

House Bill 125 (AS PASSED HOUSE AND SENATE)

By: Representatives Dickson of the 6th, England of the 108th, and Burns of the 157th

A BILL TO BE ENTITLED
AN ACT

1 To provide for certain agriculture related authorities and advisory commissions; to amend
2 Part 8 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
3 relating to the Georgia Agricultural Exposition Authority, so as to change certain provisions
4 relating to creation of the authority and its membership, vacancies, compensation and
5 reimbursement, and recordkeeping; to change certain provisions relating to authorization for
6 department construction and acquisition of projects; to redesignate the provisions of said part
7 as a new chapter in Title 2 of the Official Code of Georgia Annotated, relating to agriculture;
8 to amend said Title 2 so as to make certain editorial revisions; to amend Code Section
9 20-14-90 of the Official Code of Georgia Annotated, relating to the Agricultural Education
10 Advisory Commission and its membership, powers and duties, and automatic repeal of
11 provisions related thereto, so as to change certain provisions relating to commission
12 meetings; to extend an automatic termination provision; to repeal conflicting laws; and for
13 other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended in
17 Chapter 3 by deleting the reservations of Code Sections 2-3-1 through 2-3-12.

18 **SECTION 2.**

19 Part 8 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
20 relating to the Georgia Agricultural Exposition Authority, is amended by revising Code
21 Section 12-3-472, relating to creation of the authority and its membership, vacancies,
22 compensation and reimbursement, and recordkeeping, as follows:

23 "12-3-472.

24 (a) There is created a body corporate and politic to be known as the Georgia Agricultural
25 Exposition Authority which shall be deemed to be an instrumentality of the State of

26 Georgia and a public corporation; and by that name, style, and title such body may contract
27 and be contracted with, sue and be sued, implead and be impleaded, and complain and
28 defend in all courts of this state.

29 (b) The authority shall consist of ten members, including nine appointed members and the
30 Commissioner of Agriculture, ex officio. Initially, appointed members shall serve
31 staggered terms of office as follows: two members for one year, two members for two
32 years, two members for three years, and three members for four years. Thereafter, each
33 appointed member shall serve for a term of four years. All appointed members shall be
34 appointed by the Governor, confirmed by the Senate, and shall serve until the appointment
35 and qualification of a successor. The members appointed by the Governor shall be selected
36 from the state at large but shall be representative of all of the geographic areas of the state.
37 Such members also shall represent the state's agriculture and business interests. The
38 Governor is authorized to appoint any elected or appointed state, county, municipal, or
39 school board official or employee, except officials and employees of the legislative or
40 judicial branches of state government, as members of the authority, and any person so
41 appointed is authorized to serve as a member of the authority.

42 (c) All successors to appointed members shall be appointed in the same manner as original
43 appointments. Vacancies in office of appointed members shall be filled in the same
44 manner as original appointments. An appointment to fill a vacancy shall be for the
45 unexpired term. The authority shall elect its own officers. No vacancy on the authority
46 shall impair the right of the quorum to exercise all rights and perform all duties of the
47 authority.

48 (d) The appointed members of the authority shall receive a daily expense allowance and
49 reimbursement for transportation costs as provided for in Code Section 45-7-21; and the
50 members of the authority shall not receive any other compensation for their services as
51 such.

52 (e) The authority shall have perpetual existence. Any change in name or composition of
53 the authority shall in no way affect the vested rights of any person under this part or impair
54 the obligations of any contracts existing under this part.

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

59 (g) The authority is assigned to the Department of ~~Natural Resources~~ Agriculture for
60 administrative purposes only."

61 **SECTION 3.**

62 Said part is further amended by revising Code Section 12-3-484, relating to authorization for
 63 department construction and acquisition of projects, as follows:

64 "12-3-484.

65 The Department of ~~Natural Resources~~ Agriculture is authorized to construct, erect, acquire,
 66 and own the project, as defined in this part. The costs of any such project may be paid from
 67 the proceeds of state general obligation or guaranteed revenue debt. The department is
 68 authorized to contract with the authority, the State Properties Commission, the Georgia
 69 State Financing and Investment Commission, or with any other department, agency,
 70 commission, board, official, or person for the construction, operation, maintenance,
 71 funding, design, or use of such project."

72 **SECTION 4.**

73 Said part is further amended by redesignating Code Sections 12-3-470 through 12-3-484 as
 74 Code Sections 2-3-1 through 2-3-15, composing a new Chapter 3 in said Title 2 of the
 75 Official Code of Georgia Annotated, and by reserving the former Part 8 designation in said
 76 Article 7 of Chapter 3 of Title 12.

77 **SECTION 5.**

78 Code Section 20-14-90 of the Official Code of Georgia Annotated, relating to the
 79 Agricultural Education Advisory Commission and its membership, powers and duties, and
 80 the automatic repeal of provisions related thereto, is amended by revising paragraph (1) of
 81 subsection (e) and subsection (f) as follows:

82 "(e)(1) The commission may conduct such meetings at such places and at such times as
 83 it may deem necessary or convenient to enable it to exercise fully and effectively its
 84 powers, perform its duties, and accomplish the objectives and purposes of this Code
 85 section. The commission shall meet upon the call of either co-chairperson. The
 86 commission shall meet ~~not less than two nor more than four times~~ at least once annually."

87 "(f) This part shall stand repealed on December 31, ~~2012~~ 2016."

88 **SECTION 6.**

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