

Senate Bill 281

By: Senator Kennedy of the 18th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act formerly known as the "Bibb County Water and Sewerage Authority Act,"
 2 now known as the "Macon Water Authority Act," approved March 2, 1966 (Ga. L. 1966,
 3 p. 2737), as amended, particularly by an Act approved March 23, 1992 (Ga. L. 1992,
 4 p. 4991), and by an Act approved April 23, 1999 (Ga. L. 1999, p. 4832), so as to extend the
 5 power of the authority to contract with Macon-Bibb County and the Macon-Bibb County
 6 Industrial Authority to acquire, construct, and develop industrial sites and facilities; to
 7 provide for the use of certain funds of the authority; to provide an effective date; to repeal
 8 conflicting laws; and for other purposes.

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

10 **SECTION 1.**

11 An Act, formerly known as the "Bibb County Water and Sewerage Authority Act," now
 12 known as the "Macon Water Authority Act," approved March 2, 1966 (Ga. L. 1966, p. 2737),
 13 as amended, particularly by an Act approved March 23, 1992 (Ga. L. 1992, p. 4991), and by
 14 an Act approved April 23, 1999 (Ga. L. 1999, p. 4832), is amended by revising
 15 subparagraphs (A), (E), and (F) of paragraph (19.1) of Section 5 and adding a new
 16 subparagraph to read as follows:

17 "(19.1)(A) To enter into a contract or contracts with Macon-Bibb County, the
 18 Macon-Bibb County Industrial Authority, or both, with respect to acquiring and
 19 developing industrial sites and facilities, including, without limitation, the construction
 20 or renovation of buildings and facilities for lease or sale to industrial or other companies
 21 providing employment within Macon-Bibb County. The power granted by this paragraph
 22 shall not extend to any activities used or useful in connection with the collection,
 23 treatment, reuse, or disposal of municipal solid waste as defined in paragraph (18) of
 24 Code Section 12-8-22 of the O.C.G.A. The authority may utilize its revenues from its
 25 water and sewer operations for the performance of such contracts; provided, however,
 26 that such contracts shall not require nor permit the expenditure of authority funds in

27 excess of \$704,000.00 per annum nor an aggregate of more than \$35,200,000.00 over the
28 life of the contract or contracts, such aggregate limit specifically including prior revenues
29 paid by the authority under the powers previously granted under the Act for all years
30 1999 through the present;"

31 "(E) To pledge the payment of any funds authorized by this paragraph to be used for any
32 of the purposes set forth in this paragraph to the repayment of any revenue bonds issued
33 by the authority, Macon-Bibb County, or the Macon-Bibb County Industrial Authority
34 for the purpose of raising funds to carry out the provisions of any contract or contracts
35 entered into under the authority of this paragraph;

36 (F) To use reasonable amounts of funds authorized in subparagraph (A) of this paragraph
37 to obtain options on property or properties sought to be acquired for the purposes set out
38 in that subparagraph; and

39 (G) Nothing in this paragraph shall limit the power of the authority to contract for
40 services with Macon-Bibb County or the Macon-Bibb County Industrial Authority or to
41 appropriate or obligate through any such contract or contracts those revenues of the
42 authority as deemed appropriate for the provision of the same; and".

43 **SECTION 2.**

44 (a) The changes made by this Act to the law creating the authority shall be effective
45 prospectively from the effective date of this Act and shall not affect any project of, or any
46 action taken by, the authority prior to such changes becoming effective.

47 (b) The authority shall retain, to the extent necessary to carry out or complete the
48 performance of any such prior project or action, all powers and duties provided by the Act
49 creating the authority, as amended.

50 (c) Subject to the subsections contained in this section, the provisions of this Act shall be
51 regarded as supplementary to powers conferred by other laws and shall not be regarded as
52 being in derogation of any powers now existing.

53 **SECTION 3.**

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

56 **SECTION 4.**

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