

Senate Bill 393

By: Senator Gooch of the 51st

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Lumpkin County Water and Sewerage Authority, approved
2 March 21, 1984 (Ga. L. 1984, p. 4500), as amended, so as to provide that the chairperson of
3 the board of commissioners shall maintain a position on the authority; to provide for
4 nomination and approval of designees of the chairperson of the board and the chairperson of
5 the development authority; to provide for procedures; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 An Act creating the Lumpkin County Water and Sewerage Authority, approved March 21,
10 1984 (Ga. L. 1984, p. 4500), as amended, is amended by revising subsection (b) of Section
11 2 as follows:

12 "(b) The membership of the authority shall be composed of seven members as follows: one
13 member shall be the chairperson of the Lumpkin County Board of Commissioners; one
14 member shall be the mayor of the City of Dahlonega; one member shall be the chairperson
15 of the Development Authority of Lumpkin County; and four members shall be appointed
16 at large from the citizens of Lumpkin County by resolution of the governing authority of
17 said county. With the exception of the posts occupied by the chairperson of the Lumpkin
18 County Board of Commissioners, the mayor of the City of Dahlonega, and the chairperson
19 of the Development Authority of Lumpkin County, the initial terms of the other members
20 of the authority appointed hereunder shall be staggered terms of one, two, three, and four
21 years, beginning on June 1, 1992. The current terms of those members of the authority
22 heretofore appointed by the governing authority of Lumpkin County shall be terminated
23 effective May 31, 1992. The members of the authority hereafter appointed by the
24 governing authority of Lumpkin County shall take office immediately upon their
25 appointment and qualification and shall serve until their respective successors are duly
26 appointed and qualified. Successors shall be appointed by the governing authority of

27 Lumpkin County in the month of May immediately preceding the expiration of a member's
 28 term of office and such successor shall take office on the first day of June for a term of four
 29 years and until his or her respective successor is duly appointed and qualified. Any
 30 member of the authority may be selected and appointed to succeed himself or herself.
 31 Immediately after such appointments, the members of the authority shall enter upon their
 32 duties. The members of the authority shall be entitled to reimbursement for their actual
 33 expenses necessarily incurred in the performance of their duties. The authority shall have
 34 the power to establish bylaws and to promulgate and adopt rules and regulations necessary
 35 or desirable for the management and operation of the authority."

36 **SECTION 2.**

37 Said Act is further amended in Section 2 by adding two new subsections to read as follows:

38 "(b.1) The chairperson of the Board of Commissioners of Lumpkin County may nominate
 39 a district commissioner to serve on the authority in his or her stead. The chairperson shall
 40 nominate such commissioner at any regular or special meeting of the board, and the board
 41 shall consider and vote upon the nomination in the same manner as any other motion. If
 42 approved, the nominated commissioner shall serve on the authority until the commission
 43 term of the chairperson is complete or until the commission term of the nominated
 44 commissioner is complete, whichever first occurs. If not approved, the chairperson of the
 45 board may nominate an alternative district commissioner in the same manner provided by
 46 this subsection.

47 (b.2) The chairperson of the Development Authority of Lumpkin County may nominate
 48 a member of the development authority to serve on the Lumpkin County Water and
 49 Sewerage Authority in his or her stead. The chairperson shall nominate such member by
 50 submitting written notice to the Board of Commissioners of Lumpkin County. Such
 51 nomination shall be considered at any regular or special meeting of the board and voted
 52 upon in the same manner as any other motion. If approved by the board, the nominated
 53 member shall serve on the authority until the term of the chairperson of the development
 54 authority is complete or until the term of the nominated member of the development
 55 authority is complete, whichever first occurs. If not approved, the chairperson of the
 56 development authority may nominate an alternative member of the development authority
 57 in the same manner provided by this subsection."

58 **SECTION 3.**

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