

House Bill 20EX2

By: Representatives Mosley of the 171st and Byrd of the 170th

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the Board of Commissioners of Wayne County, approved March 16, 1962 (Ga. L. 1962, p. 3110), as amended, so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for election, terms of office, and qualifications of members; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Board of Commissioners of Wayne County, approved March 16, 1962 (Ga. L. 1962, p. 3110), as amended, is amended by striking Section 2 of said Act and inserting in its place the following:

"SECTION 2.

Commissioner districts.

(a) The Board of Commissioners of Wayne County shall be composed of five members who shall be elected as provided in this Act. For purposes of electing members of the board of commissioners, Wayne County is divided into five commissioner districts. Effective with the election of members at the November general election in 2002 and thereafter, the five commissioner districts shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as Plan Name: wayneplan4 Plan Type: LOCAL User: PaulH Administrator: Wayne CC & SB.

(b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. The

1 separate numeric designations in a Tract description which are underneath a 'BG' heading
2 shall mean and describe individual Blocks within a Block Group as provided in the report
3 of the Bureau of the Census for the United States decennial census of 2000 for the State of
4 Georgia. Any part of Wayne County which is not included in any such district described
5 in that attachment shall be included within that district contiguous to such part which
6 contains the least population according to the United States decennial census of 2000 for
7 the State of Georgia. Any part of Wayne County which is described in that attachment as
8 being in a particular district shall nevertheless not be included within such district if such
9 part is not contiguous to such district. Such noncontiguous part shall instead be included
10 within that district contiguous to such part which contains the least population according
11 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise
12 provided in the description of any commissioner district, whenever the description of such
13 district refers to a named city, it shall mean the geographical boundaries of that city as
14 shown on the census map for the United States decennial census of 2000 for the State of
15 Georgia."

16 **SECTION 2.**

17 Said Act is further amended by striking Section 3 of said Act and inserting in its place the
18 following:

19 **"SECTION 3.**

20 Elections and terms of office.

21 (a) A commissioner shall be elected from each of the five commissioner districts described
22 in Section 2 of this Act. No person shall be a member of the board if that person is
23 ineligible for such office pursuant to Code Section 45-2-1 of the O.C.G.A. or any other
24 general law applicable to that office. In order to be elected as a member of the board from
25 a commissioner district, a person must receive the number of votes cast as required by
26 general law for that office in that district only. Only electors who are residents of that
27 commissioner district may vote for a member of the board for that district. At the time of
28 qualifying for election as a member of the board from a commissioner district, each
29 candidate for such office shall specify the commissioner district for which that person is
30 a candidate. A person elected or appointed as a member of the board from a commissioner
31 district must continue to reside in that district during that person's term of office or that
32 office shall become vacant.

33 (b) The members of the Board of Commissioners of Wayne County shall be elected at the
34 general election on the Tuesday next following the first Monday in November 2002. The

1 members of the board elected thereto in 2002 shall take office on the first day of January
2 immediately following that election for terms of office which expire December 31, 2006,
3 and upon the election and qualification of their respective successors. Future successors
4 to members of the board whose terms of office are to expire shall be elected at the time of
5 the November state-wide general election immediately preceding the expiration of such
6 terms, shall take office on the first day of January immediately following that election, and
7 shall have terms of office of four years each and until their respective successors are
8 elected and qualified.

9 (c) All members of the board who are elected thereto shall be nominated and elected in
10 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

11 **SECTION 3.**

12 It shall be the duty of the attorney of the Board of Commissioners of Wayne County to
13 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,
14 as amended.

15 **SECTION 4.**

16 This section and Section 3 of this Act and those provisions of this Act necessary for the
17 election of members of the Board of Commissioners of Wayne County in 2002 shall become
18 effective upon the approval of this Act by the Governor or upon its becoming law without
19 such approval. The remaining provisions of this Act shall become effective January 1, 2003.

20 **SECTION 5.**

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