

Senate Bill 368

By: Senator Ginn of the 47th

A BILL TO BE ENTITLED
AN ACT

1 To create the Northeast Regional Water Authority; to provide a short title; to authorize such
2 authority to acquire or construct regional water supply reservoirs; to operate and maintain
3 self-liquidating projects embracing sources of water supply and the distribution and sale of
4 water and other related facilities to individuals, public and private corporations, and political
5 subdivisions; to provide for the membership and for appointment of members of the
6 authority; to provide for quorums; to provide for the selection of officers; to provide
7 definitions; to provide for the purpose of the authority; to confer and limit powers and
8 impose duties on the authority; to authorize the authority to contract with others pertaining
9 to the water utilities and facilities and to execute leases and all undertakings deemed
10 necessary or convenient for the operation of such undertakings or projects; to provide for
11 payments to site jurisdictions; to provide for the addition and withdrawal of member political
12 subdivisions; to provide contracting guidelines; to authorize the issuance of revenue bonds
13 or certificates of the authority payable from the revenues, tolls, fees, charges, and earnings
14 of the authority and to pay the cost of such undertakings or projects; to provide for
15 application of the "Revenue Bond Law"; to authorize the collection and pledging of the
16 revenues and earnings of the authority for the payment of such bonds or certificates; to
17 authorize the execution of trust indentures to secure the payment thereof and to define the
18 rights of the holders of such obligations; to provide for the authority to condemn property of

S. B. 368

- 1 -

19 every kind; to authorize the issuance of refunding bonds or certificates; to fix the venue or
20 jurisdiction of actions relating to any provisions of this Act; to provide for financial
21 statements and audit reports; to provide that powers provided are supplemental; to provide
22 tort immunity; to provide for liberal construction; to preserve powers of other political
23 subdivisions and authorities; to provide for severability; to repeal conflicting laws; and for
24 other purposes.

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

26 **SECTION 1.**

27 Short title.

28 This Act shall be known and may be cited as the "Northeast Regional Water Authority Act."

29 **SECTION 2.**

30 Northeast Regional Water Authority.

31 (a) There is created a body corporate and politic, to be known as the Northeast Regional
32 Water Authority, which shall be deemed to be a political subdivision of the State of Georgia
33 and a public corporation, and by that name, style, and title said body may contract and be
34 contracted with, bring and defend actions, sue and be sued, implead and be impleaded, and
35 complain and defend in all courts. Unless the number of member entities of the authority is
36 increased or decreased as provided for in this Act, the authority shall consist of six members
37 as follows:

38 (1) One member to be appointed by the governing authority of Banks County;

39 (2) One member to be appointed by the governing authority of Franklin County;

40 (3) One member to be appointed by the governing authority of Madison County;

- 41 (4) One member to be appointed by the governing authority of the City of Commerce;
42 (5) One member to be appointed by the governing authority of the City of Elberton; and
43 (6) One member to be appointed by the governing body of the Jackson County Water
44 and Sewer Authority.

45 In the event that one or more additional member entities join the authority as provided for
46 in Section 9 of this Act, the governing authority or body of each such additional member
47 entities shall appoint one member to the authority. In the event a member entity exercises
48 its option to withdraw from the authority, the member appointed by such member entity shall
49 cease to serve on the authority on the date that such withdrawal becomes effective.

50 (b) A majority of the total votes of the members of the authority shall constitute the quorum
51 necessary for a meeting of the authority. Any vacancy in the position of a member appointed
52 by a governing authority or body shall be filled by such governing authority or body. No
53 vacancy on the authority shall impair the right of the quorum to exercise all the rights and
54 perform all the duties of the authority. The members of the authority shall elect a
55 chairperson and vice chairperson from among its members and shall also elect a
56 secretary-treasurer who need not be a member of the authority. The members of the
57 authority shall determine their compensation for serving in such capacities. The authority
58 shall make rules and regulations for its own government. It shall have perpetual existence.

59

SECTION 3.

60

Definitions.

61 (a) As used in this Act, the term:

62 (1) "Authority" means the Northeast Regional Water Authority created by Section 2 of
63 this Act.

64 (2) "Cost of the project" means the cost of construction, the cost of all lands, properties,
65 rights, easements, and franchises acquired, the cost of all machinery and equipment,

66 financing charges, interest prior to and during construction and for six months after
67 completion of construction, the cost of engineering, architectural and legal expenses, the
68 cost of plans and specifications, and other expenses necessary or incident to determining
69 the feasibility or practicability of the project, administrative expense, and such other
70 expenses as may be necessary or incident to the financing authorized in this Act, the
71 construction of any project, the placing of the same in operation, and the condemnation
72 of property necessary for such construction and operation. Any obligation or expense
73 incurred for any of the foregoing purposes shall be regarded as part of the cost of the
74 project and may be paid or reimbursed as such out of the proceeds of revenue bonds
75 issued under the provisions of this Act for such project.

76 (3) "Member entity" means Banks County, Franklin County, Madison County, the City
77 of Commerce, the City of Elberton, and the Jackson County Water and Sewer Authority,
78 provided that political subdivisions may join or withdraw from the authority as provided
79 for in Section 9 of this Act. Any political subdivision added shall be a member entity
80 upon the final approval of its membership as provided for in Section 9. Upon
81 withdrawing as provided for in Section 9 a political subdivision shall no longer be a
82 member entity.

83 (4) "Northeast region" or "region" means the geographic area composed of Banks,
84 Elbert, Franklin, Jackson, and Madison counties.

85 (5) "Project" means and includes the acquisition, construction, and operation of one or
86 more regional water reservoirs, the acquisition of real property surrounding such
87 reservoirs, contracting with the United States Army Corps of Engineers to access water
88 resources, and all necessary and usual water facilities useful for obtaining one or more
89 sources of water supply, the treatment of water, and the distribution and sale of water to
90 users and consumers, including counties and municipalities for the purpose of resale,
91 inside and outside the territorial boundaries of the member entities, and the operation,
92 maintenance, additions, improvements, and extensions of such facilities so as to assure

93 an adequate water utility system deemed by the authority to be necessary or convenient
94 for the efficient operation of such type of undertaking, all in accordance with any
95 applicable state-wide or regional water plan adopted pursuant to Article 8 of Chapter 5
96 of Title 12 of the O.C.G.A., the "Comprehensive State-wide Water Management Planning
97 Act." "Project" shall also mean and include the acquisition, construction, and operation
98 of recreational facilities on and around any regional water reservoir, the acquisition of
99 real property surrounding such reservoir for such recreational facilities, the establishment
100 of a permitting system for recreational activities, the collection of fees and rentals for
101 permitting recreational activities, and the establishment of rules and regulations
102 prohibiting, permitting, and governing recreational activities.

103 (6) "Public authority" means any entity which is created by the laws of this state, which
104 is designated as an authority, and which provides services or facilities to the public.

105 (7) "Revenue bonds" and "bonds" mean revenue bonds and certificates as defined and
106 provided for in Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond
107 Law," and such type of obligations may be issued by the authority as authorized under
108 said article.

109 (8) "Site jurisdiction" means any municipality or county within which the authority
110 causes to be located a reservoir or any facility or improvement for which property is
111 acquired, by condemnation or purchase, in fee simple.

112 (b) Any project shall be deemed "self-liquidating" if, in the judgment of the authority, the
113 revenues and earnings to be derived by the authority therefrom will be sufficient to pay the
114 cost of operating, maintaining, repairing, improving, and extending the project and to pay the
115 principal and interest of the revenue bonds that may be issued for the cost of such project or
116 projects.

117

SECTION 4.

118

Purpose of the authority.

119 Without limiting the generality of any provisions of this Act, the general purpose of the
120 authority is declared to be that of:

121 (1) Acquiring an adequate source or sources of water supply, treatment of such water,
122 and thereafter the distribution of such water to the Northeast region and the various
123 counties, municipalities, and political subdivisions in said region; and

124 (2) Providing, as the authority deems appropriate, recreational services and facilities
125 upon the lands and waters owned or controlled by the authority.

126 Such general purpose shall not restrict the authority from selling and delivering water
127 directly to consumers in those areas where water distribution systems do not now exist and
128 where neither any county, municipality, nor political subdivision deems it desirable or
129 feasible to furnish water in such locality.

130

SECTION 5.

131

Powers.

132 The authority is authorized:

133 (1) To have a seal and alter the seal at pleasure;

134 (2) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and
135 personal property of every kind and character for its corporate purposes;

136 (3) To acquire in its own name by purchase on such terms and conditions and in such
137 manner as it may deem proper, or by condemnation in accordance with the provisions of
138 any and all existing laws applicable to the condemnation of property for public use, real
139 property, rights, or easements therein or franchises necessary or convenient for its
140 corporate purposes, to use the same so long as its corporate existence shall continue, and

141 to lease or make contracts with respect to the use of or to dispose of the same in any
142 manner it deems to the best advantage of the authority, the authority being under no
143 obligation to accept and pay for any property condemned under this Act except from the
144 funds provided under the authority of this Act; in any proceedings to condemn, such
145 orders may be made by the court having jurisdiction of the suit, action, or proceedings
146 as may be just to the authority and to the owners of the property to be condemned; and
147 no property shall be acquired under the provisions of this Act upon which any lien or
148 other encumbrance exists, unless at the time such property is so acquired a sufficient sum
149 of money is deposited in trust to pay and redeem the fair value of such lien or
150 encumbrance;

151 (4) To appoint, select, and employ officers, agents, and employees, including
152 engineering, architectural, and construction experts, fiscal agents, and attorneys, and fix
153 their respective compensation;

154 (5) To make contracts and leases and to execute all instruments necessary or convenient
155 for purposes of the authority, including, but not limited to, contracts for design,
156 construction, or operation of projects and leases of projects or contracts with respect to
157 the use of projects which it causes to be erected or acquired, and any and all persons,
158 firms, and corporations and any and all political subdivisions, departments, institutions,
159 or agencies of the state are authorized to enter into contracts, leases, or agreements with
160 the authority upon such terms and for such purposes as they deem advisable; and, without
161 limiting the generality of the above, authority is specifically granted to municipal
162 corporations, counties, public authorities, and the authority to enter into contracts, lease
163 agreements, or other undertakings relative to the refurnishing of water, water facilities,
164 and related services, as well as to the furnishing of recreation, recreational facilities, and
165 related services, by the authority to such municipal corporations, counties, and public
166 authorities or relative to the furnishing of water or recreational facilities and services or
167 both by municipal corporations, counties, public authorities, corporations, or individuals

168 to the authority for a term not to exceed the term authorized by the Georgia Constitution
169 or law for intergovernmental contracts. Without limiting the generality of the foregoing,
170 the authority is specifically authorized to enter into contracts with the Water Supply
171 Division of the Georgia Environmental Facilities Authority in accordance with Article
172 6 of Chapter 5 of Title 12 of the O.C.G.A., the "Georgia Water Supply Act of 2008," for
173 the purposes stated therein;

174 (6) To construct, erect, acquire, own, lease, repair, remodel, maintain, add to, extend,
175 improve, equip, operate, and manage projects as defined in paragraph (6) of Section 3 of
176 this Act; the cost of any such project shall be paid in whole or in part from the proceeds
177 and revenue bonds of the authority; from such proceeds and any grant from the United
178 States of America, the State of Georgia, any agency, authority, or instrumentality thereof;
179 or from a private party;

180 (7) To contract with the United States Army Corps of Engineers to access to water
181 resources;

182 (8) To purchase water from other sources, public or private, for distribution and sale to
183 water users and consumers;

184 (9) To accept loans and grants of money, materials, or property of any kind from the
185 United States of America, the State of Georgia, or any agency, authority, or
186 instrumentality thereof upon such terms and conditions as the United States of America,
187 the State of Georgia, or such agency, authority, or instrumentality may impose;

188 (10) To borrow money for any of its corporate purposes, to issue negotiable revenue
189 bonds payable solely from funds pledged for that purpose, and to provide for the payment
190 of the same and for the rights of the holders thereof;

191 (11) To exercise any power which is usually possessed by private corporations
192 performing similar functions and which is not in conflict with the Constitution and laws
193 of this state; and

194 (12) To do all things necessary or convenient to carry out the powers expressly given in
195 this Act.

196 **SECTION 6.**
197 Limitations of power.

198 The authority shall:

199 (1) Not obligate any member entity to issue or guarantee revenue bonds, nor shall the
200 authority bind the member entity to any capital indebtedness contract until that member
201 entity has approved such issuance or guarantee of an indebtedness contract or revenue
202 bonds by official action or vote as may be required by law;

203 (2) Provide for, in a manner consistent with and subject to all state and federal laws and
204 regulations, provide for stream withdrawal rights among member entities prior to the
205 funding of any reservoir project; and

206 (3) Only distribute water on a wholesale basis to member entities and other retail water
207 providers and shall not be authorized to provide or undertake retail water distribution
208 services.

209 **SECTION 7.**
210 Services to member entities.

211 The authority shall provide water services and facilities to each member entity so long as
212 such political subdivision remains a member entity.

213

SECTION 8.

214

Payments to site jurisdictions.

215 The authority shall be authorized to make an annual payment on or before November 15 of
216 each year to any site jurisdiction within which is constructed a reservoir or any facility or
217 improvement for which property is acquired, by condemnation or purchase, by the authority
218 in fee simple. If such payment is made, the amount shall be at least equal to the ad valorem
219 taxes which would be paid by a nonexempt property owner calculated as follows: the value
220 of the property for ad valorem tax purposes shall be established based upon the average
221 per-acre value for agriculturally assessed property within the site jurisdiction for the current
222 tax year, using the millage rate adopted for the current tax year. The authority shall be further
223 authorized to make an additional payment to the site jurisdiction based on the value of
224 improvements or facilities constructed on property acquired in fee simple within such
225 jurisdiction or an additional payment made on some other basis.

226

SECTION 9.

227

Addition or withdrawal of member political subdivisions.

228 (a) Any county adjacent to, or any municipality located within, one or more of the member
229 entities or Jackson County may request to join the authority as a member entity.
230 Applications to become a member entity must be approved by a two-thirds' vote of the
231 authority and shall be conditioned upon the political subdivision agreeing to such terms and
232 conditions required by the authority to ensure that the addition of the political subdivision
233 does not disadvantage the current member entities. Political subdivisions joining the
234 authority pursuant to this section may be required by the authority to provide financial
235 support for, or buy into, any existing or proposed projects or obligations of the authority.

236 (b) The governing authority or body of any member entity may withdraw from the authority
237 by adopting a resolution, at any time, declaring that such political subdivision shall not be
238 a member entity under this Act. Such withdrawal by any member entity from the authority
239 shall not affect any previously incurred obligations with respect to the issuance of or payment
240 of any bonds, certificates, or other obligations of the authority incurred during such political
241 subdivision's membership in the authority.

242 **SECTION 10.**

243 Public works construction contracts.

244 Public works construction projects of the authority, as defined in Chapter 91 of Title 36 of
245 the O.C.G.A., the "Georgia Local Government Public Works Construction Law," shall be
246 subject to the provisions of said chapter.

247 **SECTION 11.**

248 Revenue bonds.

249 The authority, or any authority or body which may in the future succeed to the powers,
250 duties, and liabilities vested in the authority created by this Act, is authorized, at one time or
251 from time to time, to provide by resolution for the issuance of negotiable revenue bonds of
252 the authority, for the purpose of paying all or any part of the cost of any one or more projects.
253 Revenue bonds shall be undertaken, issued, priced, validated, sold, paid, redeemed, refunded,
254 secured, and replaced in accordance with the provisions of this Act.

255

SECTION 12.

256

Revenue bonds; conditions precedent to issuance.

257 The authority shall adopt a resolution authorizing the issuance of the revenue bonds. In the
258 resolution, the authority shall determine that the project financed with the proceeds of such
259 revenue bonds is self-liquidating. Revenue bonds may be issued without any other
260 proceedings or the happening of any other conditions or things other than those proceedings,
261 conditions, and things which are specified or required by this Act. Any resolution providing
262 for the issuance of revenue bonds under the provisions of this Act shall become effective
263 immediately upon its passage and need not be published or posted, and any such resolution
264 may be passed at any regular or special meeting of the authority by a majority of its members
265 present and voting.

266

SECTION 13.

267

Credit not pledged.

268 Revenue bonds of the authority shall not be deemed to constitute a debt of any member
269 entity, any other county, municipality, local authority, or political subdivision in the region
270 that is not a member entity, or the State of Georgia, nor a pledge of the faith and credit of this
271 state or such county or municipality, but such revenue bonds shall be payable solely from the
272 fund hereinafter provided for. The issuance of such revenue bonds shall not directly,
273 indirectly, or contingently obligate this state or such county or municipality to levy or pledge
274 any form of taxation whatsoever for payment of such revenue bonds or to make any
275 appropriation for their payment, and all such revenue bonds shall contain recitals on their
276 face covering substantially the foregoing provisions of this section. Notwithstanding the
277 foregoing provisions, this Act shall not affect the ability of the authority and any political
278 subdivision to enter into an intergovernmental contract pursuant to which the political

279 subdivision agrees to pay amounts sufficient to pay operating charges and other costs of the
280 authority or any project including, without limitation, the principal of and interest on revenue
281 bonds in consideration for services or facilities of the authority.

282

SECTION 14.

283

Trust indenture as security.

284 In the discretion of the authority, any issuance of revenue bonds may be secured by a trust
285 indenture by and between the authority and a corporate trustee, which may be any trust
286 company or bank having the powers of a trust company within or without this state. Either
287 the resolution providing for the issuance of the revenue bonds or such trust indenture may
288 contain such provisions for protecting and enforcing the rights and remedies of the
289 bondholders as may be reasonable and proper and not in violation of law, including
290 covenants setting forth the duties of the authority in relation to the acquisition and
291 construction of the project, the maintenance, operation, repair, and insuring of the project,
292 and the custody, safeguarding, and application of all money.

293

SECTION 15.

294

Trust indenture as security; remedies of bondholders.

295 Any holder of revenue bonds and the trustee under the trust indenture, if any, except to the
296 extent that the rights given herein may be restricted by resolution passed before the issuance
297 of the revenue bonds or by the trust indenture, may, either at law or in equity, by suit, action,
298 mandamus, or other proceedings, protect and enforce any and all rights it may have under
299 the laws of the state, including specifically, but without limitation, the Revenue Bond Law,
300 or granted hereunder or under such resolution or trust indenture and may enforce and compel
301 performance of all duties required by this Act or by such resolution or trust indenture to be

302 performed by the authority or any officer thereof, including the fixing, charging, and
303 collecting of revenues, fees, tolls, fines, and other charges for the use of the facilities and
304 services furnished.

305

SECTION 16.

306

Trust indenture as security; validation.

307 Revenue bonds and the security therefor shall be issued, confirmed, and validated in
308 accordance with the provisions of the Revenue Bond Law. The petition for validation shall
309 also make a member entity or member entities party defendant to such action if such political
310 subdivision or subdivisions have contracted with the authority for services or facilities
311 relating to the project for which revenue bonds are to be issued and sought to be validated,
312 and such defendant shall be required to show cause, if any exists, as to why such contract or
313 contracts shall not be adjudicated as a part of the basis for the security for the payment of any
314 such revenue bonds. The revenue bonds, when validated, and the judgment of validation
315 shall be final and conclusive with respect to such revenue bonds and the security for the
316 payment thereof and interest thereon and against the authority and all other defendants.

317

SECTION 17.

318

To whom proceeds of bonds shall be paid.

319 In the resolution providing for the issuance of revenue bonds or in the trust indenture, the
320 authority shall provide for the payment of the proceeds of the sale of the revenue bonds to
321 any officer or person who, or any agency, bank, or trust company which, shall act as trustee
322 of such funds and shall hold and apply the same to the purposes thereof, subject to such
323 regulations as this Act and such resolution or trust indenture may provide.

324 **SECTION 18.**325 **Sinking fund.**

326 The money received pursuant to an intergovernmental contract and the revenues, fees, tolls,
327 fines, charges, and earnings derived from any particular project or projects, regardless of
328 whether or not such revenues, fees, tolls, fines, charges, and earnings were produced by a
329 particular project for which revenue bonds have been issued, unless otherwise pledged and
330 allocated, may be pledged and allocated by the authority to the payment of the principal and
331 interest on revenue bonds of the authority as the resolution authorizing the issuance of the
332 revenue bonds or the trust indenture may provide. Such funds so pledged from whatever
333 source received may be set aside at regular intervals as may be provided in such resolution
334 or trust indenture into a sinking fund, which sinking fund shall be pledged to and charged
335 with the payment of:

- 336 (1) The interest upon such revenue bonds as the same shall fall due;
337 (2) The principal or purchase price of such revenue bonds as the same shall fall due;
338 (3) Any premium upon such revenue bonds as the same shall fall due;
339 (4) The purchase of such revenue bonds in the open market; and
340 (5) The necessary charges of the paying agent for paying principal and interest.

341 The use and disposition of such sinking fund shall be subject to such regulations as may be
342 provided in the resolution authorizing the issuance of the revenue bonds or in the trust
343 indenture, but, except as may otherwise be provided in such resolution or trust indenture,
344 such sinking fund shall be maintained as a trust account for the benefit of all revenue bonds
345 without distinction or priority of one over another.

346

SECTION 19.

347

Venue and jurisdiction.

348 Any action to protect or enforce any rights under this Act or under Article 3 of Chapter 82
349 of Title 36 of the O.C.G.A., the "Revenue Bond Law," or any suit or action against the
350 authority shall be brought in any superior court with jurisdiction over a member entity, and
351 any action pertaining to validation of any bonds issued under this Act shall likewise be
352 brought in said court, which shall have jurisdiction of such actions.

353

SECTION 20.

354

Interest of bondholders protected.

355 While any of the revenue bonds issued by the authority remain outstanding, the powers,
356 duties, or existence of such authority or its officers, employees, or agents shall not be
357 diminished or impaired in any manner that will affect adversely the interests and rights of the
358 holders of such revenue bonds; and no other entity, department, agency, or authority shall
359 be created which will compete with the authority to such an extent as to affect adversely the
360 interests and rights of the holders of such revenue bonds, nor shall the state itself so compete
361 with the authority. The provisions of this Act shall be for the benefit of the authority and the
362 holders of any such revenue bonds, and, upon the issuance of such revenue bonds under the
363 provisions of this Act, shall constitute a contract with the holders of such revenue bonds.

364 **SECTION 21.**

365 Moneys received considered trust funds.

366 All moneys received pursuant to the authority of this Act, whether as proceeds from the sale
367 of revenue bonds, as grants or other contributions, or as revenues, fees, and earnings, shall
368 be deemed to be trust funds to be held and applied solely as provided in this Act.

369 **SECTION 22.**

370 Rates, charges, and revenues; use.

371 The authority is authorized to prescribe, fix, and collect rates, fees, tolls, or charges and to
372 revise from time to time and collect such rates, fees, tolls, or charges for the services,
373 facilities, or commodities furnished and, in anticipation of the collection of the revenues of
374 such undertaking or project, to issue revenue bonds as provided in this Act to finance in
375 whole or in part the cost of the acquisition, construction, reconstruction, improvement,
376 betterment, or extension of a project and to pledge to the punctual payment of said bonds and
377 interest thereon all or any part of the revenues of such undertakings or projects, including the
378 revenues of improvements, betterments, or extensions thereafter made.

379 **SECTION 23.**

380 Rules and regulations for operation of projects.

381 It shall be the duty of the authority to prescribe rules and regulations for the operation of the
382 project or projects constructed under the provisions of this Act, including the basis on which
383 water service and facilities shall be furnished.

384

SECTION 24.

385

Financial statements and audit reports.

386 (a) The authority shall establish a fiscal year for its operation, and, as soon after the end of
387 each fiscal year as is feasible, the authority shall cause to be prepared and printed a report
388 and financial statement of the authority's operations for the fiscal year just ended and of its
389 assets and liabilities. A copy of such report shall be sent to the governing authority or body
390 of each member entity, and additional copies shall be made available for distribution to the
391 general public on written request therefor, subject to the provisions of Article 4 of Chapter
392 18 of Title 50 of the O.C.G.A.

393 (b) The authority shall appoint in due time each year a firm of independent certified public
394 accountants as auditors who shall examine the books, records, and accounts of the authority
395 for the purpose of auditing and reporting upon its financial statement for such year. The
396 report of such auditors shall be appended to such financial statement.

397 (c) Whenever the authority deems it necessary or advisable, it shall be authorized to employ
398 a firm of qualified independent engineers to survey the condition of the authority's facilities
399 and operations from an engineering standpoint and to make a report thereof, together with
400 its recommendations for improvement in its physical facilities and operating procedures. A
401 copy of such report shall be sent to the governing authority or body of each member entity,
402 and additional copies shall be made available for distribution to the general public on written
403 request therefor.

404

SECTION 25.

405

Powers declared supplemental and additional.

406 The foregoing sections of this Act shall be deemed to provide an additional and alternative
407 method for doing the things authorized thereby, shall be regarded as supplemental and

408 additional to powers conferred by other laws, and shall not be regarded as being in
409 derogation of any powers now existing.

410 **SECTION 26.**

411 Tort immunity.

412 To the extent permitted by law, the authority shall have the same immunity and exemption
413 from liability for torts and negligence as a Georgia county; and the officers, agents, and
414 employees of the authority when in the performance of the work of the authority shall have
415 the same immunity and exemption from liability for torts and negligence as the officers,
416 agents, and employees of a county when in the performance of their public duties or work
417 of the county.

418 **SECTION 27.**

419 Liberal construction of Act.

420 This Act, being for the welfare of various political subdivisions of this state and its
421 inhabitants, shall be liberally construed to effect the purposes hereof.

422 **SECTION 28.**

423 Powers of counties, municipalities, and other local authorities.

424 This Act shall not in any way take from any counties, municipalities, political subdivisions,
425 or other local authorities the authorization to own, operate, and maintain reservoirs, water
426 systems, or recreational facilities on or around reservoirs or issue revenue certificates as is
427 provided by Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

428

SECTION 29.

429

Severability; effect of partial invalidity of Act.

430 The provisions of this Act are severable, and if any of its provisions shall be held

431 unconstitutional by any court of competent jurisdiction, the decision of such court shall not

432 affect or impair any of the remaining provisions.

433

SECTION 30.

434

Repealer.

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