activities, then the commission may issue such findings, conclusions, and  
 6 recommendations in writing together with reasons why such recommendations will make  
 7 government operations more efficient.

8 **SECTION 6.**

9 (a) The charter so drafted shall be submitted to the qualified voters of Webster County for  
 10 approval or rejection of the referendum provided for in Section 10 of this Act.

11 (b) The General Assembly delegates its powers to the charter and unification commission  
 12 to draft such a charter which may include any provisions necessary to effectuate its purposes.  
 13 Without limiting the generality of the foregoing, the proposed charter may provide for any  
 14 one or more of the items listed below. Where it is indicated that an item shall be included,  
 15 the inclusion of that particular item shall be mandatory:

16 (1) The charter shall provide for the abolishment of the existing governments of the City  
 17 of Preston, the City of Weston, and the County of Webster and for the creation of a new  
 18 single government which may have all powers formerly exercised by the City of Preston,  
 19 the City of Weston, and the County of Webster and such other powers as may be  
 20 necessary or desirable. The new single government may be given, and may have, such  
 21 rights, privileges, exemptions, preferences, discretions, immunities, powers, duties, and  
 22 liabilities as are now or hereafter granted to, or vested in, municipalities or counties or  
 23 both by the Constitution and laws of the State of Georgia. The form and composition of  
 24 the new government shall be as the charter shall provide;

25 (2) The charter may authorize the new government to continue to be eligible to have,  
 26 hold, enjoy, and be entitled to any assistance, credits, benefits, moneys, grants,  
 27 grants-in-aid, funds, loans, aid, appropriations, and matching funds to the same extent  
 28 that any municipality or county of the State of Georgia now or may hereafter enjoy or  
 29 possess under the Constitution and laws of the State of Georgia or by other provisions of  
 30 law or under any present or future state or federal programs;

31 (3) The charter may provide for the abolishment, modification, consolidation, or merger  
 32 of any court unless otherwise prohibited by the Constitution or general law;

33 (4) The charter may provide for the abolishment, modification, consolidation, or merger  
 34 of any public authorities and special service districts located within Webster County  
 35 created by law and for the transfer of any powers, duties, and obligations of such  
 36 authorities and districts to the new county-wide government or to any agency thereof or

1 from one such authority or special service district to another in such manner as the charter  
2 shall provide unless otherwise prohibited by the Constitution or general law;

3 (5) The charter may provide for the abolishment, modification, consolidation, or merger  
4 of any one or more public offices or positions of public employment of any municipality  
5 merged in the county-wide government and the County of Webster and any public  
6 authorities or special service districts located or operating within Webster County unless  
7 otherwise prohibited by the Constitution or general law. The charter may provide for  
8 administrative division or changes with reference to the duties and responsibilities of any  
9 public office or official as the charter and unification commission shall deem necessary  
10 for the efficient functioning of the new county-wide government;

11 (6) The charter shall provide for the creation of the governing authority of the new  
12 county-wide government, including the number of members of the governing authority,  
13 their powers, duties, terms of office, manner, and time of election or appointment,  
14 compensation, method of removal, and all other matters incidental or necessary to the  
15 creation of the county-wide governing authority. The charter shall provide for the name  
16 or names of the new county-wide government and governing authority;

17 (7) The charter may provide for the creation of the various departments, boards, bureaus,  
18 offices, commissions, and positions of public employment of the new county-wide  
19 government and for any matters necessary or incidental thereto;

20 (8) The charter shall provide for the creation of special tax districts consisting of the  
21 territory lying within the former boundaries of the affected governments for the purpose  
22 of the successor county-wide government levying a tax therein sufficient to retire any  
23 bonded indebtedness of such governments which is outstanding on the effective date of  
24 the abolishment of such government;

25 (9) The charter may provide for the assumption by the new government of all bonded  
26 indebtedness and all other obligations of whatever kind of all governmental units, public  
27 authorities, and special service districts which are altered by the charter and a method by  
28 which the new county-wide government shall assume the payment of any obligations  
29 issued under Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond  
30 Law," or other similar legislation;

31 (10) The charter may provide for the transfer to the new county-wide government of  
32 assets, contracts, and franchises of all governmental units and any public authorities and  
33 special service districts which are merged with the new county-wide government or are  
34 altered by the charter;

35 (11) The charter may provide the purposes for which the new county-wide government  
36 or governing authority or any agency thereof may levy taxes;

1 (12) The charter shall provide for the method or methods by which it may be amended.  
2 The General Assembly expressly reserves the right to amend any charter adopted  
3 pursuant to this Act. The charter may provide for an additional method or methods by  
4 which the charter may be amended and shall provide for any amendments adopted by any  
5 such other method or methods to be filed with the Secretary of State so that they may be  
6 published in the *Georgia Laws*;

7 (13) The charter shall provide for the repeal of conflicting laws; and

8 (14) The charter may contain such other provisions as are necessary and needful to  
9 achieve the objectives of consolidation of the governments and functions of the City of  
10 Preston, the City of Weston, and the County of Webster and the creation of a successor  
11 government.

12 (c) The following additional provisions shall govern proceedings of the charter and  
13 unification commission and any successor county-wide government created by a charter  
14 drafted by the commission:

15 (1) The charter and unification commission is authorized to contract with any public or  
16 private institution or body, including the Carl Vinson Institute of Government, for any  
17 special studies or assistance it deems necessary, subject to the limitation that any  
18 expenditure therefor shall be within the limits of the funds made available to the  
19 commission by the respective governing authorities; and

20 (2) Any successor government created and established shall, without the necessity or  
21 formality of deed, bill of sale, or other instrument of transfer, be and become the owner  
22 of all property, assets, and rights previously belonging to the City of Preston, the City of  
23 Weston, and the County of Webster and any other authorities or special service districts  
24 merged into the new government.

25 (d) The charter and unification commission shall have all the powers of the superior courts  
26 to compel the attendance of witnesses before the commission and any of its committees,  
27 subcommittees, or advisory committees; to compel witnesses to testify thereat; and to  
28 subpoena any person or entity and all such books, records, data, papers, documents, and other  
29 tangible items which may be deemed by the commission to be material to any question or  
30 issue deemed by it to be relevant to the duties or prerogatives imposed upon or granted to the  
31 commission by this Act. Such subpoenas shall be issued in the name of the commission,  
32 shall be signed by either the chairperson or the secretary of the commission, and shall be  
33 served in the manner provided by law for the service of subpoenas in civil cases pending in  
34 the superior courts. Witnesses subject to such subpoenas shall be entitled to the same  
35 compensation as witnesses attending superior court, which compensation shall be collected  
36 in the same manner as that of witnesses in the superior courts except that such compensation  
37 shall be paid from funds of the commission. Should any such subpoenaed person or witness

1 fail or refuse to answer questions propounded or fail or refuse to produce any books, records,  
 2 data, papers, documents, or other tangible items required to be produced by the commission,  
 3 except upon a legal excuse which would relieve such person of such obligation in a civil case  
 4 pending in the superior court, the person so failing or refusing shall be guilty of contempt and  
 5 may be cited by the commission to appear before a judge of the Southwestern Judicial  
 6 Circuit. The judge of such court shall have the same power and jurisdiction to punish the  
 7 person cited for contempt and to require and compel the attendance, the giving of testimony,  
 8 or the production of items as in cases of contempt committed in the presence of the court and  
 9 as in cases pending before the court.

10 (e) Notwithstanding any other provisions of this Act, the charter and unification commission  
 11 and the charter proposed by the commission and subsequently adopted may not:

12 (1) Alter or affect the status of the Webster County School System or the Webster  
 13 County Board of Education or any provision of the Constitution or laws of the State of  
 14 Georgia by which the Webster County School System is constituted, empowered, or  
 15 preserved or to transfer any of its powers, duties, or obligations;

16 (2) Impair or diminish any pension or retirement rights; or

17 (3) Abolish the office of sheriff, clerk of court, or tax commissioner.

18 (f) None of the foregoing limitations shall be construed as prohibiting the General Assembly  
 19 from exercising any legislative power with respect to any municipality electing to be  
 20 excluded as provided in this Act or the school district, board of education, industrial  
 21 development authority, office of sheriff, clerk of superior court, or tax commissioner, pension  
 22 rights, and homestead exemptions which existed prior to the adoption of this Act.

23 (g) The powers granted in this Act to the charter and unification commission by the General  
 24 Assembly are remedial in nature and shall be liberally construed to effectuate their purpose.

25 **SECTION 7.**

26 (a) The charter and unification commission shall be required to hold at least two public  
 27 hearings to determine the sentiment of the citizens of the City of Preston, the City of Weston,  
 28 and the County of Webster regarding the work of the charter and unification commission.  
 29 The first public hearing shall be held within 30 days of the issuance of the commission's final  
 30 written report on the feasibility of establishing a single county-wide government within  
 31 Webster County, and a second public hearing shall be held within 15 days of the submission  
 32 of any proposed charter for such consolidated government to the Webster County Board of  
 33 Elections. The charter and unification commission is authorized to hold more than two  
 34 public hearings if it determines that additional public hearings are desirable. The charter and  
 35 unification commission shall cause the date, time, and place of each such hearing to be  
 36 advertised in the official organ of Webster County twice during the week next preceding the

1 week in which the public hearing is held. The charter and unification commission shall cause  
2 to be made a transcript of each public hearing held and shall file the same in its minutes and  
3 records.

4 (b) Following issuance of the commission's final written report, the governing authorities  
5 of the City of Preston, the City of Weston, and the County of Webster shall each hold and  
6 conduct a public hearing to determine the sentiments of their citizens regarding the work of  
7 the charter and unification commission. Notice of such hearings shall be advertised in the  
8 same manner as required for hearings held by the charter and unification commission.  
9 Representatives of the charter and unification commission shall be invited to present the final  
10 report to such governing authorities.

11

### SECTION 8.

12 (a) The charter and unification commission shall complete its studies and shall prepare,  
13 complete, and file any proposed charter no later than August 31, 2008; provided, however,  
14 that the above-described time period may be extended for such additional periods of time as  
15 may be authorized by resolutions duly adopted by the governing authority of the City of  
16 Preston, the governing authority of the City of Weston, and the governing authority of the  
17 County of Webster and may also be extended by an Act of the General Assembly and shall  
18 be automatically extended for a period of time equal to the period of time that any proposed  
19 charter shall be under consideration by the United States Department of Justice or by any  
20 courts.

21 (b) Certified copies of the charter shall be filed by the charter and unification commission  
22 with the clerks or secretaries of the governing authorities of the City of Preston, the City of  
23 Weston, and the County of Webster and shall be authenticated by the signature of the  
24 chairperson of the charter and unification commission. Such copies shall be public records  
25 and shall be available for inspection or examination by any interested person.

26 (c) The charter and unification commission shall also make available a copy of the charter  
27 to every daily or weekly newspaper published in Webster County and to each radio or  
28 television station operating within the county. The commission shall take such other steps,  
29 within the limitation of its available funds, as it deems reasonable and appropriate to inform  
30 the public throughout the county of the contents of the proposed charter. The charter and  
31 unification commission shall also cause a summary of the proposed charter to be printed in  
32 pamphlets or booklets and made available for general distribution throughout the county.

33 (d) The charter and unification commission is authorized to adopt such rules and regulations  
34 as it deems necessary or desirable to carry out its powers and perform its duties and  
35 functions.

1 (e) Following the completion of the proposed charter by the charter and unification  
 2 commission and prior to the time of filing or submission thereof as provided in this Act, the  
 3 same shall be presented for review by the United States Department of Justice as may be  
 4 required by law. The failure of any proposed charter submitted by the charter and unification  
 5 commission to the Department of Justice to obtain preclearance by the Department of Justice  
 6 shall not prevent the charter and unification commission from revising said charter in a  
 7 manner so as to enable the proposed charter to meet Department of Justice objections with  
 8 respect thereof, and the charter and unification commission is empowered to redraft any such  
 9 proposed charter in such manner so as to meet requirements for the Department of Justice's  
 10 approval in the event that any initial proposed charter fails to obtain Department of Justice  
 11 approval.

### 12 **SECTION 9.**

13 (a) A certified copy of the proposed charter shall be submitted by the commission to the  
 14 election superintendent of Webster County, and it shall be the duty of such superintendent  
 15 to call and hold a referendum election for ratification or rejection of the proposed charter as  
 16 provided in Section 10 of this Act.

17 (b) The charter and unification commission shall be abolished by operation of law at  
 18 midnight of the day the results of the special referendum election on the proposed charter  
 19 become final and effective pursuant to the laws of the State of Georgia.

### 20 **SECTION 10.**

21 (a) As soon as practicable after receipt of the certified copy of the proposed charter and after  
 22 receipt of preclearance, or the usual notice of no current objections, by the United States  
 23 Department of Justice of such proposed charter, it shall be the duty of the election  
 24 superintendent of Webster County to call a special election for approval or rejection of the  
 25 proposed charter. The election superintendent shall set the date of the election for the earliest  
 26 date therefor permissible under general law after the filing of any proposed charter as  
 27 provided for in Section 8 of this Act. The election superintendent shall cause the date and  
 28 purpose of the election to be published once a week for two calendar weeks immediately  
 29 preceding the date thereof in the official organ of Webster County. The ballot shall have  
 30 written or printed thereon the following:

31 "( ) YES Shall the charter reorganizing and consolidating the governments of the City  
 32 of Preston, the City of Weston, and the County of Webster and creating a  
 33 ( ) NO single county-wide government to supersede and replace those governments  
 34 be approved?"

1 (b) All persons desiring to vote for approval of the charter shall vote "Yes," and those  
2 persons desiring to vote for rejection of the charter shall vote "No." The votes cast on such  
3 question by the qualified voters of Webster County residing within the corporate limits of the  
4 City of Preston, the votes cast on such question by the qualified voters of Webster County  
5 residing within the corporate limits of the City of Weston, and the votes cast on such  
6 question by the qualified voters of Webster County shall be counted separately. If more than  
7 one-half of the votes cast by the qualified voters of Webster County residing within the  
8 corporate limits of the City of Preston are for approval of the charter, if more than one-half  
9 of the votes cast by the qualified voters of Webster County residing within the corporate  
10 limits of the City of Weston are for approval of the charter, and if more than one-half of the  
11 total votes cast by the qualified voters residing within both the incorporated and  
12 unincorporated areas of Webster County are for approval of the charter, then the charter shall  
13 become effective. Otherwise, it shall be void and of no force and effect. The expense of  
14 such election shall be borne equally by the City of Preston, the City of Weston, and the  
15 County of Webster.

16 (c) The special election shall be conducted pursuant to Chapter 2 of Title 21 of the  
17 O.C.G.A., the "Georgia Election Code," except to the extent specifically provided otherwise  
18 by this Act.

19 (d) A qualified voter, as used in this Act, shall mean a voter of Webster County qualified to  
20 vote for members of the General Assembly of Georgia. The election superintendent shall  
21 certify the returns to the Secretary of State. The election superintendent shall also furnish  
22 a certified copy of the charter to the Secretary of State. The Secretary of State shall issue his  
23 or her proclamation showing and declaring the result of the election on the approval or  
24 rejection of the charter. One copy of the proclamation shall be attached to the copy of the  
25 charter certified to the Secretary of State. One copy of the proclamation shall be delivered  
26 to the secretary or clerk of the governing authority of the City of Preston, who shall attach  
27 the same to the copy of the charter previously certified to him or her. One copy of the  
28 proclamation shall be delivered to the secretary or clerk of the governing authority of the  
29 City of Weston, who shall attach the same to the copy of the charter previously certified to  
30 him or her. One copy of the proclamation shall be delivered to the clerk of the governing  
31 authority of the County of Webster, who shall attach the same to the copy of the charter  
32 previously certified to him or her.

33 (e) Whenever a charter for the consolidation of the governments of the City of Preston, the  
34 City of Weston, and the County of Webster has been adopted, the above-certified copies  
35 thereof, with the proclamation of the Secretary of State of Georgia attached thereto, shall be  
36 deemed duplicate original copies of the charter of the consolidated government for all  
37 purposes. The certified copy of the charter and proclamation deposited with the secretary

1 or clerk of the governing authority of the City of Preston, the certified copy of the charter and  
2 proclamation deposited with the secretary or clerk of the governing authority of the City of  
3 Weston, and the certified copy of the charter and proclamation deposited with the clerk of  
4 the governing authority of the County of Webster shall subsequently be delivered by them  
5 to the successor government. The successor government may issue certified copies of the  
6 charter, and any copy so certified shall be deemed a duplicate original copy of the charter of  
7 the consolidated government for all purposes. The Secretary of State is authorized to issue  
8 certified copies of the charter on file with him or her, and copies so certified by him or her  
9 shall be deemed duplicate original copies of the charter of the consolidated government for  
10 all purposes.

11 **SECTION 11.**

12 In the event the proposed single county-wide government charter is approved by voters as  
13 provided in Section 10 of this Act, an election shall be held in accordance with the provisions  
14 of the charter to elect the members of the governing authority of the county-wide  
15 government. Upon the election of the members of the governing authority and their taking  
16 office as the governing authority of the county-wide government, the existing governments  
17 of the City of Preston, the City of Weston, and the County of Webster shall stand abolished,  
18 all in accordance with the provisions of the charter of the new county-wide government.

19 **SECTION 12.**

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

22 **SECTION 13.**

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