

Senate Bill 279

By: Senators Brown of the 26th and Staton of the 18th

A BILL TO BE ENTITLED
AN ACT

To amend an Act known as the "Macon-Bibb County Water and Sewerage Authority Act," approved March 2, 1966 (Ga. L. 1966, p. 4991), as amended, particularly by an Act approved March 23, 1992 (Ga. L. 1992, p. 4991), so as to provide for the appointment of certain members of the governing authority and their qualifications and period of service; to provide that the authority shall not exercise any development powers after a certain date; to provide for the payment of a franchise fee; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act known as the "Macon-Bibb County Water and Sewerage Authority Act," approved March 2, 1966 (Ga. L. 1966, p. 4991), as amended, particularly by an Act approved March 23, 1992 (Ga. L. 1992, p. 4991), is amended by revising paragraph (1) of subsection (b) of Section 2 as follows:

"(b)(1) Except as otherwise provided in subsection (c) of this section, the authority shall consist of seven members, five of whom shall be elected as provided in this section. The two remaining members shall be members of the council of Macon-Bibb County appointed by the mayor of Macon-Bibb County."

SECTION 2.

Said Act is further amended by revising paragraph (1) of subsection (c) of Section 2 as follows:

(c)(1) In the 2012 general election, candidates shall be elected from Districts 2 and 3 and serve for terms of four years thereafter. In the 2014 general election candidates shall be elected from Districts 1, 4, and 5. Candidates elected from such districts shall take office on the first day of January following their election and serve for a term of office of four years and until their successors are duly elected and qualified. Thereafter, successors to

the elected members of the authority shall be elected in the general election conducted immediately prior to the expiration of the term of office for which they offer as candidates, shall take office on the first day of January following their election, and shall serve for terms of office of four years and until the election and qualification of their successors. Members of the authority from the council of Macon-Bibb County shall be appointed by the mayor of Macon-Bibb County, and such members shall serve on the authority at the pleasure of the mayor of Macon-Bibb County and only so long as they are members of the council of Macon-Bibb County."

SECTION 3.

Said Act is further amended by revising paragraph (7) of Section 5 as follows:

"(7) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage projects, the cost of any such project to be paid in whole or in part from the proceeds of revenue bonds of the authority or from such proceeds and any grant from the United States of America or any agency or instrumentality thereof or from the State of Georgia or any agency, instrumentality, or political subdivision thereof; provided, however, that, on and after January 1, 2016, the authority shall no longer exercise any development authority or powers;".

SECTION 4.

Said Act is further amended by adding a new section to read as follows:

"SECTION 27A.

Beginning January 1, 2016, the authority shall pay a franchise fee to the governing authority of Macon-Bibb County in an amount equal to 6 percent of its gross operating revenues. Such fee shall be paid on a monthly basis or as may be agreed to by the authority and the governing authority of Macon-Bibb County."

SECTION 5.

This Act shall become effective on January 1, 2016, provided that an Act is passed by the General Assembly during the 2011-2012 session providing for the consolidation of the governments of the City of Macon and Bibb County and such Act is approved and ratified by the respective electors of the City of Macon and Bibb County at the 2012 general election. Otherwise, this Act shall be repealed on January 1, 2013, and shall be of no force and effect.

SECTION 6.

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