

House Bill 514 (AS PASSED HOUSE AND SENATE)

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

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 remove the City of Payne City from such consolidated charter to reflect the decision of
4 electors of such city not to become a part of the consolidated government; to change
5 provisions relative to initial budgets; to provide for the first 12 month budget; to provide for
6 the terms of certain boards, commissions, and authorities; to provide for transition of
7 membership and appointing authority; to provide for membership on the transition task force;
8 to provide for a change in an effective date; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act entitled "An Act to provide for the restructuring of the City of Macon, the City of
13 Payne City, and Bibb County," approved April 20, 2012 (Ga. L. 2012, p. 5595), is amended
14 by revising Section 1 as follows:

15 "SECTION 1.

16 (a) The governmental and corporate powers, duties, and functions now vested in the City
17 of Macon, a municipal corporation created by an Act of the General Assembly, approved
18 March 23, 1977 (Ga. L. 1977, p. 3776), as amended, are restructured with the governmental
19 and corporate powers, duties, and functions of the County of Bibb, such restructuring of
20 the governments of the City of Macon and the County of Bibb being pursuant to the
21 constitutional power granted by Article IX, Section III, Paragraph II of the Constitution of
22 Georgia, as amended. Said restructuring shall result in the establishment of a single
23 county-wide government with powers and jurisdiction throughout the territorial limits of
24 Bibb County, which single government shall supersede and replace the governments of the
25 City of Macon and the County of Bibb, and, to the extent provided in this charter, shall also

26 supersede and replace any public authorities and special service districts located and
 27 operating within Bibb County. Said county-wide government shall be a new political
 28 entity, a body politic and corporate, and a political subdivision of the State of Georgia, to
 29 be known as 'Macon-Bibb County' (in this charter at times called 'the restructured
 30 government'), having all of the governmental and corporate powers, duties, and functions
 31 heretofore held by and vested in the City of Macon and Bibb County, and also the powers,
 32 duties, and functions provided in this charter. The restructured government shall be a
 33 public corporation; shall have perpetual existence; shall, without the necessity or formality
 34 of a deed, bill of sale, or other instrument of transfer, own, possess, and hold all properties
 35 of whatsoever kind or nature, assets, contracts, franchises, things, rights, privileges,
 36 immunities, and real and personal property theretofore owned, possessed, enjoyed, or held
 37 by the City of Macon and the County of Bibb; by the name of Macon-Bibb County shall
 38 be able to contract and be contracted with, sue and be sued as provided by this charter,
 39 plead and be impleaded in all courts of this state, and do all other acts relating to its
 40 corporate capacity; and shall be able in law and equity to purchase, have and hold, receive,
 41 enjoy, accept, possess, and retain for the use and benefit of said Macon-Bibb County, in
 42 perpetuity or for any term of years, any estate or estates, real or personal, lands, tenements,
 43 or hereditaments of whatsoever kind or nature inside or outside the territorial limits of the
 44 restructured government, as may be devised, bequeathed, sold, or by any manner conveyed
 45 or dedicated to or otherwise acquired by the restructured government and to use, manage,
 46 improve, sell and convey, rent, or lease same; and to have and use a common seal. From
 47 and after the effective date of this charter, the political subdivision known as Bibb County,
 48 Georgia, and the municipal corporation known as the City of Macon shall be merged into
 49 the said new political entity created in this charter.

50 (b) The territory embraced in the restructured government shall be the total area of Bibb
 51 County, as the same may be now or hereafter fixed and established by law, excluding the
 52 geographic area encompassed within the boundaries of the City of Payne City. Any portion
 53 of the City of Macon as it exists on December 31, 2013, which extends in to any other
 54 county shall not be included in the territory of the restructured government and shall on
 55 January 1, 2014, become unincorporated land of the county in which it is located."

56 **SECTION 2.**

57 Said Act is further amended by revising Section 2 as follows:

58 "SECTION 2.

59 (a) The restructured government shall have and be vested with, to the same extent as if
 60 repeated in this charter, all rights, powers, duties, privileges, and authority that the City of

61 Macon or Bibb County, or both collectively, have under the Constitution and general and
62 special laws of Georgia at the time of the adoption of this charter, except as expressly
63 modified in this charter.

64 (b) In addition to the foregoing, the restructured government shall have all rights, powers,
65 duties, privileges, and authority conferred or enlarged by this charter, and such other rights,
66 powers, duties, privileges, and authority as may be necessary and proper for carrying the
67 same into execution, and also all rights, powers, duties, privileges, and authority, whether
68 express or implied, that may now be vested in or hereafter granted to counties or municipal
69 corporations, or both, by the Constitution and laws of this state, including the powers
70 vested in the restructured government by this charter.

71 (c) The restructured government, in addition to the rights, duties, powers, privileges, and
72 authority expressly conferred upon it by this charter, shall have the right, duty, power,
73 privilege, and authority to exercise and enjoy all other powers, duties, functions, rights,
74 privileges, and immunities necessary and proper to promote or protect the safety, health,
75 peace, security, and general welfare of said government and its inhabitants and to exercise
76 all implied powers necessary to carry into execution all powers granted in this charter as
77 fully and completely as if such powers were fully enumerated in this charter and to do and
78 perform all of the acts pertaining to its local affairs, property, and government that are
79 necessary or proper in the legitimate exercise of its corporate powers and governmental
80 duties and functions.

81 (d) No enumeration of any right, power, privilege, or authority hereinafter made shall be
82 construed as limiting or abolishing any right, power, privilege, or authority set forth in this
83 charter.

84 (e) No repeal of any law under which the restructured government derives any right,
85 power, privilege, or authority, except by amendment of this charter as provided in this
86 charter, shall be construed as limiting or abolishing any such right, power, privilege, or
87 authority set forth in this charter.

88 (f) The general laws of the State of Georgia of a criminal nature shall be applicable to and
89 within the limits of the restructured government. General laws of local application through
90 classification by population, not in conflict with this charter:

91 (1) Which on the effective date of this charter apply to the City of Macon or Bibb County
92 shall be applicable to the restructured government; and

93 (2) Which apply to the restructured government as either a city or a county at the time
94 of their enactment or thereafter shall be effective, but those which did not apply to the
95 City of Macon or Bibb County or the restructured government at the time of their
96 enactment shall not become applicable to the restructured government except through the
97 adoption of a resolution to that effect by the commission.

- 98 (g) Local Acts of the State of Georgia which apply specifically to Bibb County or the City
 99 of Macon, or both collectively, shall be applicable to the restructured government.
- 100 (h) In construing the applicability of provisions of the Constitution and the general laws
 101 of Georgia which apply in general terms to either counties or municipalities, or both, and
 102 local Acts of the General Assembly that apply specifically to Bibb County or the City of
 103 Macon, or both collectively, the following terms as used in such laws shall be construed
 104 to include the restructured government:
- 105 (1) 'City,' 'town,' 'municipal corporation,' or 'municipality' shall be construed to include
 106 Macon-Bibb County;
- 107 (2) 'County' shall be construed to include Macon-Bibb County;
- 108 (3) 'Commissioners of roads and revenues' and 'board of county commissioners' shall be
 109 construed to include the commission of Macon-Bibb County;
- 110 (4) 'Council,' 'mayor and council,' 'aldermen,' and 'board of aldermen' shall be construed
 111 to include the commission of Macon-Bibb County, Georgia; and
- 112 (5) Any other terms and provisions as used in such Acts to refer specifically to Bibb
 113 County or the City of Macon, or both, and the officers, employees, departments, and
 114 agencies thereof shall be construed to mean Macon-Bibb County and its officers,
 115 employees, departments, and agencies.
- 116 (i) In construing the applicability of laws in force to the restructured government, the
 117 following order shall prevail:
- 118 (1) The Constitution of the State of Georgia;
- 119 (2) The general laws of uniform application now in force or hereafter enacted by the
 120 General Assembly, as distinguished from general laws of local application through
 121 classification by population, applicable to municipal corporations or counties, or both;
- 122 (3) The general laws of local application through classification by population as and to
 123 the extent provided in subsection (a) of this section;
- 124 (4) Special laws applicable to Bibb County, not in conflict with this charter;
- 125 (5) Special laws applicable to the City of Macon, not in conflict with this charter;
- 126 (6) This charter and all ordinances and resolutions passed pursuant thereto; and
- 127 (7) Existing ordinances and resolutions of the former City of Macon and existing
 128 ordinances and resolutions of the former Bibb County not in conflict with this charter.
- 129 (j) The tort and nuisance liability of the restructured government shall follow the law and
 130 rules of tort liability applicable to counties in Georgia.
- 131 (k) For purposes of all applicable laws, the restructured government shall constitute a
 132 municipality and a county, or both. Except as otherwise provided by this charter, if a law
 133 applicable to municipalities and the same or another law applicable to counties are in

134 conflict, the law applicable to municipalities shall prevail; provided, however, that the
 135 redistricting of commission districts shall be accomplished solely by local law.

136 (l) The restructured government shall have the power and authority to participate in,
 137 cooperate in, and take all necessary action with respect to any and all projects, programs,
 138 and undertakings of any nature authorized by any statute, rule, or regulation of the United
 139 States, the State of Georgia, or any federal or state agency or instrumentality, including, but
 140 not limited to, community development, highways, aviation, aviation terminals, airports,
 141 airport facilities, municipal area or regional development, sewer and sewage disposal,
 142 public housing, housing for the aged, and transportation or mass transit or any phase
 143 thereof; to borrow money and issue promissory notes, general obligation bonds, or revenue
 144 bonds, or a combination thereof, for any such purposes in accordance with the provisions
 145 of this charter; and to execute mortgages or deeds of trust in favor of any federal agency,
 146 secured by property of which the restructured government is the legal or beneficial or
 147 equitable owner, or in favor of any private agency where the loan is guaranteed by a federal
 148 agency."

149 **SECTION 3.**

150 Said Act is further amended by revising Section 3 as follows:

151 "SECTION 3.

152 (a) Prior to the effective date of this charter, all powers vested in Bibb County or the City
 153 of Macon or any of their respective officers, agents, or agencies shall remain in full force
 154 and effect. Upon such effective date, the board of commissioners of Bibb County, the
 155 mayor and council of the City of Macon, and the offices of all members thereof shall stand
 156 abolished, and all emoluments appertaining thereto shall cease. Thereupon, the
 157 governments of Bibb County and the City of Macon shall terminate as such separate
 158 political entities and be merged into the government created by this charter.

159 (b) When an agency of the City of Macon or Bibb County is abolished or restructured by
 160 this charter, all books, papers, maps, charts, plans, records, other equipment, and personal
 161 property in possession of the same shall be delivered to the agency to which its rights,
 162 powers, duties, and obligations are transferred.

163 (c) Notwithstanding any other provision of this charter, any officer performing duties
 164 under the government of the City of Macon or Bibb County may continue to perform the
 165 duties thereof until a successor, whether under the same title of office or another, shall be
 166 elected or appointed and qualified to perform the duties, it being the intention of this
 167 charter that no duty or service shall lapse or be abandoned because of lack of an officer to
 168 perform same."

169 **SECTION 4.**

170 Said Act is further amended by revising Section 4 as follows:

171 "SECTION 4.

172 (a) All contracts, orders, leases, bonds, and other obligations or instruments entered into
173 by the City of Macon or Bibb County or for their benefit prior to the effective date of this
174 charter shall continue in effect according to the terms thereof as obligations and rights of
175 Macon-Bibb County.

176 (b) No action or proceeding of any nature, whether civil or criminal, judicial or
177 administrative, or otherwise, pending on the effective date of this charter by or against the
178 City of Macon or its departments and agencies or Bibb County or its departments or
179 agencies shall be abated or otherwise affected by the adoption of this charter.

180 (c) The departmental organization of the cities existing immediately prior to adoption of
181 this charter shall continue in effect upon the effective date of this charter until such
182 organization is changed or reorganized as provided by ordinance of the commission and
183 administrative regulations consistent therewith.

184 (d) The provisions of this charter notwithstanding, the annual compensation of the mayor
185 and councilmembers of the City of Macon for the remainder of their present terms of office
186 shall be the same annual compensation as such officers received in the calendar year
187 immediately preceding the date of adoption of this charter."

188 **SECTION 5.**

189 Said Act is further amended by revising Section 5 as follows:

190 "SECTION 5.

191 The governing authority of Macon-Bibb County shall consist of a commission of said
192 county composed of a mayor and nine commissioners. Said board is designated as the
193 Macon-Bibb County Commission, referred to in this charter as the 'commission.' The
194 members of said commission are designated and referred to in this charter as
195 'commissioners.' The commission shall exercise and be subject to all of the rights, powers,
196 duties, and obligations imposed by this charter or previously applicable to the governing
197 authorities of the City of Macon and Bibb County and to any general laws, local laws, or
198 constitutional provisions applicable or effective within the former City of Macon and Bibb
199 County. The commission shall constitute a county as well as a municipality for the purpose
200 of the application of the general laws and Constitution of this state. The commission may
201 exercise the powers vested in the governing authority of the municipality and

202 municipalities generally as well as the powers vested in the former governing authority of
 203 the county and counties generally."

204 **SECTION 6.**

205 Said Act is further amended by revising subsections (a) and (d) of Section 9 as follows:

206 "(a) The territory of the restructured government shall consist of nine election districts to
 207 be designated as Commission Districts 1 through 9 and the boundaries of the initial districts
 208 shall be as described in the districting plan attached to and made a part of this charter and
 209 further identified as 'Plan: bibbcon12-hd139p2r-rev2 Plan Type: Local Administrator:
 210 Bibb Co. User: Gina'; provided, however, that such described districts shall not include the
 211 city limits of the City of Payne City."

212 "(d) No person shall be eligible to serve as a commissioner unless he or she:

213 (1) Has been a resident of Macon-Bibb County for a period of one year immediately
 214 prior to the date of the election;

215 (2) Continues to reside within the commission district from which elected during his or
 216 her term of office;

217 (3) Is a registered and qualified elector of Macon-Bibb County; and

218 (4) At the time of their election, be citizens of the United States, shall be at least 21 years
 219 of age, have been a citizen of this state for at least two years, and have been a legal
 220 resident of the territory embraced within the commissioner district from which elected
 221 for at least one year; provided, however, that for purposes of qualifying for the initial
 222 elections under this charter, and for any subsequent newly described districts resulting
 223 from redistricting, a candidate must only be a resident of the commissioner district on the
 224 day of qualifying."

225 **SECTION 7.**

226 Said Act is further amended by revising subsection (a) of Section 10 as follows:

227 "(a) Those members of the board of commissioners of Bibb County elected to take office
 228 in January, 2013, and the mayor and those members of the commission of the City of
 229 Macon who are serving as such on the second Monday of January, 2013, and any persons
 230 filling vacancies in such offices shall continue to serve as such members until the second
 231 Monday of January, 2014, and then all such offices shall be abolished and all terms of
 232 office shall expire. After the second Monday of January, 2013, no further elections shall
 233 be conducted to elect members of the board of commissioners of Bibb County and the
 234 mayor and members of the commission of the City of Macon and all elections for the
 235 mayor and the members of the commission shall be conducted pursuant to this charter."

236 **SECTION 8.**

237 Said Act is further amended by revising Section 21 as follows:

238 "SECTION 21.

239 (a) The general obligation bonded indebtedness of the City of Macon which is outstanding
 240 on the effective date of this charter shall become the debt and obligation of a special tax
 241 district which shall correspond to and be conterminous with the corporate limits of the City
 242 of Macon as said corporate limits existed on the day immediately preceding the effective
 243 date of this charter. The ad valorem taxes imposed by the City of Macon prior to the
 244 effective date of this charter to retire such bonded indebtedness shall continue to be
 245 imposed within the special tax district in the same manner and to the same extent that such
 246 ad valorem taxes were previously imposed by the City of Macon in accordance with the
 247 terms of the obligations of such bonded indebtedness. The commission, as the governing
 248 authority of Macon-Bibb County, shall be the successor to the previously existing
 249 governing authority of the City of Macon for all purposes relating to such bonded
 250 indebtedness, including the enforcement of rights and remedies of bondholders.

251 (b) The general obligation bonded indebtedness of Bibb County outstanding on the
 252 effective date of this charter shall not be affected by this charter, and the commission, as
 253 the governing authority of Macon-Bibb County, shall become the successor to the
 254 previously existing governing authority of Bibb County for all purposes relating to such
 255 bonded indebtedness, including the enforcement of rights and remedies of bondholders.

256 (c) Each special tax district created by this section shall cease to exist upon the full
 257 satisfaction of all relative bonded indebtedness, but not later than July 1, 2019. At the time
 258 the final special tax district ceases to exist, this section shall stand repealed."

259 **SECTION 9.**

260 Said Act is further amended by revising Section 23 as follows:

261 "SECTION 23.

262 (a) Until July 1, 2014, the restructured government shall operate under the funds remaining
 263 from the fiscal year 2013-2014 of the combined budgets of the City of Macon and Bibb
 264 County. The City of Macon and Bibb County shall adopt budgets for the period from July
 265 1, 2013, and the date the consolidated government becomes effective. The finance
 266 departments of such entities shall develop a proposed budget for the consolidated
 267 government from the date such government is effective and the end of fiscal year 2014.

268 (b)(1) The first full 12 month budget of the unified government for fiscal year 2015 shall
 269 not exceed an amount equal to the combined fiscal year general operating budgets of the

270 City of Macon and Bibb County, plus any funds required by accounting standards to be
 271 dissolved and made part of the general fund and any increases due to inflation as
 272 specified in the Consumer Price Index, but not including capital road improvement and
 273 other special revenue funds including, without limitation, special purpose local option
 274 sales tax and transportation special purpose local option sales tax funds.

275 (2) The 12 month budget of the unified government for fiscal year 2016 shall not exceed
 276 an amount equal to 95 percent of the fiscal year 2015 general operating budget, plus
 277 increases due to inflation as specified in the Consumer Price Index, but not including
 278 capital road improvement and other special revenue funds.

279 (3) The 12 month budget of the unified government for fiscal year 2017 shall not exceed
 280 an amount equal to 90 percent of the fiscal year 2015 general operating budget, plus
 281 increases due to inflation as specified in the Consumer Price Index, but not including
 282 capital road improvement and other special revenue funds.

283 (4) The 12 month budget of the unified government for fiscal year 2018 shall not exceed
 284 an amount equal to 85 percent of the fiscal year 2015 general operating budget, plus
 285 increases due to inflation as specified in the Consumer Price Index, but not including
 286 capital road improvement and other special revenue funds.

287 (5) The 12 month budget of the unified government for fiscal year 2019 shall not exceed
 288 an amount equal to 80 percent of the fiscal year 2015 general operating budget, plus
 289 increases due to inflation as specified in the Consumer Price Index, but not including
 290 capital road improvement and other special revenue funds.

291 (c) The budget limits established by subsection (b) of this section may be exceeded by not
 292 more than 25 percent in any given year if extreme economic circumstances require or if
 293 additional expenditures for public safety purposes are needed but only by a vote of six of
 294 the nine commissioners at an open meeting after notice on the official website of
 295 Macon-Bibb County once a week for two consecutive weeks prior to the meeting and the
 296 hearing of public comments.

297 (d) The tax assessments made by the board of tax assessors of Bibb County and the City
 298 of Macon as of the effective date of this charter shall constitute the basis for the assessment
 299 and collection of taxes of the commission for the calendar year in which this charter
 300 becomes effective."

301 **SECTION 10.**

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

303 "SECTION 24.

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

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

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

317 **SECTION 11.**

318 Said Act is further amended by revising Section 25 as follows:

319 "SECTION 25.

320 (a) All employees and former employees of Bibb County and the City of Macon and of
 321 every agency, instrumentality, commission, or authority thereof shall retain those pension
 322 rights, if any, which had accrued to them prior to the effective date of this charter under any
 323 pension plan adopted by law or by ordinance or resolution by the board of commissioners
 324 of Bibb County or the mayor and commission of the City of Macon. The commission shall
 325 assume on the effective date of this charter all obligations arising under all such pension
 326 plans, but the assumption of such obligations by the commission shall not create any
 327 obligation on the part of the commission or create any right which did not exist prior to the
 328 effective date of this charter.

329 (b) The commission is authorized and empowered to establish and maintain a new pension
 330 system or pension systems affecting new employees and such other employees as desire
 331 to be covered thereby and to revise, combine, and consolidate any pension system in effect
 332 on the effective date of this charter; provided, however, that in no event shall any revision,
 333 combination, or unification of any existing pension system in effect when this charter is
 334 adopted result in the curtailment or diminishment of any right accrued under any existing
 335 pension system to any person heretofore employed by the City of Macon, Bibb County, or
 336 of any agency of such former governments."

337

SECTION 12.

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

339 "(e) Except as provided by this charter or prohibited by the general laws of this state, all
340 members of all boards, commissions, committees, panels, authorities, or other entities who
341 were appointed by the board of commissioners of Bibb County or the governing authority
342 of the City of Macon shall serve out the term of office to which such members were
343 appointed. Except as provided by this charter or prohibited by the general laws of this
344 state, the positions of director or administrative head, by whatever name known, of each
345 department or entity of the governments of Bibb County and the City of Macon shall be
346 abolished 90 days after the members of the commission take office under this charter.
347 Such departments may be abolished, reestablished, reorganized, or restructured; new job
348 descriptions shall be established as appropriate; and a director or administrative head shall
349 be appointed for each department by the mayor. Any person who formerly occupied such
350 position and any other person shall have the right to apply for any position thus created.
351 The provisions of this subsection shall not result in the automatic termination from
352 employment with the reorganized government of any such person and the provisions of
353 Section 14 of this charter shall be applicable to any such person. On or after January 1,
354 2016, no person shall be eligible for appointment to any position as the administrative head
355 of any department or agency of the restructured government unless such person meets such
356 qualifications as may be established by the mayor. Each person serving as the
357 administrative head of any department or agency of the restructured government shall serve
358 at the pleasure of the mayor."

359

SECTION 13.

360 Said Act is further amended by revising subsections (a) and (c) of Section 31 as follows:

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

371 "(c) It is the intent of the General Assembly that as many employees of Bibb County and
372 the City of Macon as feasible shall continue in the same or a substantially equal position

373 with at least the same salary and benefit level, where possible within budget constraints,
 374 after the consolidation is complete. It is further the intent of the General Assembly that the
 375 integration of the sheriff's office and the city police department shall be seamless and
 376 cooperative and that where possible the rights and positions of all employees shall be
 377 respected."

378 **SECTION 14.**

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

380 "SECTION 33.

381 (a) Except as otherwise provided in this charter or applicable state law, all boards,
 382 commissions, and authorities of the City of Macon and Bibb County shall continue in the
 383 exercise of their functions and duties, subject to the provisions of laws applicable thereto
 384 and subject to the provisions of this charter. As used in the Acts and amendments creating
 385 the existing boards, commissions, and authorities of the City of Macon and Bibb County,
 386 the terms 'Macon City Council' and 'Bibb County Board of Commissioners' shall mean the
 387 commission of Macon-Bibb County and the term 'mayor of Macon' shall mean the 'mayor
 388 of Macon-Bibb County.'

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

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

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

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

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

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

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

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

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

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

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

422 **SECTION 15.**

423 Said Act is further amended in Section 34 by revising the introductory language as follows:

424 "All officers, officials, and employees of the former City of Macon and Bibb County shall
 425 cooperate with and assist the commission, mayor, and other officers of Macon-Bibb
 426 County:"

427 **SECTION 16.**

428 Said Act is further amended by revising Section 36 as follows:

429 "SECTION 36.

430 (a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and
 431 other obligations or instruments entered into by Bibb County or for its benefit prior to the
 432 effective date of this charter shall continue in effect according to the terms thereof as
 433 obligations and rights of the restructured government; provided, however, any obligation
 434 created by Bibb County to become effective after the effective date of this charter shall be
 435 subject to ratification and approval by the commission of the restructured government
 436 within six months following the effective date of this charter.

437 (b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other
 438 obligations or instruments entered into by the City of Macon or for its benefit prior to the
 439 effective date of this charter shall continue in effect according to the terms thereof as
 440 obligations and rights of the restructured government; provided, however, any obligation

441 created by the City of Macon to become effective after the date of approval of this charter
 442 and prior to the effective date of this charter shall be subject to ratification and approval by
 443 the commission of the restructured government within six months following the effective
 444 date of this charter.

445 (c) No pending action or proceeding of any nature, whether civil, criminal, judicial,
 446 administrative, or other, by or against the City of Macon or Bibb County or an agency or
 447 department thereof shall be abated or otherwise affected by the adoption of this charter, and
 448 the restructured government shall stand substituted as a party in lieu thereof."

449 **SECTION 17.**

450 Said Act is further amended by revising paragraph (6) of subsection (a) and subsections (c)
 451 and (d) of Section 37 as follows:

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

453 "(c) All officers, officials, including elected officials, and employees of Bibb County and
 454 the City of Macon shall cooperate with and assist the transition task force. The transition
 455 task force shall be entitled to examine all records, files, and other data in the possession of
 456 Bibb County and the City of Macon and all officers, officials, and employees and
 457 departments thereof. Bibb County and the City of Macon shall, to the extent possible,
 458 provide working areas and facilities for the transition task force.

459 (d) The transition task force shall be authorized to receive and expend appropriations from
 460 the board of commissioners of Bibb County and from the mayor and commission of the
 461 City of Macon for the purpose of carrying out its duties, but members of the transition task
 462 force shall receive no compensation for their services as such members."

463 **SECTION 18.**

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

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

467 **SECTION 19.**

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