

House Bill 560

By: Representatives Williams of the 4th, Dickson of the 6th, and Weldon of the 3rd

A BILL TO BE ENTITLED
AN ACT

1 To create and establish the Dalton-Whitfield County Charter and Consolidation Commission;
2 to provide for a short title; to provide for definitions; to provide for the appointment of the
3 members of said commission; to provide for the organizational meeting of the charter and
4 consolidation commission and for the election of officers; to provide for the powers and
5 duties of said commission; to provide for expenses of said commission and the payment
6 thereof; to provide that said commission shall be authorized to study all matters relating to
7 the governments of Whitfield County and the City of Dalton, with a view toward
8 consideration of the establishment of a single county-wide government with powers and
9 jurisdiction throughout the territorial limits of Whitfield County other than the municipalities
10 of Tunnel Hill, Varnell, and Cohutta; provide for the submission of such proposed
11 county-wide government charter to the qualified voters for approval or rejection; to provide
12 for the conduct of such election and for the certification of the results thereof; to provide for
13 election of a new governing authority and abolishment of old governing authorities under
14 certain conditions; to provide for all procedures and other matters connected with the
15 foregoing; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

17 **SECTION 1.**

18 This Act shall be known and may be cited as the "Dalton-Whitfield County Charter and
19 Consolidation Commission Act" and is enacted pursuant to the authority granted by Article
20 IX, Section III, Paragraph II of the Constitution of the State of Georgia.

21 **SECTION 2.**

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

24 (1) "Charter and consolidation commission" or "commission" shall mean the
25 Dalton-Whitfield County Charter and Consolidation Commission provided for in this
26 Act.

27 (2) "Governing authority of the City of Dalton" shall mean the mayor and city council
28 of the City of Dalton, a municipal corporation of the State of Georgia.

29 (3) "Governing authority of Whitfield County" shall mean the Board of Commissioners
30 of Whitfield County, a political subdivision of the State of Georgia.

31 (4) "County-wide government" shall mean the local government that would be
32 established in Whitfield County if the charter referred to in this Act be approved in the
33 referendum in the manner provided for in Section 10 of this Act and that would replace
34 the City of Dalton and Whitfield County and would serve as the local government for all
35 of the incorporated and unincorporated area of Whitfield County except for the
36 incorporated areas within Whitfield County constituting the cities of Tunnel Hill, Varnell,
37 and Cohutta, Georgia.

38 (5) "Qualified voter" shall mean a voter of Whitfield County qualified to vote for
39 members of the General Assembly of Georgia.

40 **SECTION 3.**

41 (a) There is created the Dalton-Whitfield County Charter and Consolidation Commission,
42 which shall consist of 15 members to be appointed within 45 days of the effective date of
43 this Act as provided in this section.

44 (b) Within 45 days of the effective date of this Act as provided in this section, the
45 governing authority of the City of Dalton shall appoint six members to the charter and
46 consolidation commission. Two of such appointments shall be aldermen appointed by the
47 Mayor of the City of Dalton, who shall serve on the Commission during their respective
48 terms as aldermen. The remaining four appointees shall be residents of the City of Dalton.

49 (c) Within 45 days of the effective date of this Act as provided in this section, the
50 governing authority of Whitfield County shall appoint six members to the charter and
51 consolidation commission. Two of such appointments shall be the Chairman of the Board
52 of Commissioners of Whitfield County and another commissioner, who shall serve on the
53 Commission during their respective terms as Chairman and commissioner. The remaining
54 four appointees shall be residents residing within the limits of Whitfield County.

55 (d) If the governing authority of the City of Dalton or the governing authority of Whitfield
56 County refuses or fails to appoint a member of the commission as required by this section,
57 the chief superior court judge of the Conasauga Judicial Circuit shall make such
58 appointment within ten days following the expiration of the 45 day period allowed for
59 appointments provided for in subsection (a) of this section.

60 (e) Except for the appointments of two aldermen, the Chairman of the Board of
61 Commissioners of Whitfield County, and one commissioner, no member of the charter and
62 consolidation commission appointed by the governing authority of the City of Dalton or
63 the governing authority of Whitfield County shall hold any other elective public office and
64 shall not be a current employee of the City of Dalton, Whitfield County, or any local
65 authority created by or for the city or county.

66 (f) Within 30 days of the effective date of this Act as provided in this section, the
67 governing authorities of the City of Tunnel Hill, the City of Varnell, and the Town of
68 Cohutta may each appoint one member of their respective governing authorities to the
69 charter and consolidation commission. The failure of a governing authority to make an
70 appointment as for in this subsection (f) shall preclude such governing authority from
71 making a subsequent appointment, and the unfilled seats on the commission shall be
72 appointed by the majority vote of the existing commission members.

73 (g) To be eligible for appointment as a member of the charter and consolidation
74 commission, a person who is not otherwise an elected official must be at least 21 years of
75 age and shall have been a resident of the State of Georgia for a period of at least five years
76 and registered as an elector to vote in Whitfield County for a period of at least three years
77 prior to his or her appointment.

78 (h) If a member of the charter and consolidation commission should die, become disabled,
79 remove his or her residence and place of domicile to a place outside the territorial limits
80 of the appointing jurisdiction, resign, or become unable or decline to serve for any reason
81 whatever as a member of the charter and consolidation commission, said commission shall
82 declare a vacancy in his or her office as a member of such commission and within 15 days
83 thereafter the governing authority that appointed that member or the commission shall
84 appoint a successor promptly to fill such vacancy.

85 (i) A certificate of appointment shall be issued by the appointing entity of each member
86 of the charter and consolidation commission and filed in the office of the Probate Court of
87 Whitfield County with a duplicate original of such certificate being transmitted to, and filed
88 with, the chairperson or the secretary of the charter and consolidation commission.

89 (j) A majority of the members of the charter and consolidation commission shall constitute
90 a quorum for the transaction of business. Such quorum shall not be applicable with respect
91 to any committees or subcommittees which, at the discretion of the charter and
92 consolidation commission, may be appointed. A majority of the members of each such
93 committee or subcommittee shall constitute a quorum for the conduct of such committee's
94 business.

95 (k) The charter and consolidation commission may appoint advisory committees or
96 subcommittees from among the general populace to advise it with respect to its work;

97 provided, however, that the charter and consolidation commission may not delegate any
 98 of the duties, powers, or obligations imposed upon the commission and granted to it by this
 99 Act to any such advisory committee or subcommittee. Any such advisory committee or
 100 subcommittee so appointed shall serve at the discretion of the commission and shall serve
 101 subject to such terms, conditions, and charges as may be imposed upon it by the
 102 commission.

103 (l) All persons who shall, from time to time, serve as members of the charter and
 104 consolidation commission or its committees or subcommittees shall be afforded coverage
 105 and shall be included in the insured class, under the provision of such policies, riders, or
 106 other insurance contracts from time to time in force and held by the governing authority
 107 of Whitfield County, extending to members of such governing authority of the Whitfield
 108 County, and what is commonly referred to as "public official's liability insurance
 109 coverage," to the same extent and as nearly as practicable with identical coverage and
 110 limits as afforded to the individual members of the governing authority of Whitfield
 111 County. Any and all additional premium amounts payable by Whitfield County due to the
 112 extension of such coverage to the members of the charter and consolidation commission
 113 shall be paid, when due and payable, one-half by Whitfield County, and one-half by the
 114 City of Dalton, which payments shall be made in addition to all other amounts otherwise
 115 payable under the provisions of this Act.

116 (m) The governing authority of Whitfield County, the governing authority of the City of
 117 Dalton and the governing authority of any county-wide government created under a charter
 118 adopted pursuant to this Act are authorized and directed to expend funds for fees, costs, and
 119 expenses incurred in providing for the defense of the members of the charter and
 120 consolidation commission arising out of their activity as members of such commission and
 121 in providing for the defense of any proposed charter submitted by the commission, whether
 122 prior to the referendum thereon or after the referendum thereon is conducted.

123 **SECTION 4.**

124 (a) The charter and consolidation commission shall hold an organizational meeting not less
 125 than 45 days nor more than 60 days after the date this Act becomes effective. Any six or
 126 more members of the charter and consolidation commission composed of at least three
 127 members appointed by the governing authority of the City of Dalton and three members
 128 appointed by the governing authority of the Whitfield County shall call such organizational
 129 meeting. The call of such organizational meeting shall designate the time, date, and place
 130 that such organizational meeting shall be held.

131 (b) The first order of business at the organizational meeting shall be to elect a chairman
 132 of the commission, who shall be elected by majority vote of all members of the

133 commission. The second order of business shall be to elect a vice chairman of the
134 commission, who shall be elected by majority vote of all members of the commission, who
135 shall assume the duties of the chairman in the absence or disability of the chairman. The
136 charter and consolidation commission shall also be authorized to elect a secretary, who
137 may, but need not be, a member of the commission, and such other officers from the
138 membership of the charter and consolidation commission as it shall deem necessary. The
139 county attorney for Whitfield County and the city attorney for the City of Dalton shall
140 jointly provide legal counsel to the commission and shall draft any proposed charter or
141 other document necessary to carry out the responsibilities of the commission. The
142 governing authorities of the City of Dalton and Whitfield County shall each be responsible
143 for the legal fees of their counsel. The County Administrator of Whitfield County and the
144 City Administrator of the City of Dalton, or his or her respective designee, shall attend all
145 meetings of the commission as ex-officio non-voting members.

146 (c) The chairman or other presiding officer of the commission shall not vote on any
147 question before the commission unless there is a tie vote, in which case the chairman shall
148 cast the deciding vote unless he or she is otherwise disqualified.

149 (d) The members of the charter and consolidation commission shall not receive per diem
150 or other compensation for their services, but the members may be reimbursed for actual
151 expenses incurred by them in carrying out their duties. Any funding request of the
152 commission shall require approval by a joint resolution of the governing authorities of the
153 City of Dalton and Whitfield County.

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

157 (f) All public officials and employees of the City of Dalton and Whitfield County, upon
158 request, shall furnish the charter and consolidation commission with all documents, books,
159 records, data, and information necessary or appropriate in the opinion of the charter and
160 consolidation commission for it to carry out its duties, except for information that is
161 confidential or privileged by law; shall furnish such other assistance and aid to the
162 commission as it shall request; and shall appear and give testimony, at the request of the
163 commission, before the commission or before any of its committees, subcommittees, or
164 advisory committees.

165 (g) The commission shall be subject to the provisions of Chapter 14 of Title 50 and Article
166 4 of Chapter 18 of Title 50 of the O.C.G.A. to the same extent as Whitfield County and the
167 City of Dalton are subject to such provisions.

168

SECTION 5.

169 The commission shall be authorized to study all matters relating to the governments of the
 170 City of Dalton and Whitfield County and all matters relating to the establishment of a single
 171 county-wide government, with powers and jurisdiction throughout the territorial limits of
 172 Whitfield County, except within the incorporated limits of those municipalities of Whitfield
 173 County which have, acting through their local governing bodies, decided not to participate
 174 in consolidation. The commission shall, upon completion of its study, issue a written report
 175 of its findings, conclusions, and recommendations. If, after conducting such study, the
 176 charter and consolidation commission shall deem it to be in the best interests of the
 177 governments proposed to be affected, the commission shall draft a proposed charter creating
 178 a single county-wide government, and if such charter is approved by the voters under the
 179 provisions of this Act, then the newly created county-wide government shall supersede and
 180 replace the existing governments of the City of Dalton and Whitfield County. If the charter
 181 and consolidation commission does not deem it to be in the best interests of the governments
 182 proposed to be affected to recommend the establishment of a single county-wide
 183 government, but concludes from its study that it is feasible to consolidate specific
 184 governmental services, programs, and activities, then the commission may issue such
 185 findings, conclusions, and recommendations in writing together with reasons why such
 186 recommendations will make government operations more efficient.

187

SECTION 6.

188 (a) The charter so drafted shall be submitted to the qualified voters of the incorporated and
 189 unincorporated areas of Whitfield County for approval or rejection of the referendum
 190 provided for in Section 10 of this Act.

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

196 (1) The charter shall provide for the abolishment of the existing governments of the City
 197 of Dalton and Whitfield County and for the creation of a new single government which
 198 may have all powers formerly exercised by the City of Dalton and Whitfield County and
 199 such other powers as may be necessary or desirable. The new single government may be
 200 given, and may have, such rights, privileges, exemptions, preferences, discretions,
 201 immunities, powers, duties, and liabilities as are now or hereafter granted to, or vested
 202 in, municipalities or counties or both, by the Constitution and laws of the State of

203 Georgia. The form and composition of the new government shall be as the charter shall
204 provide;

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

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

213 (4) The charter may provide for the transfer of any powers, duties, and obligations of
214 public authorities and special service districts located in Whitfield County or the City of
215 Dalton to the new countywide government or to any agency thereof or from one such
216 authority or special service district to another in such manner as the charter shall provide
217 unless otherwise prohibited by the Constitution or general law;

218 (5) The charter may provide for the abolishment, modification, consolidation, or merger
219 of any one or more public offices or positions of public employment of any municipality
220 merged in the county-wide government and the County of Whitfield and any public
221 authorities or special service districts located or operating within Whitfield County or the
222 City of Dalton unless otherwise prohibited by the Constitution or general law. The
223 charter may provide for administrative division or changes with reference to the duties
224 and responsibilities of any public office or official as the charter and consolidation
225 commission shall deem necessary for the efficient functioning of the new county-wide
226 government;

227 (6) The charter shall provide for the creation of the governing authority of the new
228 county-wide government, including the number of members of the governing authority,
229 their powers, duties, terms of office, manner, and time of election or appointment,
230 compensation, method of removal, and all other matters incidental or necessary to the
231 creation of the county-wide governing authority. The charter shall provide for the name
232 or names of the new county-wide government and governing authority;

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

236 (8) The charter shall provide for the creation of special tax districts consisting of the
237 territory lying within the former boundaries of the affected governments for the purpose
238 of the successor county-wide government levying a tax therein sufficient to retire any

239 bonded indebtedness of such governments which is outstanding on the effective date of
240 the abolishment of such government;

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

247 (10) The charter may provide for the transfer to the new county-wide government of
248 assets, contracts, and franchises of all governmental units which are merged with the new
249 county-wide government or are altered by the charter;

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

252 (12) The charter shall provide for the method or methods by which it may be amended.
253 The General Assembly expressly reserves the right to amend any charter adopted
254 pursuant to this Act. The charter may provide for an additional method or methods by
255 which the charter may be amended and shall provide for any amendments adopted by any
256 such other method or methods to be filed with the Secretary of State so that they may be
257 published in the Georgia Laws;

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

259 (14) The charter may contain such other provisions as are necessary and needful to
260 achieve the objectives of consolidation of the governments and functions of the City of
261 Dalton and Whitfield County and the creation of a successor government.

262 (c) The following additional provisions shall govern proceedings of the charter and
263 consolidation commission and any successor county-wide government created by a charter
264 drafted by the commission:

265 (1) The City of Dalton and Whitfield County are authorized, after approval by a joint
266 resolution, to contract with any public or private institution or body, including the Carl
267 Vinson Institute of Government, for any special studies or assistance deemed necessary;
268 and

269 (2) Any successor government created and established shall, without the necessity or
270 formality of deed, bill of sale, or other instrument of transfer, be and become the owner
271 of all property, assets, and rights previously belonging to the City of Dalton and Whitfield
272 County.

273 (d) Notwithstanding any other provisions of this Act, the charter and consolidation
274 commission and the charter proposed by the commission and subsequently adopted shall
275 not:

- 276 (1) Alter or affect the status of the Whitfield County School System, the Dalton
 277 Independent School System, the Board of Education for Whitfield County, the Board of
 278 Education for the Dalton Independent School System, or any provision of the
 279 Constitution or laws of the State of Georgia by which said school systems are constituted,
 280 empowered, or preserved or to transfer any of their powers, duties, or obligations;
- 281 (2) Impair or diminish any pension or retirement rights for existing employees; or
- 282 (3) Abolish the Office of Sheriff, Clerk of Superior Court, Judge of Probate Court, Chief
 283 Magistrate, or Tax Commissioner.
- 284 (e) None of the foregoing limitations shall be construed as prohibiting the General
 285 Assembly from exercising any legislative power with respect to any municipality or to the
 286 said school districts, boards of education, Office of Sheriff, Clerk of Superior Court, Judge
 287 of Probate Court, Chief Magistrate, Tax Commissioner, pension rights, and homestead
 288 exemptions which existed prior to the adoption of this Act.
- 289 (f) The powers granted in this Act to the charter and consolidation commission by the
 290 General Assembly are remedial in nature and shall be liberally construed to effectuate their
 291 purpose.

292 SECTION 7.

- 293 (a) The charter and consolidation commission shall be required to hold at least two public
 294 hearings to determine the sentiment of the citizens of the City of Dalton and Whitfield
 295 County regarding the work of the charter and consolidation commission. The first public
 296 hearing shall be held within 30 days of the issuance of the commission's final written report
 297 on the feasibility of establishing a single county-wide government within Whitfield
 298 County, and a second public hearing shall be held within 15 days of the submission of any
 299 proposed charter for such consolidated government to the Whitfield County Board of
 300 Elections and Registration. The charter and consolidation commission is authorized to hold
 301 more than two public hearings if it determines that additional public hearings are desirable.
 302 The charter and consolidation commission shall cause the date, time, and place of each
 303 such hearing to be advertised in the official organ of Whitfield County once a week for two
 304 consecutive weeks during the two weeks next preceding the week in which the public
 305 hearing is held. The charter and consolidation commission shall cause to be made a
 306 transcript of each public hearing held and shall file the same in its minutes and records.
- 307 (b) Following issuance of the commission's final written report, the governing authorities
 308 of the City of Dalton and Whitfield County may, but shall not be required, to conduct
 309 separate public hearings to determine the sentiments of their citizens regarding the work
 310 of the charter and consolidation commission. Notice of such hearings shall be advertised
 311 in the same manner as required for hearings held by the charter and consolidation

312 commission. Representatives of the charter and consolidation commission shall be invited
313 to present the final report to such governing authorities.

314 **SECTION 8.**

315 (a) The charter and consolidation commission shall complete its studies and shall prepare,
316 complete, and file any proposed charter no later than April 30, 2012; provided, however,
317 that the above-described time period may be extended for such additional periods of time
318 as may be authorized by resolutions duly adopted by the governing authorities of the City
319 of Dalton and Whitfield County and may also be extended by an Act of the General
320 Assembly and shall be automatically extended for a period of time equal to the period of
321 time that any proposed charter shall be under consideration by the United States
322 Department of Justice or by any courts.

323 (b) Certified copies of the charter shall be filed by the charter and consolidation
324 commission with the respective clerks of the governing authorities of the City of Dalton
325 and Whitfield County and shall be authenticated by the signature of the chairperson of the
326 charter and consolidation commission. Such copies shall be public records and shall be
327 available for inspection or examination by any interested person.

328 (c) The charter and consolidation commission shall also make available a copy of the
329 charter to the Dalton Daily Citizen and to each radio or television station with an office
330 located in Whitfield County. The commission shall take such other steps, as it deems
331 reasonable and appropriate, to inform the public throughout the county of the contents of
332 the proposed charter. The charter and consolidation commission may also cause a
333 summary of the proposed charter to be printed in pamphlets or booklets and made available
334 for general distribution throughout the county.

335 (d) The charter and consolidation commission is authorized to adopt such rules and
336 regulation as it deems necessary or desirable to carry out its powers and perform its duties
337 and functions.

338 (e) Following the completion of the proposed charter by the charter and consolidation
339 commission and prior to the time of filing or submission thereof as provided in this Act,
340 the same shall be presented for preclearance review by the United States Department of
341 Justice as may be required by law. The failure of any proposed charter submitted by the
342 charter and consolidation commission to the Department of Justice to obtain preclearance
343 by the Department of Justice shall not prevent the charter and consolidation commission
344 from revising said charter in a manner so as to enable the proposed charter to meet
345 Department of Justice objections with respect thereof, and the charter and consolidation
346 commission is empowered to redraft any such proposed charter in such manner so as to

347 meet requirements for the Department of Justice's approval in the event that any initial
348 proposed charter fails to obtain Department of Justice approval.

349 **SECTION 9.**

350 (a) A certified copy of the proposed charter shall be submitted by the commission to the
351 Board of Elections and Registration of Whitfield County, and it shall be the duty of such
352 Board to call and hold a referendum election for ratification or rejection of the proposed
353 charter as provided in Section 10 of this Act.

354 (b) The charter and consolidation commission shall be abolished by operation of law at
355 midnight of the day the results of the special referendum election on the proposed charter
356 become final and effective pursuant to the laws of the State of Georgia or December 31,
357 2012, whichever shall occur sooner.

358 **SECTION 10.**

359 (a) After receipt of the certified copy of the proposed charter and unless otherwise
360 prohibited by the federal Voting Rights Act of 1965, as amended, the Board of Elections
361 and Registration of Whitfield County shall call a special election for approval or rejection
362 of the proposed charter to be held on the date of the state-wide general election in
363 November, 2012. The Board of Elections and Registration shall cause the date and purpose
364 of the election to be published once a week for two calendar weeks immediately preceding
365 the date thereof in the official organ of Whitfield County. The ballot shall have written or
366 printed thereon the following:

367 "() YES Shall the charter reorganizing and consolidating the governments of the City
368 of Dalton and Whitfield County and creating a single county-wide
369 () NO government to supersede and replace those governments be approved?"

370 (b) All persons desiring to vote for approval of the charter shall vote "Yes," and those
371 persons desiring to vote for rejection of the charter shall vote "No." The votes cast on such
372 question by the qualified voters of Whitfield County residing within the corporate limits
373 of the City of Dalton and the votes cast on such question by the qualified voters of
374 Whitfield County shall be counted separately. If more than one-half of the votes cast by
375 the qualified voters of Whitfield County residing within the corporate limits of the City of
376 Dalton are for approval of the charter and if more than one-half of the total votes cast by
377 the qualified voters residing within Whitfield County but without the corporate limits of
378 the City of Dalton are for approval of the charter, then the charter shall become effective
379 as to the City of Dalton and Whitfield County as provided therein, but not sooner than
380 January 1, 2013. If the charter is not so approved or if the election is not conducted as
381 provided in this section, then the charter shall be void and of no force and effect. The

382 expense of such election shall be borne equally by the City of Dalton and Whitfield
383 County.

384 (c) The special election shall be conducted in accordance with Chapter 2 of Title 21 of the
385 O.C.G.A., the "Georgia Election Code."

386 (d) The Board of Elections and Registration shall certify the returns to the Secretary of
387 State. The Board of Elections and Registration shall also furnish a certified copy of the
388 charter to the Secretary of State. The Secretary of State shall issue his or her proclamation
389 showing and declaring the result of the election on the approval or rejection of the charter.
390 One copy of the proclamation shall be attached to the copy of the charter certified to the
391 Secretary of State. One copy of the proclamation shall be delivered to the clerk of the
392 governing authority of the City of Dalton, who shall attach the same to the copy of the
393 charter previously certified to him or her. One copy of the proclamation shall be delivered
394 to the clerk of the governing authority of Whitfield County, who shall attach the same to
395 the copy of the charter previously certified to him or her.

396 (e) Whenever a charter for the consolidation of the governments of the City of Dalton and
397 Whitfield County has been adopted, the above-certified copies thereof, with the
398 proclamation of the Secretary of State of Georgia attached thereto, shall be deemed
399 duplicate original copies of the charter of the consolidated government for all purposes.
400 The certified copy of the charter and proclamation deposited with the clerks of the
401 governing authorities of the City of Dalton, the municipalities participating in the
402 commission, and Whitfield County shall subsequently be delivered by them to the
403 successor government. The successor government may issue certified copies of the charter,
404 and any copy so certified shall be deemed a duplicate original copy of the charter of the
405 consolidated government for all purposes, the Secretary of State is authorized to issue
406 certified copies of the charter on file with him or her, and copies so certified by him or her
407 shall be deemed duplicate original copies of the charter of the consolidated government for
408 all purposes.

409 **SECTION 11.**

410 In the event the proposed county-wide government charter is approved by voters as provided
411 in Section 10 of this Act, an election shall be held in accordance with the provisions of the
412 charter to elect the members of the governing authority of the county-wide government.
413 Upon the election of the members of the governing authority and their taking office as the
414 governing authority of the county-wide government as provided in the county-wide
415 government charter, the existing governments of the City of Dalton and Whitfield County
416 shall stand abolished, all in accordance with the provisions of the charter of the new
417 county-wide government.

418

SECTION 12.

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