

Senate Bill 13EX2

By: Senator Mullis of the 53rd

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

To amend an Act creating the Walker County Water and Sewer Utility Authority, approved April 4, 1991 (Ga. L. 1991, p. 3796), so as to change the provisions regarding the terms of office of the members thereof; to change the provisions concerning qualifications for such members; to change certain provisions relating to vacancies in office; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Walker County Water and Sewer Utility Authority, approved April 4, 1991 (Ga. L. 1991, p. 3796), is amended by striking subsections (b), (c), and (f) of Section 2 in their entirety and inserting in lieu thereof new subsections (b), (c), and (f) to read as follows:

"(b) The Authority shall consist of five members who shall be appointed by the commissioner of Walker County. The commissioner of Walker County shall be eligible and qualified to be appointed and serve as a member of the Authority, and the commissioner may appoint himself or herself as one of the members of the Authority. The initial members of the Authority shall be appointed by the commissioner of Walker County as follows: one member shall be appointed for a term of office expiring on June 1, 2002; one member shall be appointed for a term of office expiring on June 1, 2003; one member shall be appointed for a term of office expiring on June 1, 2004; one member shall be appointed for a term of office expiring on June 1, 2005; and one member shall be appointed for a term of office expiring on June 1, 2006. The initial members of the Authority shall take office immediately upon their appointment and qualification and shall serve until their respective successors are duly appointed and qualified. Successors shall be appointed by said commissioner of Walker County in the month of May immediately preceding the expiration of a member's term of office, and such successors shall take office on the first day of June for a term of five years and until his or her respective successor is duly

1 appointed and qualified. Any member of the Authority may be selected and appointed to
2 succeed himself or herself. Immediately after such appointments, the members of such
3 Authority shall enter upon their duties. The members of the Authority shall be entitled as
4 compensation for their services an amount not to exceed \$2,400.00 per year, payable in
5 equal monthly payments, except the chairman, who shall be entitled to receive for his or
6 her services an amount not to exceed \$2,700.00 per year, payable in equal monthly
7 payments, and additionally all members shall be reimbursed for their actual expenses
8 necessarily incurred in the performance of their duties. The Authority shall have the power
9 to establish bylaws and to promulgate and adopt rules and regulations necessary or
10 desirable for the management and operation of the Authority.

11 (c) To be eligible for appointment as a member of the Authority, a person shall be at least
12 twenty-one years of age, a resident of Walker County for at least one year prior to the date
13 of his or her appointment, and shall not have been convicted of a felony involving moral
14 turpitude."

15 "(f) In the event of a vacancy by reason of death, disqualification, resignation, or any other
16 reason, the commissioner of Walker County shall select and appoint a qualified person to
17 fill the unexpired term of the member whose position has been vacated. A vacancy shall
18 exist in the office of any member of the Authority who is convicted of a felony or who
19 enters a plea of nolo contendere thereto; who is convicted of a crime involving moral
20 turpitude or enters a plea of nolo contendere thereto; who moves his or her residence from
21 Walker County; who is convicted of any act of misfeasance, malfeasance, or nonfeasance
22 of his or her duties as a member of the Authority; or who fails to attend any regular or
23 special meeting of the Authority for a period of three months without excuse approved by
24 a Resolution of the Authority."

25 **SECTION 2.**

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