

Senate Bill 106

By: Senator Jackson of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Chatham Area Transit Authority, approved March 28, 1986
2 (Ga. L. 1986, p. 5082), as amended, particularly by an Act approved March 24, 1988 (Ga.
3 L. 1988, p. 4824), and an Act approved April 11, 2012 (Ga. L. 2012, p. 5296), so as to
4 reconstitute the Chatham Area Transit Authority; to provide for additional members; to
5 provide for reappointment of current members; to provide for terms of office of subsequent
6 members; to provide for the removal of members; to provide for a quorum; to prohibit
7 conflicts of interest by members; to provide for payment of members for official business;
8 to provide for the election of a chairperson and vice chairperson; to provide for rules of
9 procedure; to provide for voting by the chairperson; to repeal a provision relating to the
10 exclusion of the Town of Vernonburg from the authority upon passage of a resolution; to
11 provide for an effective date; to provide for related matters; to repeal conflicting laws; and
12 for other purposes.

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

14 **SECTION 1.**

15 An Act creating the Chatham Area Transit Authority, approved March 28, 1986 (Ga. L.
16 1986, p. 5082), as amended, particularly by an Act approved March 24, 1988 (Ga. L. 1988,
17 p. 4824), and an Act approved April 11, 2012 (Ga. L. 2012, p. 5296), is amended by revising
18 Section 2.2 as follows:

19 **"SECTION 2.2.**

20 (a) The authority shall consist of 11 members as follows:

21 (1) Three members of the Board of Commissioners of Chatham County appointed by
22 such board of commissioners, who shall serve for terms of office of one year;

23 (2) One resident of the unincorporated area of Chatham County appointed by the board
24 of commissioners of said county. The first such member shall serve for an initial term
25 of office of two years and until the appointment and qualification of his or her successor,
26 and all successor members shall serve for terms of five years and until the appointment
27 and qualification of their successors;

28 (3) One resident of Chatham County, who shall be a person with a disability, appointed
29 by the board of commissioners of said county. Such member shall serve for a term of
30 five years and until the appointment and qualification of his or her successor;

31 (4) One resident of Chatham County at large appointed by the board of commissioners
32 of said county. The first such member shall serve for an initial term of office of four
33 years and until the appointment and qualification of his or her successor, and all
34 successor members shall serve for terms of five years and until the appointment and
35 qualification of their successors;

36 (5) One member of the Board of Aldermen of the City of Savannah appointed by the
37 mayor and aldermen of said city. Such member shall serve for a term of one year and
38 until the appointment and qualification of his or her successor;

39 (6) Two residents of the City of Savannah appointed by the mayor and aldermen of said
40 city. The first such member shall serve for an initial term of office of three years and
41 until the appointment and qualification of his or her successor, and all successor members
42 shall serve for terms of five years and until the appointment and qualification of their
43 successors;

44 (7) One resident of Garden City appointed by the city council of said city. Such member
45 shall serve for a term of five years and until the appointment and qualification of his or
46 her successor; and

47 (8) One resident of Chatham County, who shall have been affirmatively determined by
48 the Board of Commissioners of Chatham County to be a reasonable and qualified
49 representative of the Chatham County business community, appointed by the board of
50 commissioners of said county. Such member shall serve for a term of five years and until
51 the appointment and qualification of his or her successor.

52 (b)(1) Notwithstanding paragraph (3) of this subsection, any member of the authority
53 appointed pursuant to paragraph (2), (3), (4), (6), (7), or (8) of subsection (a) of this
54 section who has served for two consecutive full terms of office, including a full initial
55 term of less than five years, shall not be eligible for reappointment as a member of the
56 authority until one full term of office has elapsed following that member's vacation of his
57 or her seat on the authority.

58 (2) Notwithstanding paragraph (3) of this subsection, any member of the authority
59 appointed pursuant to paragraph (1) or (5) of subsection (a) of this section who has served
60 for five consecutive full terms of office shall not be eligible for reappointment as a
61 member of the authority until one full term of office has elapsed following that member's
62 vacation of his or her seat on the authority.

63 (3) Prior terms of service of members in office before July 1, 2012, shall not be
64 considered in calculating the limitations upon terms of office.

- 65 (c)(1) A member's seat on the authority shall be forfeited if:
- 66 (A) The member lacks at any time the qualifications for membership on the authority
- 67 provided by this Act;
- 68 (B) The member is convicted of any felony or other crime involving moral turpitude,
- 69 regardless of the sentence imposed; or
- 70 (C) The member fails to attend, without being excused by the authority:
- 71 (i) Four consecutive regular meetings of the authority; or
- 72 (ii) Fifty percent of the regular and special meetings of the authority in any one fiscal
- 73 year.
- 74 (2) If the seat of a member of the authority becomes vacant because of death, resignation,
- 75 or forfeiture as provided in paragraph (1) of this subsection, or for any other reason, such
- 76 vacancy shall be filled for the unexpired term in the same manner that an appointment is
- 77 made for a full term as provided in this section.
- 78 (d) A majority of the members of the authority shall constitute a quorum for the
- 79 transaction of business. No vacancy on the authority shall impair the right of a quorum to
- 80 exercise all the rights and perform all the duties of the authority.
- 81 (e) No member of the authority shall vote on any matter before the authority in which such
- 82 member has a direct or indirect financial interest. Except for compensation received as an
- 83 employee, no employee of the authority shall have any direct or indirect financial interest
- 84 in or profit or benefit from any contract, work, or business of the authority or in the sale,
- 85 lease, or purchase of any property to or from the authority.
- 86 (f) Each member of the authority except the chairperson shall be paid a per diem
- 87 allowance by the authority in an amount equal to that provided by Code Section 45-7-21
- 88 of the O.C.G.A. for each day on which that member attends an official meeting of the
- 89 authority or of any committee of the authority; provided, however, that such per diem
- 90 allowance shall not be paid to any such member for more than 36 days in any one calendar
- 91 year. The chairperson of the authority shall be paid a per diem allowance by the authority
- 92 in the same amount for each day on which the chairperson engages in official business of
- 93 the authority, including, but not limited to, attendance at any authority or committee
- 94 meetings; provided, however, that such per diem allowance shall not be paid to the
- 95 chairperson for more than 60 days in any one calendar year. Members of the authority,
- 96 including the chairperson, shall also be entitled to reimbursement for actual and reasonable
- 97 expenses incurred on authority business, provided such expenses were authorized in
- 98 advance of being incurred.
- 99 (g) The members of the authority shall elect a chairperson and a vice chairperson. The
- 100 vice chairperson shall act in the absence or inability of the chairperson. Regular meetings
- 101 of the authority shall be held monthly, with the time, place, and notice of such meetings

102 to be fixed by the authority. All meetings shall be conducted in accordance with *Robert's*
103 *Rules of Order*, unless the authority adopts other rules. All motions, resolutions, and all
104 other proceedings of the authority and all documents in its possession shall be public
105 records and open to public inspection as provided in Article 4 of Chapter 18 of Title 50 of
106 the O.C.G.A.

107 (h) The chairperson of the authority shall be entitled to vote on any matter coming before
108 the authority."

109 **SECTION 2.**

110 Said Act is further amended by repealing Section 3.2A, relating to the exclusion of the Town
111 of Vernonburg from the Chatham Area Transit Authority upon passage of a resolution.

112 **SECTION 3.**

113 This Act shall become effective upon its approval by the Governor or upon its becoming law
114 without such approval.

115 **SECTION 4.**

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