

## STEPHENS COUNTY DEVELOPMENT AUTHORITY.

Proposed Amendment to the Constitution.

No. 277 (House Resolution No. 734-1600).

## A Resolution.

Proposing an amendment to the Constitution so as to create the Stephens County Development Authority; to provide for the powers, authority, funds, purposes, and procedure connected therewith; to provide for the issuance of revenue bonds and the validation of such bonds; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Be it resolved by the General Assembly of Georgia:

Section 1. Article VII, Section V, Paragraph I of the Constitution is hereby amended by adding at the end thereof the following:

Created.

"A. There is hereby created a body corporate and politic in Stephens County to be known as the Stephens County Development Authority, which shall be an instrumentality of Stephens County and a public corporation and which in this amendment is hereafter referred to as the 'Authority'.

Members, etc.

"B. The Authority shall consist of five members. The President of the Stephens County Chamber of Commerce, the Mayor of Toccoa, Georgia, and the Chairman of the Stephens County Board of Commissioners shall be ex-officio members of the Authority. In addition, the Board of Commissioners of Roads and Revenues of Stephens County shall appoint two members who shall serve for a term of five years and shall be eligible for re-appointment. Vacancies shall be filled for the unexpired term by the said Board of County Commissioners. A majority of the members shall constitute a quorum and a majority may act for the Authority in any matter. No vacancy shall impair the power of the Authority to act.

"C. The power of the Authority shall include, but not be limited to, the power:

Powers.

1. To sue and be sued; to receive and administer gifts, grants and donations and administer trusts;
2. To borrow money, to issue notes and revenue bonds, to execute trust agreements or indentures, and to sell, convey, lease, mortgage, pledge and assign any and all of its funds, property and income as security therefor;
3. To grant, loan, and lease any of its funds and property to private persons and corporations promising to operate any industrial plant or establishment within Stephens County which in the judgment of the Authority will reduce unemployment and will be of a benefit of the people of said County. The provision of this clause shall not be construed to limit any other powers of the Authority.
4. To exercise any power granted by the laws of the State of Georgia to any public or private corporation performing similar functions, which is not in conflict with the Constitution and laws of the State of Georgia.
5. To encourage and promote the expansion and development of industrial and commercial facilities in Stephens County, Georgia, so as to relieve insofar as possible unemployment within its boundaries, and to that end to acquire by purchase or gift any building or structure within the limits of said County suitable for and intended for use as a factory, mill, shop, processing plant, assembly plant, or fabricating plant including all necessary and appurtenant lands and appurtenances thereto, and all necessary or useful furnishings, machinery and equipment. Such acquisition may be through the acquisition of land and the construction thereon of a building, or buildings or other structures and facilities useful or desirable in connection therewith, including the demolition of existing structures, or through the acquisition of an existing building and remodeling, renovating, reconstructing, furnishing and equipping of such buildings,

and to acquire and equip any additions or acquisitions thereto;

6. No building acquired hereunder shall be operated by the Authority but shall be leased or sold to one or more persons, firms or corporations. If sold, the purchase price may be paid at one time or in installments falling due in not more than thirty (30) years from the date of transfer or possession. The lessee or purchaser shall be required to pay all cost of operating and maintaining the building or buildings and to pay rentals or installments sufficient, together with other revenues which may be pledged for the purpose, to retire all bonds, both principal and interest, and to pay all other expenses which the Authority may have incurred in connection with the undertaking;

7. To accumulate its funds from year to year and to invest accumulated funds in any manner that public funds of the State of Georgia or any of its political subdivisions may be invested;

8. To designate officers to sign and act for the Authority generally or in any specific manner;

9. To do any and all acts and things necessary or convenient to accomplish the purpose and powers of the Authority as herein stated;

10. To appoint and select officers, agents and employees including engineers, architects, builders and attorneys, and to fix their compensation;

11. To adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted and in which the power granted to it may be enjoyed, as the Authority may deem necessary or expedient in facilitating its business.

"D. The property obligations and the interest on the obligations of the Authority shall have the same immunity from taxation as the property obligations and

interest on the obligations of Stephens County, Georgia. The exemptions from taxation herein provided shall not include exemptions from sale and use taxes on property purchased by the Authority or for use by the Authority.

"E. In order to finance any undertaking within the scope of its power or to refund any bonds then outstanding, the Authority is hereby authorized to issue bonds, debentures and revenue bonds for the purpose of paying all or any part of the cost of any project of the Authority, such revenue bonds shall be issued and validated under and in accordance with the applicable provisions of the laws of Georgia, as though such bonds had originally been authorized to be issued under the Revenue Certificate Law of 1937 (Ga. L. 1937, p. 761), as amended. The judgment of validation shall be final, conclusive and forever incontestable as to the validity of the bonds and the security for the payment thereof, as well as all other matters, both substantive and procedural, relative to their issuance, and any property real or personal, of the Authority may be pledged, mortgaged, conveyed, assigned, hypothecated or otherwise encumbered, including the creation of any security interest in any equipment or other property of the Authority, as security for any lawful debt of the Authority. Bonds.

"F. The County of Stephens is hereby authorized to levy and collect an annual ad valorem tax not to exceed two (2) mills for developing and promoting industry and agriculture and to reduce unemployment in Stephens County, and is hereby directed to pay the Authority all funds deriving from such levy to be used for the purposes provided herein. Funds.

"G. If at any time, in the judgment of the County Commissioners of Stephens County, the two (2) mills ad valorem levy as herein provided shall no longer need to effectuate the purposes of this amendment, said Commissioners may discontinue said two (2) mills ad valorem tax levy without further legislature enactment. Same.

Debts. "H. The Authority shall not be empowered or authorized in any manner to create any debt, liability or obligation against the State of Georgia, or County of Stephens.

Property. "I. Should said Authority for any reason be dissolved, title to all property of every kind and nature, real and personal, held by the Authority at the time of such dissolution shall revert to Stephens County, Georgia, subject to any mortgages, liens, leases or other encumbrances outstanding against or in respect to said property at that time.

Severability. "J. The provisions of this amendment are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Projects. "K. Any project of the Authority shall be restricted to or within the limits of Stephens County, Georgia.

Construction. "L. This amendment is adopted for the purpose of promoting and expanding for the public good and welfare industry and trade within the County of Stephens and reducing unemployment to the greatest extent possible, and this amendment and any law enacted with reference to the Authority shall be liberally construed for the accomplishment of these public purposes.

Effective date. "M. This amendment shall be effective immediately upon proclamation of its ratification by the Governor and the first members of the Authority shall take office within thirty (30) days after such proclamation.

General Assembly. "N. The General Assembly may by law further define and prescribe the powers and duties of the Authority and the exercise thereof, and may enlarge and restrict the same, and may likewise further regulate the management and conduct of the Authority.

Intent. The provisions of this amendment shall supersede an amendment creating the Stephens County Development

Authority ratified at the November 1962 general election and found in Ga. Laws 1962, p. 877. All actions and proceedings taken thereunder and under the provisions of any law passed pursuant to the aforesaid amendment are hereby ratified and confirmed as if the provisions contained herein had been in effect. The Authority created hereunder shall be the successor to the Authority created pursuant to the aforesaid amendment and shall succeed to all the powers of the Authority created pursuant to the aforesaid amendment and the assets and obligations of such Authority shall be the assets and obligations of the Authority created herein."

Section 2. When the above proposed amendment to the Constitution shall have been agreed to by two-thirds of the members elected to each of the two branches of the General Assembly, and the same has been entered on their journals with the "Ayes" and "Nays" taken thereon, such proposed amendment shall be published and submitted as provided in Article XIII, Section I, Paragraph I of the Constitution of Georgia of 1945, as amended.

The ballot submitting the above proposed amendment shall have written or printed thereon the following:

- "YES ( ) Shall the Constitution be amended so as to create the Stephens County Industrial Development Authority; to provide for powers, authority, funds, purposes and procedure connected therewith; to provide for issuing revenue bonds and for the validation of such bonds?"
- NO ( )

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes". All persons desiring to vote against ratifying the proposed amendment shall vote "No".

If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this State. The returns of

the election shall be made in like manner as returns for elections for members of the General Assembly, and it shall be the duty of the Secretary of State to ascertain the result and certify the result to the Governor, who shall issue his proclamation thereon.

Approved April 11, 1968.

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PUTNAM COUNTY DEVELOPMENT AUTHORITY.

Proposed Amendment to the Constitution.

No. 278 (House Resolution No. 735-1608).

A Resolution.

Proposing an amendment to the Constitution so as to create the Putnam County Development Authority; to provide for powers, authority, funds, purposes and procedures connected therewith; to provide for the submission of this amendment for ratification, or rejection; and for other purposes.

Be it resolved by the General Assembly of Georgia:

Section 1. Article VII, Section V, Paragraph I of the Constitution is hereby amended by adding at the end thereof the following:

“A. There is hereby created a body corporate and politic in the County of Putnam to be known as the Putnam Development Authority, which shall be an instrumentality of Putnam County and a public corporation and which in this amendment is hereafter referred to as the ‘Authority.’

Created.

“B. The Authority shall consist of five members who shall serve for a term of five years and who shall be eligible for reappointment. The members shall be appointed by the Board of Commissioners of Roads and

Members, etc.

the same is approved by the electorate in a referendum held for that purpose.

This 15th day of December, 1967.

Elizabeth Askew  
City Clerk

has been published in said LaGrange Daily News, to-wit: Dec. 22, 1967, Dec. 29, 1967, Jan. 5, 1968, being 3 publications of said notice and petition, issued on dates aforesaid respectively.

/s/ Glen O. Long, Publisher

Sworn and subscribed before me,  
this 14th day of February, 1968.

/s/ Sue K. Whatley,  
Notary Public, Troup County, Georgia.  
My Commission expires March 6, 1968.  
(Seal).

Approved March 21, 1968.

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STEPHENS COUNTY DEVELOPMENT AUTHORITY—  
BONDS.

No. 814 (House Bill No. 1538).

An Act to authorize the Stephens County Development Authority to issue revenue bonds; to carry out the purposes provided in the constitutional amendment creating said Authority; to provide that such bonds shall be validated, issued, and delivered in accordance with the Revenue Bond Law; to repeal conflicting laws; and for other purposes.



Be it enacted by the General Assembly of Georgia:

Section 1. Pursuant to an amendment to Article VII, Section V, Paragraph I of the Constitution creating the Stephens County Development Authority, which amendment was ratified at the General Election in 1962 and which may be found in Georgia Laws 1962, p. 877, the Stephens County Development Authority, in order to finance any undertaking within the scope of its power or to refund any bonds then outstanding, is hereby authorized to issue revenue bonds bearing the rate or rates of interest and maturing at the years and amounts as determined by the Authority, and the procedure of validation, issuance, and delivery shall be, in all respects, in accordance with the Revenue Bond Law (Ga. L. 1937, p. 761), as amended (Ga. Code Ann. Supp., Chap. 87-8), as if said obligations had been originally authorized to be issued thereunder.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

#### Notice to Introduce Legislation.

Notice is hereby given that a bill will be introduced in the 1968 Session of the General Assembly of Georgia, to amend the act creating the Stephens County Development Authority to enlarge its powers and duties and also to restrict certain powers and duties so as to reduce the unemployment in Stephens County, Georgia.

This 3rd day of February 1968.

Don C. Moore, Representative  
Stephens County, Georgia

Georgia, Fulton County.

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Don C. Moore who, on oath, deposes and says that he is Representative from the 12th District, and that the attached copy of

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notice of intention to introduce local legislation was published in The Toccoa Record which is the official organ of Stephens County, on the following dates: February 8, 15, 22, 1968.

/s/ Don C. Moore  
 Representative,  
 12th District

Sworn to and subscribed before me,  
 this 26th day of February, 1968.

/s/ Pamela A. McIntyre,  
 Notary Public, Georgia, State at Large.  
 My Commission expires Jan. 9, 1971.  
 (Seal).

Approved March 21, 1968.

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MILLER COUNTY BOARD OF EDUCATION—  
 REFERENDUM.

No. 815 (House Bill No. 1602).

An Act to change the method of selecting the members of the Board of Education of Miller County; to provide for education districts; to provide for education posts; to provide for filling vacancies; to provide for all matters and procedures relative to the foregoing; to provide for a referendum; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. (a) The Board of Education of Miller County shall be composed of five members to be elected as hereinafter provided. For the purpose of electing members of the Board of Education of Miller County, said county shall be divided into three education districts as follows:

STEPHENS COUNTY DEVELOPMENT AUTHORITY —  
LOCAL CONSTITUTIONAL AMENDMENT CONTINUED.

No. 979 (House Bill No. 1531).

AN ACT

To continue in force and effect as a part of the Constitution of the State of Georgia that constitutional amendment creating the Stephens County Development Authority (Resolution Act No. 277; House Resolution No. 734-1600; Ga. L. 1968, p. 1854); to provide the authority for this Act; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
GEORGIA:

**Section 1.** That constitutional amendment creating the Stephens County Development Authority (Resolution Act No. 277; House Resolution No. 734-1600; Ga. L. 1968, p. 1854) shall not be repealed or deleted on July 1, 1987, as a part of the Constitution of the State of Georgia but is specifically continued in force and effect on and after that date as a part of the Constitution of the State of Georgia.

**Section 2.** This Act is passed pursuant to Article XI, Section I, Paragraph IV of the Constitution of the State of Georgia which authorizes the continuation of certain amendments to the Constitution.

**Section 3.** All laws and parts of laws in conflict with this Act are repealed.

NOTICE OF INTENTION TO INTRODUCE LEGISLATION

Notice is given that there will be introduced at the regular 1986 session of the General Assembly of Georgia a bill to continue in force and effect as a part of the Constitution of the State of Georgia that constitutional amendment creating the Stephens County Development Authority (RES. ACT NO. 277; H.R. 734-1600; Ga. L. 1968, p. 1854); and for other purposes.

This 21st day of January, 1986.

STEPHENS COUNTY  
BOARD OF  
COMMISSIONERS  
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AFFIDAVIT

GEORGIA, STEPHENS COUNTY

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, JEANETTE JAMIESON, who, on oath, deposes and says that she is Representative from the 11th District, Post 2, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Toccoa Record which is the official organ of Stephens County on the following date: January 23, 1986.

/s/ Jeanette Jamieson,  
Representative,  
11th District, Post 2

Sworn to and subscribed before me  
this 29th day of January, 1986.

/s/ Connie F. Smith  
Notary Public, Clayton County, Georgia.  
My Commission Expires Nov. 21, 1989.  
(SEAL).

Approved March 20, 1986.