



Georgia General Assembly

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04 SB231/AP

Senate Bill 231

By: Senator Price of the 56th

AS PASSED

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, particularly by an Act approved April 5, 1995 (Ga. L. 1995, p. 4084), an Act approved April 1, 1996 (Ga. L. 1996, p. 3859), and an Act approved April 4, 1997 (Ga. L. 1997, p. 3635), so as to specify a name for the county-wide library system; to change membership, the number of members, and the selection of members of the library board of trustees; to provide for vacancies and related matters; to provide for the selection of the executive director of the library system and to whom the executive director shall report; to provide an effective date; 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, particularly by an Act approved April 5, 1995 (Ga. L. 1995, p. 4084), an Act approved April 1, 1996 (Ga. L. 1996, p. 3859), and an Act approved April 4, 1997 (Ga. L. 1997, p. 3635), is amended by striking Section 4 and inserting in lieu thereof a new Section 4 to read as follows:

"SECTION 4.

(a) The county-wide library system shall be named the Atlanta-Fulton County Library System. Responsibility for constructing, operating, and maintaining all library facilities and services within the above named portions of Fulton County shall hereinafter be vested in the county-wide library system which shall be administered by the library board of trustees. (b) (1) The term of office of each member of the library board of trustees serving as such trustee on June 30, 2004, shall expire upon July 1, 2004. On and after July 1, 2004, the library board of trustees shall consist of 11 members as provided in this section. (2) The mayor of the City of Atlanta or his or her designee shall serve on the library board of trustees ex officio. The chairperson of the Fulton County board of commissioners or his or her designee shall serve on the board of trustees ex officio.

(3) There shall be seven Fulton County appointed members, with one such member appointed by each member of the Fulton County board of commissioners. Each member of the board of trustees appointed by a member of the board of commissioners shall serve at the pleasure of the appointing member of the board of commissioners. Each member of the board of trustees appointed by a member of the board of commissioners shall reside within the same commissioner district as the appointing member of such board of commissioners and shall continue to reside in such district during his or her service on the board of trustees or that office shall become vacant. A member of the board of trustees appointed by an at-large member of the board of commissioners may reside anywhere in Fulton County and shall continue to reside in Fulton County during his or her service on the board of trustees or that office shall become vacant.

(4) There shall be two City of Atlanta appointed members. At least one of the two City of Atlanta appointed members shall be a resident of that portion of the City of Atlanta which is located within DeKalb County. These two members shall be selected from a list of no more than three candidates provided by the three council members who are elected at large. Such list of candidates shall be agreed to by said three council members and presented to the mayor for his or her selection and nomination to the city council of two library board members. In the event that a list is not received within 60 days of the mayor's request, the mayor shall proceed to nominate for the library board members' positions. Said nominations shall be confirmed by majority vote of council members present and voting on these nominations. The City of Atlanta appointed board members shall serve for terms of two years commencing July 1 of each odd-numbered year.

(c) Except with respect to the ex officio members, no person other than a person appointed pursuant to paragraph (4) of subsection (b) of this section may be appointed or serve as a member of the library board of trustees who holds any elective office.

(d) Any vacancy on the library board of trustees shall be filled in the same manner as the initial appointment.

(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) Members of the library board of trustees may receive a per diem allowance for each meeting of the board of trustees which they attend. Such allowance shall be in such amount as may be fixed from time to time by the Board of Commissioners of Fulton County.

(g) There shall be an executive director of the library system who shall be hired by and serve at the pleasure of the Fulton County manager and shall report directly to the county manager for purposes of job performance, evaluation, and budgeting."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

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