

House Bill 216

By: Representatives Williams of the 4th and Parsons of the 42nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated,
2 relating to the organization and members of the Public Service Commission, to change
3 certain provisions relating to the chairperson of the commission and his or her selection; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article 1 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to the
8 organization and members of the Public Service Commission, is amended by revising Code
9 Section 46-2-5, relating to the chairperson of the Public Service Commission and selection,
10 as follows:

11 "46-2-5.

12 (a) There shall be a ~~chairman~~ chairperson of the commission. The ~~chairman~~ chairperson
13 shall be selected on an annual basis and shall take office within 15 days after the first day
14 of January. ~~The initial chairman selected under this Code section shall take office within~~
15 ~~15 days after April 20, 1992, and shall serve for a term of office as chairman expiring~~
16 ~~January 1, 1993. Thereafter a new chairman shall take office within 15 days after the first~~
17 ~~day of January in 1993 and each subsequent year, and each such chairman shall serve for~~
18 ~~a one-year term of office as chairman.~~

19 (b) The ~~chairman~~ chairperson shall be selected by the members of the commission
20 according to the following rules; and for purposes of these rules, seniority on the
21 commission shall be determined according to the longest period of continuous unbroken
22 service:

23 (1) A member of the commission with less than one year of continuous unbroken service
24 on the commission shall not be eligible to take office as ~~chairman~~ chairperson;

25 (2) A member of the commission who has previously served as ~~chairman~~ chairperson
26 shall not be eligible to serve again as ~~chairman~~ chairperson until each other eligible

27 member (i.e., each other member with more than one year of continuous service on the
28 commission) has served as ~~chairman~~ chairperson or has deferred service as ~~chairman~~
29 chairperson;

30 (3) Subject to paragraphs (1) and (2) of this subsection, the most senior member of the
31 commission who is eligible to serve as ~~chairman~~ chairperson shall be selected to the
32 office of ~~chairman~~ chairperson; provided, however, that such member may elect to defer
33 service as ~~chairman~~ chairperson for a period of one year, at the conclusion of which year
34 such member shall resume his or her place at the head of the order of rotation for the
35 ~~chairmanship~~ chairpersonship; and

36 (4) If in any year the foregoing rules fail to provide for a ~~chairman~~ chairperson because
37 two or more members have equal seniority, then the member to serve as ~~chairman~~
38 chairperson shall be selected by lot.

39 (c) Anything in subsection (b) of this Code section to the contrary notwithstanding, the
40 members of the commission may by ~~unanimous~~ majority vote of the members select any
41 member as ~~chairman~~ chairperson for any given year for a term of office as ~~chairman~~
42 chairperson as specified in subsection (a) of this Code section.

43 (d) The ~~chairman~~ chairperson shall give his or her entire time to the duties of his or her
44 office."

45 **SECTION 2.**

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