

**LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY
OF THE STATE OF GEORGIA 1984 [VOLUME 2]**

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Sequential Number: 342

Short Title: FULTON COUNTY LIBRARY SYSTEM -- COMPOSITION OF BOARD OF TRUSTEES, ETC.

Law Number: No. 1071

Origin: (House Bill No. 1324).

Type: AN ACT

To amend an Act providing for the establishment of a county-wide library system in Fulton County, approved April 12, 1982 (Ga. L. 1982, p. 4174), as amended by an Act approved March 18, 1983 (Ga. L. 1983, p. 4228), so as to provide for the composition of the library board of trustees; to provide for staggered terms of members of the board of trustees of the county-wide library system; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. An Act providing for the establishment of a county-wide library system in Fulton County, approved April 12, 1982 (Ga. L. 1982, p. 4174), as amended by an Act approved March 18, 1983 (Ga. L.

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1983, p. 4228), is amended by striking Section 4 thereof in its entirety and inserting in lieu thereof a new Section 4 to read as follows:

- "Section 4. (a) Responsibility for constructing, operating, and maintaining all library facilities and services within the above-mentioned portions of Fulton County shall hereinafter be vested in the county-wide library system which shall be administered by the library board of trustees. The members of the Board of Trustees of the Atlanta Public Library at the time of the effective date of this Act shall be and become members of the library board of trustees and shall serve in that capacity through midnight June 30, 1984. Commencing July 1, 1984, the composition of the library board of trustees shall be as hereinafter provided.
- (b) The mayor of the City of Atlanta or his designee shall serve on the library board of trustees in an ex officio capacity. The mayor of the City of Atlanta shall also appoint one member of the Atlanta City Council to serve as a regular member on the library board of trustees. The Chairman of the Fulton County Board of Commissioners or his designee shall also serve on the library board of trustees in an ex officio capacity; and the board of commissioners shall elect one member from their board to serve as a regular member of the library board of trustees.

Each member selected pursuant to this subsection shall serve for a term of four years; provided that the term shall expire at midnight on June 30 of the fourth year of the term of each such member.

- (c) On or before July 1, 1984, the Board of Commissioners of Fulton County shall appoint six members of such library board of trustees, and of such membership one member shall be a resident of a municipality from the north Fulton area, one member shall be a resident of a municipality from the south Fulton area, one member shall be a resident from the special tax district of the unincorporated area, and three members shall be residents of the City of Atlanta. The Chairman of the Fulton County Board of Commissioners shall appoint a seventh member, who shall be a resident of any area of Fulton County. Each of the three members from designated area of the county as stated above shall serve a term of four years; provided that the term shall expire at midnight on June 30 of the fourth year of such member's term. The three members from the City of Atlanta and the member appointed by the Chairman of the Fulton County Board of Commissioners shall serve a term of two years; provided that the term shall expire at midnight on June 30 of the second year of

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such member's term. Upon the expiration of all of the terms as set forth above, the members of the said library board of trustees shall thereafter serve a term of four years.

- (d) In addition to the above members of the library board of trustees, the following persons on the said board at the time of the effective date of this Act shall continue to serve for a term of four years beginning July 1, 1984:
 - 1. The chairman of the library board of trustees at the time of the effective date of this Act.
 - 2. The immediate past chairman of said board if such person is on the library board of trustees at the time of the effective date of this Act.
 - 3. One other person who is a member of the library board of trustees at the time of the effective date of this Act, such person to be appointed by the Board of Commissioners of Fulton County on or before July 1, 1984.
 - 4. The purpose of this subsection is to provide for the continued service on the library board of three members who are serving on the effective date of this Act for a term of four years, beginning July 1, 1984. If either the present chairman or the immediate past chairman is unable to serve for the new term beginning July 1, 1984, or any portion of such term, the board of commissioners shall appoint any person on such present board of trustees to serve for such term or balance of such term.
 - 5. At the expiration of the term of the persons serving under this subsection, the library board of trustees shall consist of eleven members, four under the provisions of subsection (b) and seven under subsection (c).

- (e) Members of the library board of trustees shall be removed for cause or for failure to attend three consecutive meetings pursuant to the bylaws of the library board of trustees.
- (f) Vacancies on the library board of trustees shall be filled in the same manner as appointments are made. If a vacancy occurs prior to the expiration of a trustee's term, the person who is appointed to fill that vacancy shall serve for the unexpired term.

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- (g) The library board of trustees provided for in this section shall have general supervision of the county-wide library system provided for in this Act and shall have power to make reasonable rules and regulations for the operation of the county-wide library system. Said board of trustees may establish branches and stations wherever deemed advisable and may carry on other forms of library extension service. Said board of trustees shall create the office of director and deputy director of library services and fix the terms of office and compensation of said officers, and said offices shall be filled by persons with professional library training and experience who shall be appointed by the board of trustees. Notwithstanding the provisions of Section 2 of this Act, the director and deputy director of library services shall not be subject to the civil service laws and regulations of Fulton County. Other employees of the library board of trustees shall be subject to the civil service laws and regulations of Fulton County as provided in Section 2 of this Act, but such employees shall be subject to the budgetary laws and purchasing procedures and requirements of Fulton County in the same manner as other departments of the Fulton County government, and said county-wide library system shall be funded by appropriations made to the library board of trustees by the county in accordance with the budgetary laws and purchasing procedures and requirements of Fulton County. In addition thereto, the board of trustees may also receive funds to support financially the county-wide library system pursuant to a contract entered into under the provisions of subsection (h) of Section 1 of this Act. The board of trustees may also accept grants, bequests, or donations from any source to carry out the purposes and functions of the county-wide library system. The board of trustees may contract within the limits of funds made available to the board, provided that any such contract shall be made in accordance with the purchasing and contracting laws and regulations of Fulton County."

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

Notice of Intention to Introduce Legislation.

Notice is hereby given that there will be introduced at the 1984 Session of the General Assembly of Georgia a bill to amend an Act; to provide for the establishment of a county-wide library system in Fulton County, approved April 13, 1982, Ga. Laws 1982, Page 4174, as amended, and for other purposes.

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John Tye Ferguson

Associate County Attorney

Georgia, Fulton County.

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Luther S. Colbert, who, on oath, deposes and says that he is Representative from the 23rd District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Fulton County Daily Report which is the official organ of Fulton County, on the following date: January 12, 1984.

/s/ Luther S. Colbert Representative, 23rd District

Sworn to and subscribed before me,

this 26th day of January, 1984.

/s/ Cathy Ann Walls

Notary Public, Georgia State at Large.

My Commission Expires Jan. 4, 1985.

(Seal).

Approval Date: Approved March 21, 1984.