

House Bill 571

By: Representatives Peake of the 141st, Epps of the 144th, Dickey of the 140th, and Randall of the 142nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act entitled "An Act to provide for the restructuring of the City of Macon, the
2 City of Payne City, and Bibb County," approved April 20, 2012 (Ga. L. 2012, p. 5595), so
3 as to change provisions relative to initial budgets; to provide for the first 12 month budget;
4 to provide for the terms of certain boards, commissions, and authorities; to provide for
5 transition of membership and appointing authority; to provide for membership on the
6 transition task force; to provide for a change in an effective date; to repeal conflicting laws;
7 and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act entitled "An Act to provide for the restructuring of the City of Macon, the City of
11 Payne City, and Bibb County," approved April 20, 2012 (Ga. L. 2012, p. 5595), is amended
12 by revising subsection (a) of Section 23 as follows:

13 "(a) Until July 1, 2014, the restructured government shall operate under the funds
14 remaining from the fiscal year 2013-2014 of the combined budgets of the City of Macon,
15 the City of Payne City, and Bibb County. The City of Macon, City of Payne City, and
16 Bibb County shall adopt budgets for the period from July 1, 2013, and the date the
17 consolidated government becomes effective. The finance departments of such entities shall
18 develop a proposed budget for the consolidated government from the date such government
19 is effective and the end of fiscal year 2014."

20 **SECTION 2.**

21 Said Act is further amended by revising paragraph (1) of subsection (b) of Section 23 as
22 follows:

23 "(1) The first full 12 month budget of the unified government for fiscal year 2015 shall
24 not exceed an amount equal to the combined fiscal year general operating budgets of the
25 City of Macon, City of Payne City, and Bibb County, plus any funds required by

accounting standards to be dissolved and made part of the general fund and increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds including, without limitation, special purpose local option sales tax and transportation special purpose local option sales tax funds."

SECTION 3.

Said Act is further amended by repealing subsections (e) and (f) of Section 23.

SECTION 4.

Said Act is further amended by revising Section 24 as follows:

"SECTION 24.

(a) The commission may create special services tax districts and shall assess, levy, and collect ad valorem taxes and collect service charges and fees for the provision of district services within a special services district only in accordance with the kind, character, type, and degree of district services provided by the commission within such special services tax district. The provisions of this section shall control ad valorem taxation and the collection of service charges and fees for the provision of district services within special services tax districts by the commission. District services shall mean and include all of those governmental services enumerated in Article IX, Section II, Paragraph III of the Constitution.

(b) It is the purpose of this section that property shall be subject to taxation in relation to services received.

(c) Within four years of the effective date of this charter, the restructured government shall adopt a service delivery plan."

SECTION 5.

Said Act is further amended by revising subsection (e) of Section 30 to read as follows:

"(e) Except as provided by this charter or prohibited by the general laws of this state, all members of all boards, commissions, committees, panels, authorities, or other entities who were appointed by the board of commissioners of Bibb County or the governing authority of the City of Macon and City of Payne City shall serve out the term of office to which such members were appointed. Except as provided by this charter or prohibited by the general laws of this state, the positions of director or administrative head, by whatever name known, of each department or entity of the governments of Bibb County and the City of Macon shall be abolished 90 days after the members of the commission take office under

59 this charter. Such departments may be abolished, reestablished, reorganized, or
60 restructured; new job descriptions shall be established as appropriate; and a director or
61 administrative head shall be appointed for each department by the mayor. Any person who
62 formerly occupied such position and any other person shall have the right to apply for any
63 position thus created. The provisions of this subsection shall not result in the automatic
64 termination from employment with the reorganized government of any such person and the
65 provisions of Section 14 of this charter shall be applicable to any such person. On or after
66 January 1, 2016, no person shall be eligible for appointment to any position as the
67 administrative head of any department or agency of the restructured government unless
68 such person meets such qualifications as may be established by the mayor. Each person
69 serving as the administrative head of any department or agency of the restructured
70 government shall serve at the pleasure of the mayor."

71 **SECTION 6.**

72 Said Act is further amended by revising subsection (a) of Section 31 as follows:

73 "(a) The commission shall establish by ordinance a system of civil service for employees
74 of the fire department which shall provide for the establishment of a civil service board to
75 orally interview and pass judgment upon the qualifications of applicants and candidates for
76 promotion; provided, however, that eligible personnel of the city police department shall
77 be covered by the Bibb County Police Civil Service System established by an Act approved
78 March 5, 1955 (Ga. L. 1955, p. 682), as now or hereafter amended. The sheriff may elect
79 to include eligible employees of the sheriff's office in such civil service system. To provide
80 for requirements for selections, training, promotion, physical condition, and appeal
81 procedures and other related matters, the commission shall adopt civil service rules and
82 regulations to govern and control the fire department."

83 **SECTION 7.**

84 Said Act is further amended by revising Section 33 as follows:

85 **"SECTION 33.**

86 (a) Except as otherwise provided in this charter or applicable state law, all boards,
87 commissions, and authorities of the City of Macon and Bibb County shall continue in the
88 exercise of their functions and duties, subject to the provisions of laws applicable thereto
89 and subject to the provisions of this charter. As used in the Acts and amendments creating
90 the existing boards, commissions, and authorities of the City of Macon and Bibb County,
91 the terms 'Macon City Council' and 'Bibb County Board of Commissioners' shall mean the

commission of Macon-Bibb County and the term 'mayor of Macon' shall mean the 'mayor of Macon-Bibb County.'

(b) Where the enabling legislation or ordinance of a board, commission, retirement committee, or authority calls for a membership position or appointment authority for the mayor of the City of Macon, Chairperson of the Board of Commissioners of Bibb County, or the Board of commissioners of Bibb County, the term:

(1) 'Mayor of the City of Macon' shall be construed to refer to the mayor of Macon-Bibb County;

(2) 'Chairperson of the Board of Commissioners of Bibb County' shall be construed to mean the mayor of Macon-Bibb County;

(3) 'City Council of the City of Macon' and 'Board of Commissioners of Bibb County' shall be construed to refer to the Macon-Bibb County Commission;

(4) 'City councilmember' shall be construed to refer to members of the Macon-Bibb County Commission; and

(5) 'President of the Macon City Council' shall be construed to refer to the mayor pro tem of Macon-Bibb County.

(c) Except as otherwise provided in this charter or applicable state law, any vacancy in the office of any member of a board, commission, or authority of the restructured government shall be filled for the unexpired term in the manner prescribed for original appointment, except as otherwise provided in this charter or by applicable state law.

(d) Except as otherwise provided in this charter or applicable state law, members of all boards, commissions, and authorities of the restructured government shall be limited to two consecutive full terms of office on such boards, commissions, and authorities. Filling more than one-half of an unexpired term of office shall constitute a full term of office.

(e) Except as otherwise provided in this charter or applicable state law, members of all boards, commissions, and authorities of the restructured government shall serve four-year terms of office unless otherwise provided in this charter or applicable state law, provided that such members are subject to removal at any time by the appointing authority.

(f) Except as otherwise provided in this charter or applicable state law, no board, commission, or authority shall create any other entity or subsidiary whatsoever without first obtaining approval by a two-thirds' vote of the commission of Macon-Bibb County and approval by the mayor.

(g) Except as otherwise provided in this charter or applicable state law, the commission is authorized to review and dissolve at its discretion any entity to which this section is applicable that was created prior to the effective date of this charter by two-thirds' vote of the members then serving."

128 **SECTION 8.**

129 Said Act is further amended by revising paragraph (6) of subsection (a) of Section 37 as
130 follows:

131 "(6) The president of the Bibb County Chamber of Commerce or his or her designee;"

132 **SECTION 9.**

133 Said Act is further amended by revising subsection (b) of Section 41 to read as follows:

134 "(b) Except as provided in Section 39 of this Act, the remaining provisions of this Act shall
135 become effective on January 1, 2014."

136 **SECTION 10.**

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