

The Senate State and Local Governmental Operations Committee offered the following substitute to HB 514:

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

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

31 **SECTION 3.**

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

33 **SECTION 4.**

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

35 "SECTION 24.

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

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

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

49 **SECTION 5.**

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

51 "(e) Except as provided by this charter or prohibited by the general laws of this state, all  
 52 members of all boards, commissions, committees, panels, authorities, or other entities who  
 53 were appointed by the board of commissioners of Bibb County or the governing authority  
 54 of the City of Macon and City of Payne City shall serve out the term of office to which  
 55 such members were appointed. Except as provided by this charter or prohibited by the  
 56 general laws of this state, the positions of director or administrative head, by whatever  
 57 name known, of each department or entity of the governments of Bibb County and the City  
 58 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

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

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

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

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

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

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

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

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

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

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

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

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

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**SECTION 8.**

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

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follows:

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

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**SECTION 9.**

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

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"(b) Except as provided in Section 39 of this Act, the remaining provisions of this Act shall

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become effective on January 1, 2014."

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**SECTION 10.**

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