

House Bill 1488 (AS PASSED HOUSE AND SENATE)

By: Representatives Williams of the 168th and DeLoach of the 167th

A BILL TO BE ENTITLED
AN ACT

1 To establish the Hinesville Conference Center and Tourism Authority; to provide for the
2 purpose of the authority; to provide for definitions; to provide for the membership of the
3 authority; to provide for the election of officers, quorum, bylaws, and procedures at
4 meetings; to provide for expenses of members; to provide for filling vacancies; to provide
5 for the powers of the authority; to provide for an executive director; to provide for the use
6 of funds by the authority; to provide for severability; to provide for a short title; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Hinesville Conference Center and Tourism
11 Authority Act."

12 **SECTION 2.**

13 The purpose of this Act is to create the Hinesville Conference Center and Tourism Authority.
14 The purpose of the authority is to oversee the construction, completion, and operation of a
15 conference center which shall be used for civic, cultural, and educational purposes; for fairs,

16 conferences, expositions, conventions, seminars, and other similar activities; for the
17 promotion of the local economy; and for the purpose of directing and promoting tourism,
18 conferences, and trade shows in the area of the City of Hinesville.

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SECTION 3.

20 As used in this Act, the term:

21 (1) "Authority" shall mean the Hinesville Conference Center and Tourism Authority
22 created by this Act.

23 (2) "Conference center" shall mean any structure or building which is or has been used,
24 or which the authority may plan to use, for civic, cultural, and educational purposes; for the
25 conduct of fairs, conferences, expositions, conventions, seminars, and other similar
26 activities; for the promotion of the local economy; and to direct, encourage, and promote
27 tourism, conferences, and trade shows in the area of the City of Hinesville.

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SECTION 4.

29 The authority shall consist of seven directors appointed by the governing authority of the
30 City of Hinesville. Directors shall serve for terms of four years and until their successors are
31 appointed and qualified.

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SECTION 5.

33 The membership of the authority shall elect from among themselves a chairperson and vice
34 chairperson, each of whom shall continue as voting members. The chairperson shall preside
35 over the meetings of the authority, and the vice chairperson shall preside in his or her
36 absence, and such officers shall have such other powers, duties, and responsibilities as are
37 set out elsewhere herein. The authority shall also choose a secretary, who may or may not
38 be a member of the authority, to keep the minutes and records of the authority. Four
39 members of the authority shall constitute a quorum. A majority of the quorum may exercise

40 any and all powers of the authority. The authority shall, as soon as practicable, adopt its own
41 bylaws, rules, and procedures to govern its internal workings and the conduct of its business.
42 The authority shall meet at least once per month and at such other times as it may deem
43 necessary.

44 **SECTION 6.**

45 The members shall receive no compensation but shall be reimbursed from the funds of the
46 authority for reasonable and necessary expenses incurred in pursuing the business of the
47 authority.

48 **SECTION 7.**

49 Should any appointed member vacate his or her office as a member, either by resignation,
50 death, change of residence, unexcused failure to attend three scheduled meetings in a row,
51 or other reason, the governing authority by whom the appointment was made shall, as soon
52 as practicable, appoint another member to the authority to serve for the remainder of the
53 term.

54 **SECTION 8.**

55 (a) The authority shall possess all the powers necessary or convenient to accomplish its
56 purposes, including the following specific powers which shall not be construed as a
57 limitation upon the general and other specific powers of the authority:

58 (1) To adopt a seal to be used for authentication of legal documents, obligations, contracts,
59 and other instruments and to alter the same at its pleasure;

60 (2) To appoint, select, and contract for the services of engineers, architects, building
61 contractors, accountants and other fiscal agents, attorneys, and such other persons, firms,
62 or corporations as are necessary to accomplish the purposes of the authority, for such fees
63 or compensation and under such terms and conditions as it deems appropriate;

- 64 (3) To adopt and to enforce reasonable rules and regulations for the orderly, safe, and
65 efficient operation of its projects;
- 66 (4) To contract with any person, firm, or public or private corporation to supply goods,
67 commodities, facilities, and services to the public, employees of the authority, and other
68 commercial interests located in any conference center under its control under such terms
69 and conditions as it may prescribe, including the power to grant exclusive rights,
70 franchises, or concessions;
- 71 (5) To enter into agreements with the state, any subdivision thereof, any county or
72 municipality, or the federal government or any agency thereof to use in the performance
73 of its functions the facilities or the service of the state or such subdivision of such county
74 or municipality or the federal government or agent thereof in order to accomplish its
75 purposes; and
- 76 (6) To make application, directly or indirectly, of any federal, state, county, or municipal
77 government or agency, or of any other source, public or private, for loans, grants,
78 guarantees, or other financial assistance in aid of conference centers or buildings under its
79 control and to accept or use same upon such terms and conditions as are prescribed by the
80 federal, state, county, or municipal government or agency or other source.
- 81 (b) The authority shall not have the power of eminent domain.
- 82 (c) The authority shall be authorized to appoint and fix the compensation of an executive
83 director under such terms and conditions as it deems appropriate. The executive director
84 shall be the chief executive and chief operating officer of the authority and shall be
85 responsible for staffing. A part of his or her staff shall be dedicated to the promotion of
86 tourism. The executive director shall have experience as a business executive, preferably in
87 connection with the operation of a conference and convention center, and in the promotion
88 of tourism. Under the supervision of the authority, the executive director shall be responsible
89 for the operation, management, and promotion of all activities with which the authority is
90 charged hereunder, together with such other duties as may be prescribed by the authority, and

91 shall have such powers as are necessarily incident to the performance of his or her duties and
92 such others as may be granted by the authority. The authority shall also authorize and
93 employ such other administrative, professional, or clerical employees under such terms and
94 conditions as it shall consider necessary and appropriate to effectuate its purposes.

95 **SECTION 9.**

96 The funds of the authority, from whatever source derived, shall be used only in support of
97 conference centers as defined herein and in promotion of the conference center, the tourist
98 and recreational industry, and tourism in the area of the City of Hinesville. The authority
99 shall keep suitable books and records of all its obligations, contracts, transactions and
100 undertakings, all income, and all expenditures of every kind. The financial books and
101 records of the authority shall be audited annually. Such audit shall be paid for by the
102 authority and shall be furnished to the governing authority of the City of Hinesville. Such
103 audit shall be a public record.

104 **SECTION 10.**

105 In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared
106 or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other
107 sections, subsections, sentences, clauses, or phrases of this Act, which shall remain in full
108 force and effect as if the section, subsection, sentence, clause, or phrase so declared or
109 adjudicated invalid or unconstitutional was not originally a part of this Act. The General
110 Assembly declares that it would have passed the remaining parts of the Act if it had known
111 that such parts of this Act would be declared or adjudicated invalid or unconstitutional.

112 **SECTION 11.**

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