

House Bill 264 (AS PASSED HOUSE AND SENATE)

By: Representatives Jacobs of the 80th, Lindsey of the 54th, Riley of the 50th, Geisinger of the 48th, Taylor of the 79th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965,"
2 approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to revise such Act; to
3 reconstitute the board of directors; to provide for staggered terms for board members; to
4 provide for a limit on re-appointment of board members; to provide for a designee by the
5 chairperson; to provide for a method for nonparticipating counties to join the Authority; to
6 require board approval of certain payments and award of certain contracts; to remove
7 restrictions on the operation of private enterprises; to remove restrictions on fares, rates, and
8 rental charges for charter, group, and party bus services; to revise the procedure for the
9 issuance of bonds; to revise what entities may exercise eminent domain on behalf of the
10 Authority; to revise the amount of certain payments and contract amounts requiring board
11 approval; to revise requirements for annual reporting; to provide for civil penalties to be set
12 by the board for violation of rules and regulations of conduct; to revise procedures for the
13 collective bargaining process; to provide for a suspension of restrictions on the use of sales
14 and use tax proceeds; to provide for related matters; to provide for effective dates; to repeal
15 conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

17 **SECTION 1.**

18 An Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved
19 March 10, 1965 (Ga. L. 1965, p. 2243), as amended, is amended by revising Section 6 as
20 follows:

21 "(a) ~~The~~ On and after January 1, 2017, the Board of Directors of the Authority shall be
22 reconstituted and composed of 11 voting members and two nonvoting members. ~~Four~~
23 Three members shall be residents of the City of Atlanta to be nominated by the Mayor and
24 elected by the City Council; ~~five~~ four members shall be residents of DeKalb County with
25 three of the four appointees to be appointed by the ~~local governing body thereof~~ Board of
26 Commissioners of DeKalb County and at least one of such appointees shall be a resident

27 of that portion of DeKalb County lying south of the southernmost corporate boundaries of
 28 the City of Decatur and at least one of such appointees shall be a resident of that portion
 29 of DeKalb County lying north of the southernmost corporate boundaries of the City of
 30 Decatur and the fourth appointee to be appointed by a majority vote of a caucus of mayors
 31 of the municipalities located wholly in DeKalb County; three members shall be residents
 32 of Fulton County ~~to be appointed by the local governing body thereof, and at least and one~~
 33 of such ~~appointees~~ members shall be a resident of that portion of Fulton County lying south
 34 of the corporate limits of the City of Atlanta ~~to be appointed by a majority vote of the~~
 35 Fulton County Board of Commissioners, and two of such members shall be residents of
 36 that portion of Fulton County lying north of the corporate limits of the City of Atlanta to
 37 be appointed by a majority vote of a caucus of mayors of the municipalities of Fulton
 38 County lying north of the corporate limits of the City of Atlanta; one member shall be a
 39 resident of Fulton or DeKalb County to be appointed by the Governor; one nonvoting
 40 member shall be the Commissioner of the Department of Transportation; and one
 41 nonvoting member shall be the Executive Director of the Georgia Regional Transportation
 42 Authority. Those board members appointed by a local governing authority, caucus, or the
 43 Governor as described in this section in office as of January 1, 2017, shall serve initial
 44 terms of office as follows: two of the three appointees of the DeKalb County Board of
 45 Commissioners, two of the three appointees of the Mayor and City Council of Atlanta, and
 46 one of the two appointees of the caucus of mayors from municipalities lying north of the
 47 corporate limits of the City of Atlanta shall serve a term of two years, and the remaining
 48 appointees shall serve for terms of four years. No later than December 1, 2016, all board
 49 members shall be appointed and each local governing authority or caucus shall designate
 50 which board members shall serve an initial term of two years. and that membership
 51 position held by a Fulton County resident, appointed by the local governing body of that
 52 county, the term of which position expires December 31, 1988, shall, beginning on and
 53 after January 1, 1989, be filled by the local governing body of Fulton County appointing
 54 a person who is a resident of that portion of Fulton County lying north of the corporate
 55 limits of the City of Atlanta; one member shall be a resident of Clayton County to be
 56 appointed by the local governing body thereof; and one member shall be a resident of
 57 Gwinnett County to be appointed by the local governing body thereof. Four members,
 58 representing the State, shall be as follows: the Commissioner of the Department of
 59 Transportation who shall be an ex officio member; the State Revenue Commissioner who
 60 shall be an ex officio member; the Executive Director of the State Properties Commission
 61 who shall be an ex officio member; and the Executive Director of the Georgia Regional
 62 Transportation Authority who shall be an ex officio member. The first member who must
 63 be a resident of that portion of Fulton County lying south of the corporate limits of the City

64 of Atlanta shall be appointed by the governing body of Fulton County to take office on July
 65 1, 1985, for an initial term ending December 31, 1986. The two members who are DeKalb
 66 County residents and appointed by the governing authority thereof and who are added by
 67 this paragraph shall each be appointed by the governing body of DeKalb County to take
 68 office on July 1, 1985, for an initial term ending December 31, 1986. After the initial terms
 69 of those three members added to the Board in 1985; After the initial two-year terms of
 70 those five board members described in this subsection, that governing body or caucus
 71 which appointed the member for that initial term to that office shall appoint successors
 72 thereto for terms of office of four years in the same manner that such governing body or
 73 caucus makes its other appointments to the Board.

74 ~~The initial terms of the four members added in 1976 by the above paragraph shall be as~~
 75 ~~follows: the member from DeKalb County to be appointed by the local governing body~~
 76 ~~of DeKalb County shall be appointed no later than sixty days after the effective date of this~~
 77 ~~subsection for a term ending December 31, 1978, and shall take office immediately upon~~
 78 ~~appointment; the Commissioner of the Department of Transportation, the State Revenue~~
 79 ~~Commissioner and the Executive Director of the State Properties Commission shall become~~
 80 ~~members of the Board on the effective date of this subsection and shall serve while holding~~
 81 ~~their State offices.~~

82 Those board members in office on May 31, 2014, shall serve until December 31, 2016.

83 The Executive Director of the Georgia Regional Transportation Authority and the
 84 Commissioner of the Department of Transportation shall become ~~a member~~ nonvoting
 85 members of the Board on the effective date of this sentence and shall serve while holding
 86 ~~his or her~~ their State office offices.

87 Except as provided above, all appointments shall be for terms of four years except that a
 88 vacancy caused otherwise than by expiration shall be filled for the unexpired portion
 89 thereof by the ~~local governing body~~ appointing entity which made the original appointment
 90 to the vacant position, or its successor in office. A member of the Board may be appointed
 91 to succeed himself or herself for one four-year term; provided, however, that board
 92 membership prior to January 1, 2017, shall not be considered in calculating limits on length
 93 of service. Appointments to fill expiring terms shall be made by the ~~local governing body~~
 94 appointing entity prior to the expiration of the term, but such appointments shall not be
 95 made more than thirty days prior to the expiration of the term. Members appointed to the
 96 Board shall serve for the terms of office specified in this section and until their respective
 97 successors are appointed and qualified.

98 (b) ~~Having initially declined membership on the Board and further participation in the~~
 99 ~~Authority, Cobb County may at any time reclaim its membership on the Board and~~
 100 ~~participate further in the Authority as provided in this subsection (b).~~ The local governing

101 ~~body~~ bodies of Clayton, Cobb, and Gwinnett County counties may, any other provision of
 102 this Act to the contrary notwithstanding, negotiate, enter into, and submit to the qualified
 103 voters of their respective counties ~~Cobb County~~ the question of approval of a rapid transit
 104 contract between ~~Cobb County~~ the county submitting the question and the Authority, all
 105 in accordance with the provisions of Section 24 of this Act. The local governing ~~body~~
 106 bodies of Cobb County these counties shall be authorized to execute such rapid transit
 107 contract prior to the holding of the referendum provided for in said Section 24; provided,
 108 however, that such rapid transit contract shall not become valid and binding unless the
 109 same is approved by a majority of those voting in said referendum, which approval shall
 110 also be deemed approval of further participation in the Authority. Upon approval of such
 111 rapid transit contract, ~~Cobb County~~ the county entering into such contract shall be a
 112 participant in the Authority, and its rights and responsibilities shall, insofar as possible, be
 113 the same as if it had participated in the Authority from its beginning, and the local
 114 governing body of ~~Cobb County~~ the county may then appoint two residents of ~~Cobb~~
 115 ~~County~~ the county to the Board of Directors of the Authority, to serve a term ending on the
 116 31st day of December in the fourth full year after the year in which the referendum
 117 approving said rapid transit contract was held, in which event the Board of Directors of the
 118 Authority shall, subsection (a) of this Section 6 to the contrary notwithstanding, be
 119 composed of ~~16~~ such additional members.

120 (c) Reserved.

121 (d) ~~Except for the ex officio members of the Board, no~~ Except for the Executive Director
 122 of the Georgia Regional Transportation Authority and the Commissioner of the Department
 123 of Transportation, no person shall be appointed as a member of the Board who holds any
 124 other public office or public employment except an office in the reserves of the armed
 125 forces of the United States or the National Guard; any member who accepts or enters upon
 126 any other public office or public employment shall be disqualified thereby to serve as a
 127 member.

128 (e) ~~A local governing body~~ An appointing entity may remove any member of the Board
 129 appointed by it for cause. No member shall be thus removed unless he or she has been
 130 given a copy of the charges against him or her and an opportunity to be publicly heard in
 131 his or her own defense in person or by counsel with at least ten days' written notice to the
 132 member. A member thus removed from office shall have the right to a judicial review of
 133 ~~his~~ the member's removal by an appeal to the superior court of the county ~~of the local~~
 134 ~~governing body which appointed him~~ where the member resides, but only on the ground
 135 of error of law or abuse of discretion. In case of abandonment of ~~his~~ the member's office,
 136 conviction of a crime involving moral turpitude or a plea of nolo contendere thereto,
 137 removal from office, or disqualification under subsection (d) hereof, the office of a member

138 shall be vacant upon the declaration of the Board. A member shall be deemed to have
 139 abandoned ~~his~~ the member's office upon failure to attend any regular or special meeting of
 140 the Board for a period of four months without excuse approved by a resolution of the
 141 Board, or upon removal of ~~his~~ the member's residence from the territory ~~of the local~~
 142 ~~governing body which appointed him~~ qualifying the member to serve on the Board.

143 (f) Each appointed member of the Board, except the ~~Chairman~~ Chairperson, shall be paid
 144 by the Authority a per diem allowance, in an amount equal to that provided by Code
 145 Section 45-7-21 of the Official Code of Georgia Annotated, as now in effect or as it may
 146 hereafter be amended, for each day on which that member attends an official meeting of
 147 the Board, of any committee of the Board, or of the Authority's Pension Committee; or
 148 ~~Board of Ethics, or Arts Council~~; provided, however, that said per diem allowance shall not
 149 be paid to any such member for more than 130 days in any one calendar year. If the
 150 ~~Chairman~~ Chairperson of the Board is an appointed member of the Board, the ~~Chairman~~
 151 Chairperson shall be paid by the Authority a per diem allowance in the same amount for
 152 each day in which the ~~Chairman~~ Chairperson engages in official business of the Authority,
 153 including but not limited to attendance of any of the aforesaid meetings. A member of the
 154 Board shall also be reimbursed for actual expenses incurred by that member in the
 155 performance of that ~~members~~ member's duties as authorized by the Board. A Board
 156 member shall not be allowed employee benefits authorized under Section 8(b).

157 (g) The Board shall elect one of its members as ~~chairman~~ chairperson and another as
 158 ~~vice-chairman~~ vice-chairperson for terms to expire on December 31 of each year to preside
 159 at meetings and perform such other duties as the Board may prescribe. The presiding
 160 officer of the Board may continue to vote as any other member, notwithstanding ~~his~~ the
 161 member's duties as presiding officer, if he or she so desires. The chairperson may select
 162 a designee from current members to act on behalf of the chairperson for official business
 163 of the authority. Such designee shall be paid by the authority a per diem allowance in the
 164 same amount for each day in which the designee engages in official business of the
 165 authority, including but not limited to attendance of any official meeting of the board, of
 166 any committee of the board, or of the authority's Pension Committee, Board of Ethics, or
 167 Arts Council, provided that said per diem allowance shall not be paid to such member for
 168 more than 130 days in a calendar year. The Board shall also elect from its membership a
 169 secretary and a treasurer who shall serve terms expiring on December 31 of each year. A
 170 member of the Board may hold only one office on the Board at any one time.

171 (h) The Board shall hold at least one meeting each month. The Secretary of the Board
 172 shall give written notice to each member of the Board at least two days prior to any called
 173 meeting that may be scheduled, and said Secretary shall be informed of the call of such
 174 meeting sufficiently in advance so as to provide for ~~his~~ giving notice as above. A majority

175 of the total voting membership of the Board, as it may exist at the time, shall constitute a
 176 quorum. On any question presented, the number of members present shall be recorded.
 177 By affirmative vote of a majority of the members present, the Board may exercise all the
 178 powers and perform all the duties of the Board, except as otherwise hereinafter provided
 179 or as limited by its bylaws, and no vacancy on the original membership of the Board, or
 180 thereafter, shall impair the power of the Board to act. All meetings of the Board, its
 181 Executive Committee, or any committee appointed by the Board shall be subject to ~~all~~
 182 ~~provisions, except for Section 2(a), of an Act providing that all meetings of certain public~~
 183 ~~bodies shall be open to the public, approved March 28, 1972 (Ga. L. 1972, p. 575), as now~~
 184 ~~or hereafter amended~~ Chapter 14 of Title 50 of the Official Code of Georgia Annotated.

185 (i) Notwithstanding any other provisions of this Act, the following actions by the Board
 186 shall require the affirmative vote of one more than a majority of the total voting
 187 membership of the Board as it may exist at the time:

188 (1) The issuance and sale of revenue bonds as contemplated in Section 10 or equipment
 189 trust certificates as contemplated in Section 11.

190 (2) The purchase or lease of any privately owned system of transportation of passengers
 191 for hire in its entirety, or any substantial part thereof, as contemplated in Section 8(c) or
 192 8(d). Prior to the purchase or lease of any such privately owned system a public hearing
 193 pertaining thereto shall have been held and notice of such public hearing shall have been
 194 advertised as provided in Section 9(c) hereof. Provided that no sum shall be paid for such
 195 privately owned system of transportation in excess of the fair market value thereof
 196 determined by a minimum of two appraisers and approved by a majority of the local
 197 governments participating in the financing of such purchase.

198 (3) The award of any contract involving ~~\$100,000.00~~ \$200,000.00 or more for
 199 construction, alterations, supplies, equipment, repairs, maintenance or services ~~other than~~
 200 ~~professional services, or for the purchase, sale or lease of any property.~~ Any contract
 201 involving \$200,000.00 or more shall be awarded through a competitive bidding process
 202 as described in Section 14 of this Act. The Board by appropriate resolution may delegate
 203 to the general manager the general or specific authority to enter into contracts involving
 204 less than ~~\$100,000.00~~ \$200,000.00 if such contracts are entered into in accordance with
 205 Section 14 of this Act.

206 (4) The grant of any concession as contemplated in Section 14(f).

207 (5) The award of any contract for the management of any Authority-owned property or
 208 facility as contemplated in Section 14(h).

209 (j) The Board shall appoint and employ, as needed, a general manager, and a general
 210 counsel, none of whom may be members of the Board or a relative of a member of the
 211 Board, and delegate to them such authority as it may deem appropriate. It may make such

212 by-laws or rules and regulations as it may deem appropriate for its own government, not
 213 inconsistent with this Act, including the establishment of an Executive Committee to
 214 exercise such authority as its by-laws may prescribe.

215 (k) The treasurer of the Authority and such other members of the Board and such other
 216 officers and employees of the Authority as the Board may determine shall execute
 217 corporate surety bonds, conditioned upon the faithful performance of their respective
 218 duties. A blanket form of surety bond may be used for this purpose. Neither the obligation
 219 of the principal or the surety shall extend to any loss sustained by the insolvency, failure
 220 or closing of any depository which has been approved as a depository for public funds.

221 (1)(~~1~~) In addition to the requirements of subsection (h) of this section, each member of the
 222 Board shall hold a meeting once each 12 months with the local governing body which
 223 appointed such member. The Secretary of the Board shall give written notice to each
 224 member of the Board, to each local governing body, and to the governing authority of each
 225 municipality in the county in which there is an existing or proposed rail line at least two
 226 days prior to any meeting that may be scheduled, and said Secretary shall be informed of
 227 the call of such meeting sufficiently in advance so as to provide for his giving such notice.
 228 These meetings shall be for the purpose of reporting to the local governing bodies on the
 229 operations of the Authority and on the activities of the Board and making such information
 230 available to the general public. No activity which requires action by the Board shall be
 231 initiated or undertaken at any meeting conducted under this subsection.

232 ~~(2) The Board shall submit once each three months a written report on the operations of~~
 233 ~~the Authority and on the activities of the Board to each local governing body which~~
 234 ~~appoints a member of the Board."~~

235 SECTION 2.

236 Said Act is further amended by revising subsection (p) of Section 8 as follows:

237 ~~"(p) The Authority shall have no power to operate taxicabs, or facilities designed~~
 238 ~~exclusively for the transportation of property for hire, nor shall it engage in other activities~~
 239 ~~commonly regarded as private enterprise, except to develop a rapid transit system, provide~~
 240 ~~concessions, off-street parking and other facilities for the comfort, safety and convenience~~
 241 ~~of transit passengers, and otherwise accomplish the purposes and policies expressed and~~
 242 ~~contemplated in this Act. Reserved."~~

243 SECTION 3.

244 Said Act is further amended by revising subsections (c), (e), (f), and (h) of Section 9 as
 245 follows:

246 "(c) The Board shall determine by ~~itself exclusively~~ majority vote after public hearings as
 247 hereinafter provided, the routes, types of construction, equipment, and facilities to be
 248 operated by the Authority, the scheduled services to be made available to the public and;
 249 ~~except for the rates, fares, rentals, and charges for charter, group, and party bus services as~~
 250 ~~provided in subsection (f) of this Section,~~ the amounts to be charged therefor. Before
 251 making any determinations as to scheduled services or amounts to be charged for such
 252 ~~services, other than amounts charged for charter, group, and party bus services,~~ the Board
 253 shall first hold at least one public hearing after giving notice of the time and place by twice
 254 advertising on different days in the newspaper having the largest circulation in the
 255 metropolitan area not more than ten days nor less than five days prior to the hearing. As
 256 to all other matters, the Board may hold such public hearings as it may deem appropriate,
 257 and as to all public hearings, it may prescribe reasonable rules and regulations to govern
 258 such hearings not inconsistent with this Act."

259 "~~(e) Except for determining the rates, fares, rentals, and charges for charter, group, and~~
 260 ~~party bus services as set forth in subsection (f) of this Section, the function of the Board~~
 261 ~~under subsections (c) and (d) shall not be delegated or exercised by any other person or~~
 262 ~~body under any circumstances. Reserved.~~

263 ~~(f) Notwithstanding any other provisions of this Act to the contrary, the per-hour rates,~~
 264 ~~fares, rentals, and charges for charter, group, and party bus services rendered by the~~
 265 ~~Authority shall be no less than the lowest per-hour rates, fares, rentals, and charges actually~~
 266 ~~charged for charter, group, and party bus services provided by motor common carriers and~~
 267 ~~motor contract carriers in the metropolitan area. Any person aggrieved by any~~
 268 ~~determination of the Board as to any rates, fares, rentals, and charges for charter, group,~~
 269 ~~and party bus services may challenge same by a petition filed, within thirty days of the~~
 270 ~~occurrence of the event or determination complained of, with the Public Service~~
 271 ~~Commission of this State. A hearing, and such other proceedings as may be ordered, upon~~
 272 ~~the aggrieved party's complaint shall be conducted by the Public Service Commission~~
 273 ~~within thirty days after the filing of the complaint in order to determine the lawfulness of~~
 274 ~~the challenged conduct or rates, fares, rentals, and charges for charter, group, and party bus~~
 275 ~~services. The rulings of the Public Service Commission shall be subject to judicial review~~
 276 ~~in any superior court of any county of the metropolitan area in which the charge may be~~
 277 ~~applicable; however, whenever two or more legal actions are brought against the~~
 278 ~~determination of the Public Service Commission in different superior courts, exclusive~~
 279 ~~jurisdiction thereof shall be vested in the first such court to docket such a petition and all~~
 280 ~~other petitions may be refiled in the superior court having exclusive jurisdiction.~~
 281 Reserved."

282 "(h)(1) Notwithstanding any other provisions of this Act to the contrary, not later than
 283 120 days after the end of each fiscal year of the Authority, the Board shall adjust the
 284 amounts to be charged for transportation services to the public so that the total funds to
 285 be received from transit operating revenue during the fiscal year of the Authority ending
 286 June 30, 1980, shall be no less than thirty percent of the operating costs of the system for
 287 the immediately preceding fiscal year, and so that the total funds to be received from
 288 transit operating revenue during the fiscal year ending June 30, 1981, and for each fiscal
 289 year thereafter shall be no less than thirty-five percent of the operating costs of the system
 290 for the immediately preceding fiscal year. In making such adjustments, the Board shall
 291 be authorized to rely upon estimates of all revenue, patronage, and other factors which
 292 may affect the amounts to be charged for transportation services to the public; provided,
 293 if such amounts actually charged during one fiscal year resulted in transit operating
 294 revenue less than that required under this subsection, the amounts to be charged the
 295 immediately succeeding fiscal year shall be sufficient, along with all other transit
 296 operating revenue, to make up such deficit as well as meet the other requirements of this
 297 subsection.

298 ~~(2) Any differences between amounts charged for various transportation services to the~~
 299 ~~public including, but not limited to, amounts charged for weekend or off-peak hours'~~
 300 ~~service, or amounts charged special groups of persons, shall be approved by at least a~~
 301 ~~two-thirds' vote of the total membership of the Board as it may exist at the time.~~
 302 Reserved.

303 (3) Nothing in this subsection (h) shall be construed to change any limitation relating to
 304 the subsidy of operating costs of the system under subsection (I) of Section 25 of this Act
 305 if such limitation would require increasing transit operating revenue above the amount
 306 provided in this subsection.

307 (4) For purposes of this subsection, 'transit operating revenue' shall include all revenue
 308 from fares, rates, and charges for transportation services and revenues from all other
 309 sources except the sales and use taxes levied pursuant to Section 25 of this Act; and
 310 'operating costs' means 'operating costs of the system,' as defined in subsection (I) of
 311 Section 25 of this Act, and exclusive of depreciation and amortization and other costs and
 312 charges as provided in the said definition."

313 **SECTION 4.**

314 Said Act is further amended by revising subsection (h) of Section 10 as follows:

315 "(h) Bonds of the Authority shall may be sold by public competitive bidding, ~~unless such~~
 316 ~~requirement is waived by the local governments participating in the Authority at the time~~
 317 ~~of such sale, in which event the bonds may be sold~~ or through negotiation with a

318 prospective purchaser or purchasers. If, with respect to the sale of any particular issue of
 319 bonds, public competitive bidding is contemplated, the advertising of the notice of sale and
 320 invitation to bid with respect thereto shall be advertised as is customarily done in the
 321 handling of governmental bond issues and Section 14(b) as to these matters shall not apply.
 322 The Authority may negotiate the sale of its bonds to the Federal Government."

323 **SECTION 5.**

324 Said Act is further amended by revising Section 12 as follows:

325 "The Authority shall have no power of eminent domain, but ~~the City of Atlanta and the~~
 326 ~~counties of Fulton, DeKalb, Cobb, Clayton and Gwinnett may, for purposes of the~~
 327 ~~Authority, exercise the broadest power of eminent domain shall be available to them any~~
 328 city or county government within the territorial jurisdiction of the Authority or any agency
 329 or joint agency thereof, under any statute, ~~and to~~ convey to the Authority any property so
 330 acquired upon payment or credit for the total cost of any acquisition hereunder. For
 331 purposes of this section, the power of eminent domain shall lie in a city governing body if
 332 the property is located within that city's territorial limits and the power of eminent domain
 333 shall lie in a county governing body if the property is located in an unincorporated location
 334 within the county. However, no local governing body shall exercise any power of eminent
 335 domain hereunder with respect to property located beyond its territorial limits."

336 **SECTION 6.**

337 Said Act is further amended by revising subsections (b) through (d) of Section 14 as follows:

338 "(b) All such acquisitions, dispositions and contracts involving ~~\$100,000.00~~ \$200,000.00
 339 or more shall be awarded only after advertising in the local newspaper of the largest
 340 circulation in the metropolitan area at least once a week in the two weeks prior to the bid
 341 opening. Bids shall be publicly opened and read aloud at a date, time and place designated
 342 in the invitation to bid. Invitations to bid shall be sent at least one week prior to the bid
 343 opening to at least three potential bidders who are qualified technically and financially to
 344 submit bids, or, in lieu thereof, a memorandum shall be kept on file showing that less than
 345 three potential bidders so qualified exist in the market area within which it is practicable
 346 to obtain bids. Prior to the award of a contract which will call for an anticipated aggregate
 347 payment of ~~\$150,000.00~~ \$200,000.00 or more to the successful bidder, the Authority shall
 348 make an accurate and brief summary thereof available to the public in its principal office
 349 and shall ~~publish post~~ publish post notice of its intention to award such contract to the successful bidder
 350 at least five days prior to such award ~~in the local newspaper of the largest circulation in the~~
 351 ~~metropolitan area~~ in a prominent location on the Authority's website. Such advertisement
 352 posting shall state the name of the successful bidder, the amount of the contract and its

353 subject matter. This provision shall apply to contracts entered into thirty days or more after
354 the effective date of this Act.

355 (c) Except as otherwise provided in this Section, written price quotations from at least
356 three qualified and responsible vendors, or vendees as the case may be, shall be obtained
357 for all acquisitions, dispositions and contracts involving ~~less than \$100,000.00 and over~~
358 ~~\$10,000.00~~ \$200,000.00 or more, or, in lieu thereof, a memorandum approved by the Board
359 shall be kept on file showing that less than three vendors or vendees, as the case may be,
360 so qualified exist in the market area within which it is practicable to obtain quotations.
361 Acquisitions shall be made from, and contracts awarded to, the lowest responsible
362 quotation, and dispositions of property shall be made to the highest responsible quotation.

363 (d) Acquisitions, dispositions and contracts involving ~~\$10,000.00 or less~~ less than
364 \$200,000.00 may be negotiated with or without competitive bidding under sound
365 procurement procedures as promulgated and established by the Board."

366 **SECTION 7.**

367 Said Act is further amended by revising Section 14A as follows:

368 "The Authority shall have available at its principal office for public inspection at all times
369 during regular business hours of the Authority an accurate and brief summary disclosing
370 all material terms of each contract which the Authority has entered into and the terms of
371 which call for expenditures by the Authority of more than \$150,000. The Authority shall
372 prepare an annual report for the period ending June 30 of each year. Each annual report
373 shall include a statement of the tax revenue and operating revenue received during the
374 period, a statement of the total expenditures made during the period and a list of all written
375 contracts entered into by the Authority during the period which call for the Authority to
376 expend at any time in the aggregate more than ~~\$50,000~~ \$20,000.00. Such list shall also
377 include any employment or consultant contracts (whether or not written) under which the
378 employee or consultant is to be compensated at an annual rate of more than \$20,000,
379 including direct and indirect or deferred benefits. When a person or firm, whose salary or
380 fee is reportable hereunder, shall have his compensation increased at any time, the amount
381 of such increase and the total new rate shall be reported for the period in which the increase
382 takes effect. The list of contracts shall state the anticipated amount of funds to be paid
383 thereunder, or the formula for determining such amount. The Authority shall also prepare
384 a list of the names of each person, firm or corporation which has received from the
385 Authority during such period in excess of \$20,000, as well as the amount paid to such
386 person, firm or corporation during such period. The annual report, together with the
387 Comprehensive Annual Financial Report for the preceding calendar year, and lists required
388 by this Section shall be filed as a statement, verified by the Chairman of the Board of the

389 Authority and its General Manager, with members of the Metropolitan Atlanta Rapid
 390 Transit Authority Overview Committee, the Governor, the presiding officers of the House
 391 of Representatives and the Senate, the State Auditor and with governing authorities of each
 392 county and the largest municipality in the area of the Authority's operation. The annual
 393 report and lists required by this Section shall be ~~prepared and filed within forty-five days~~
 394 ~~of the end of the reporting period~~ submitted by August 31 of each year, shall be made
 395 available at the Authority's principal office for public inspection at all times during regular
 396 business hours of the Authority following such filing, and ~~notice of such availability shall~~
 397 ~~be published in a daily newspaper of general circulation within the entire geographic area~~
 398 ~~of the Authority's operation within fifteen days after filing.~~ Such notice shall occupy at
 399 least one quarter of a full page in such newspaper shall be posted in a prominent location
 400 on the Authority's website within two weeks of submittal of the report to the parties
 401 enumerated in this Section. Such report shall display employee identification numbers and
 402 job titles, and no names or social security numbers of employees shall be displayed."

403 **SECTION 8.**

404 Said Act is further amended by revising subsection (a) of Section 16 as follows:

405 "(a) The Board shall make provision for a system of financial accounting and controls,
 406 audits and reports. All accounting systems and records, auditing procedures and standards,
 407 and financial reporting shall conform to generally accepted principles of governmental
 408 accounting. Copies of each financial report required under this Section shall be ~~furnished~~
 409 delivered to the members of the Metropolitan Atlanta Rapid Transit Authority Overview
 410 Committee and posted on the website of the Authority. Notice of such publication shall
 411 be delivered in electronic format to each local governing body of each participating local
 412 government in the metropolitan area as described in Section 6 of this Act. All financial
 413 records, reports and documents of the Authority shall be public records and open to public
 414 inspection under reasonable regulations prescribed by the Board."

415 **SECTION 9.**

416 Said Act is further amended by revising subsections (e) and (g) of Section 17 as follows:

417 "(e) Not later than December 31, 2016, and every four years thereafter, the ~~The~~ Authority
 418 shall cause to be performed an independent ~~annual~~ management audit on the condition of
 419 management of the Authority ~~at the expense of the Authority,~~ to be supervised and
 420 approved by the Metropolitan Atlanta Rapid Transit Overview Committee, ~~and which~~ The
 421 management audit shall be submitted to the Board of the Authority, the Governor, the State
 422 Auditor, and the Metropolitan Atlanta Rapid Transit Overview Committee before

423 December 31 of each year in which it is required. The management audit shall be
 424 performed at the expense of the Authority."

425 "(g) The Authority shall submit to the Metropolitan Atlanta Rapid Transit Overview
 426 Committee, the presiding officers of the House and Senate, and the Governor an annual
 427 report which report shall indicate consultant expenses, other professional services, salaries
 428 and expenses of full-time and part-time employees and Board members, and payments
 429 rendered ~~by to~~ outside companies, ~~or agencies, or entities by to~~ the Authority for any and
 430 all goods, services, and projects. Said report shall be submitted by August 31 of each year
 431 and shall include, along with the requirements specified in Section 14A of this Act, the
 432 name of the payee, the date of payment, the payment amount, and the purpose of each
 433 payment. If such payment was made pursuant to a contract, the date on which the contract
 434 was awarded, the length of the contract term, the award amount of the contract, the
 435 cumulative payments that have been made toward the contract, including the listed
 436 payment, and any related contract or project identification number shall be included in the
 437 report alongside the name of the payee, the date of payment, the payment amount, and the
 438 purpose of each payment. In addition to a printed copy to be provided to the parties
 439 enumerated in this subsection, said report shall be posted in a prominent location on the
 440 Authority's website within two weeks of submittal of the report to the parties enumerated
 441 in this subsection. The report posted on the Authority's website shall show employee
 442 identification numbers and job titles instead of the names of the employees. The
 443 employee's social security number shall not be used as the employee's identification
 444 number."

445 SECTION 10.

446 Said Act is further amended by revising subsections (a) and (b) of Section 20 as follows:

447 "(a) The Board may promulgate reasonable rules and regulations, not inconsistent with
 448 law, for the control and management of its operations, properties, employees and patrons.
 449 Violations of rules and regulations governing the conduct of the public in or upon the
 450 Authority's transportation system shall be punishable by a civil fine or penalty in an amount
 451 set by the Board. All rules and regulations governing the conduct of the public in or upon
 452 the Authority's transportation system and the civil fine or penalty for infraction of such
 453 rules and regulations shall be posted in a prominent location on the Authority's website.

454 (b)(1) The Board may provide for the recognition of authorized representatives of the
 455 employees of the Authority and for collective bargaining, in accordance with this
 456 subsection, with such authorized representatives.

457 (2) As used in this subsection, the following terms shall have the following meanings:

458 (A) 'Authorized representative' means the collective bargaining agent for a class of
459 employees, recognized for such purposes by the Board.

460 (B) 'Collective bargaining' or 'collectively bargain' means performing the mutual
461 obligation of the Authority and the authorized representatives of represented employees
462 to negotiate, in good faith and to impasse, if necessary, over wages, hours, and other
463 terms and conditions of employment with the bona fide intention of reaching a
464 negotiated agreement.

465 (C) 'Grievance arbitration' means arbitration of a dispute between the Authority and the
466 authorized representative, acting on behalf of a represented employee, which involves
467 the interpretation of an existing labor agreement and the application of the terms and
468 conditions of that labor agreement to the claims of one or more employees.

469 (D) 'Labor agreement' means an agreement, including any agreement respecting
470 pension or retirement benefits for represented employees, between the Authority and
471 the authorized representative, entered into in accordance with this subsection, which
472 establishes the wages, hours, and other terms and condition of employment for
473 represented employees of the Authority.

474 (E) 'Represented employee' means an employee of the Authority who is a member of
475 a class of employees for which the Board has recognized an authorized representative.

476 (3) Every labor agreement entered into by the Authority shall provide for grievance
477 arbitration and shall specify the procedure therefor. In any grievance arbitration, the
478 arbitrators must base their decision upon the express terms and conditions of an existing
479 labor agreement.

480 (4) Upon or prior to the expiration of an existing labor agreement, the Authority and the
481 authorized representative shall collectively bargain in an effort to reach a successor or
482 replacement labor agreement. If, after expiration of an existing labor agreement, the
483 Authority and the authorized representative are then unable to agree upon the terms and
484 conditions of a new labor agreement, including but not limited to the issue of wages, they
485 shall jointly select or, failing their agreement, upon the written petition of either or both
486 parties, the Governor shall appoint within 30 days after the receipt of said petition a
487 neutral fact finder to investigate and explore all unresolved collective bargaining issues
488 and to render a report to the Authority, the authorized representative, and the public. The
489 neutral fact finder shall conduct such hearings as may be necessary to provide for the full
490 and fair presentation of all unresolved collective bargaining issues by both parties. That
491 fact finder shall be authorized to sign and issue subpoenas for witnesses or documents,
492 to administer oaths, to take oral or written testimony and to take such other actions as
493 may be needed to make comprehensive findings of fact and recommendations. When a
494 subpoena is disobeyed, any party may apply to the Superior Court of Fulton County for

495 an order requiring obedience. Failure to comply with that order shall be cause for
496 punishment as for contempt of court. The costs of securing the attendance of witnesses,
497 including fees and mileage, shall be computed in the same manner as prescribed by law
498 in civil cases in the superior court.

499 (5) The fact finder's report shall recommend as to all unresolved collective bargaining
500 issues, including appropriate wages, hours and other terms and conditions of employment
501 for represented employees, and shall set forth supporting factual findings, determined
502 after due consideration of the factors set forth in subparagraphs (A) through (E) of
503 paragraph (8) of this subsection, and shall contain a summary of the findings. The report
504 of the fact finder shall be issued within 30 days after the fact finder is selected or
505 appointed. Upon issuance, the report shall be distributed by the Authority to the
506 Governor, the Metropolitan Atlanta Rapid Transit Overview Committee of the Georgia
507 General Assembly, and each local governing body in the metropolitan area. The fact
508 finder shall cause the summary of findings to be published once in the newspaper having
509 the largest circulation in the metropolitan area. The fact finder shall be compensated in
510 the same manner as a special master pursuant to Code Section 22-2-106 of the O.C.G.A.,
511 and the costs thereof and any other costs of the proceeding shall be borne equally by the
512 parties. After selection or appointment of a fact finder pursuant to this paragraph, the
513 parties may continue to collectively bargain on any issues, including but not limited to
514 those submitted for fact-finding purposes.

515 (6) Upon issuance of the fact finder's report, the Authority and the authorized
516 representative shall continue to collectively bargain in light of the recommendations set
517 forth in such report. If either party rejects any or all of the fact finder's recommendations
518 and the parties are otherwise unable, through collective bargaining, to reach agreement
519 on such issue or issues, then each party rejecting any of the fact finder's recommendations
520 shall prepare a written statement setting forth the specific recommendations which such
521 party has rejected, the party's counterproposal on the issue or issues, and the reasons for
522 rejecting the fact finder's recommendations. Prior to commencement of any proceeding
523 for interest arbitration, as provided in paragraph (7) of this subsection, each party
524 required under this paragraph to prepare that statement shall cause it to be published in
525 the local newspaper having the largest circulation in the metropolitan area and shall
526 concurrently distribute that statement to the Governor, the Metropolitan Atlanta Rapid
527 Transit Overview Committee of the Georgia General Assembly, and each local governing
528 body in the metropolitan area.

529 (7) If, within the 30 days following issuance of the fact finder's report, the Authority and
530 the authorized representative are unable to conclude a new labor agreement, either party
531 may then seek ~~binding interest arbitration of all~~ a judicial determination of any

532 unresolved issues between the parties. Such an action may be instituted by the filing of
 533 a petition ~~with the Governor for binding interest arbitration and for the appointment of~~
 534 ~~an arbitrator. The Governor shall appoint an arbitrator who is a member of the National~~
 535 ~~Academy of Arbitrators or is approved by the American Arbitration Association within~~
 536 ~~30 days of the petition. That arbitrator shall decide the issues within 90 days after said~~
 537 ~~petition shall be filed with the Governor. That arbitrator's decision on those issues shall~~
 538 ~~bind both the Authority and the authorized representative. That arbitrator may require~~
 539 ~~the Authority and the authorized representative to provide that arbitrator with such~~
 540 ~~information as the arbitrator determines to be necessary in resolving the issues for a~~
 541 ~~judicial determination. In even-numbered years, the petition shall be filed in the Superior~~
 542 ~~Court of Fulton County and directed to the judge with the greatest length of service in~~
 543 ~~that court. In odd-numbered years, the petition shall be filed in the Superior Court of~~
 544 ~~DeKalb County and directed to the judge with the greatest length of service in that court.~~
 545 The judge, without a jury, shall decide upon the issues within 90 days of filing such
 546 petition. The decision of the judge shall be binding upon the Authority and the
 547 authorized representative, and there shall be no appeal of such decision. The judge may
 548 require the Authority and the authorized representative to provide such information as the
 549 judge determines to be necessary in resolving the issues submitted. In the event any
 550 unresolved collective bargaining issue, including but not limited to wage rates for
 551 represented employees, is not submitted for judicial determination, the parties shall
 552 continue the collective bargaining process with respect to such issues in a good faith
 553 effort to reach agreement on such issues or to agree upon the terms and conditions of a
 554 stipulation or submission agreement to be submitted for judicial determination as
 555 provided for in this paragraph.

556 (8)(A) In any ~~interest arbitration~~ judicial determination under this subsection, the
 557 ~~arbitrator~~ judge shall be bound by any written stipulation or submission agreement
 558 between the Authority and the authorized representative concerning such determination.
 559 In determining any issue, the ~~arbitrator~~ judge shall ~~also~~ give primary consideration
 560 ~~weight both~~ to the report of the neutral fact finder and to the following factors:

561 (A)(i) The financial ability of the Authority to pay wages and provide benefits,
 562 whether or not increased, including the budget for the current year, the projected
 563 budget for the subsequent ten years, and the need to maintain adequate reserves, while
 564 adhering to all legal requirements governing the Authority's expenditure of public
 565 funds and revenues and maintaining levels of transit service sufficient to serve the
 566 metropolitan area; and

567 (B)(ii) The amount, if any, of any fare increase which would be necessary to afford
 568 a wage or salary increase or improvement in fringe benefits or extension of vacation,

569 holiday, or excused time and the ability of the public to bear a fare increase, with
570 consideration of the per capita income of those persons in the service area;

571 (B) The judge shall also give secondary consideration to the following factors:

572 ~~(C)~~(i) A comparison between the overall wage and salary levels and fringe benefit
573 levels and vacation, holiday and excused time allowances of the Authority's
574 represented employees and other workers in the public and private sectors of the
575 metropolitan area who perform work requiring similar skills in other major ground
576 transportation services;

577 ~~(D)~~(ii) A comparison of the hours and working conditions of the Authority's
578 represented employees and other workers in the public and private sectors of the
579 metropolitan area who perform work requiring similar skills in other major ground
580 transportation services; and

581 ~~(E)~~(iii) The cost of consumer goods and services within the metropolitan area.

582 ~~(9) In the event that either party wishes to enforce the decision of the arbitrator, a petition~~
583 ~~for such enforcement must be filed within ninety (90) days of such decision. In odd~~
584 ~~numbered years, the petition must be filed in the Superior Court of Fulton County and~~
585 ~~directed to the senior judge in time of service in that court. In even numbered years, the~~
586 ~~petition must be filed in the Superior Court of DeKalb County and directed to the senior~~
587 ~~judge in time of service in that court. The court shall confirm the decision unless the~~
588 ~~decision is vacated by the court because the court finds that the rights of a party were~~
589 ~~prejudiced by:~~

590 ~~(A) Corruption, fraud, or misconduct in procuring the decision;~~

591 ~~(B) Partiality of an arbitrator appointed as a neutral;~~

592 ~~(C) An overstepping by the arbitrators of their authority or such imperfect execution~~
593 ~~of it that a final and definite decision upon the subject of such matter submitted was not~~
594 ~~made; or~~

595 ~~(D) The arbitrator's manifest disregard for the law.~~

596 ~~The judge's ruling in this enforcement proceeding shall bind the Authority and the~~
597 ~~authorized representative and there shall be no appeal from this decision.~~

598 ~~(10) Upon vacating a decision, the court may order a rehearing and determination of all~~
599 ~~or any of the issues either before the same arbitrator or before a new arbitrator appointed~~
600 ~~as provided by this part. In any provision of an agreement limiting the time for a hearing~~
601 ~~or decision, time shall be measured from the date of such order or rehearing, whichever~~
602 ~~is appropriate, or a time may be specified by the court.~~

603 ~~(11) No employee of the Authority shall engage in any strike, sit-down, slow-down,~~
604 ~~walkout, or other concerted cessation or curtailment of work, and no authorized~~
605 ~~representative of employees of the Authority shall cause, instigate, encourage, promote~~

606 or condone any strike, sit-down, slow-down, walkout, or other concerted cessation or
 607 curtailment of work by any employee of the Authority. The Authority shall not
 608 unilaterally increase, decrease, or otherwise change the wages, including accrued cost of
 609 living allowances, or fringe benefits of represented employees as of the last day of an
 610 expired contract pending the establishment of new wages and fringe benefits by
 611 negotiation or ~~interest arbitration~~ judicial determination.
 612 ~~(12)~~(10) Subject to any requirement imposed pursuant to Section 13 (c) of the Urban
 613 Mass Transportation Act of 1964, as amended, the Authority at all times shall have the
 614 right to determine the method, means, and personnel by which its operations are to be
 615 carried on, including the right to hire part-time employees."

616 SECTION 11.

617 Said Act is further amended by revising subsection (b) of Section 21 as follows:

618 "(b) The Authority shall also be exempt from any regulation by the Public Service
 619 Commission of this State, ~~except as provided in Section 9(f) of this Act, and except that~~
 620 when any proposed action of the Authority, or any local government on behalf of the
 621 Authority, may place a public utility, railroad or public service corporation in violation of
 622 the requirements of the Commission, or create the need for collaboration with respect to
 623 compliance with the requirements of the Commission, the Authority shall obtain the
 624 Commission's cooperation and approval of the proposed action. In such matters and
 625 particularly with respect to the matters contemplated in Section 8(j), the Commission shall
 626 cooperate with the Authority to accomplish the purposes and policies of this Act."

627 SECTION 12.

628 Said Act is further amended by revising subsection (i) of Section 25 as follows:

629 "(i) Use of Proceeds. The proceeds of the tax levied pursuant to this Act shall be used
 630 solely by each local government to fulfill the obligations incurred in the contracts entered
 631 into with the Metropolitan Atlanta Rapid Transit Authority as contemplated in the
 632 Metropolitan Atlanta Rapid Transit Authority Act of 1965, as amended; provided,
 633 however, that no more than fifty percent (50%) of the annual proceeds of the tax shall be
 634 used to subsidize the operating costs of the system, exclusive of depreciation, amortization,
 635 and other costs and charges as provided in this subsection, until January 1, 2002. For the
 636 period beginning January 1, 2002, and ending June 30, 2002; and for each fiscal year
 637 commencing thereafter until December 31, 2008, no more than fifty-five percent (55%) of
 638 the proceeds of the tax shall be used to subsidize the operating costs of the system,
 639 exclusive of depreciation, amortization, and other costs and charges as provided in this
 640 subsection; and for the period beginning January 1, 2009, and ending June 30, 2009, and

641 each fiscal year commencing thereafter until July 1, 2032, no more than fifty percent (50%)
642 of the proceeds of the tax shall be used to subsidize the operating costs of the system,
643 exclusive of depreciation, amortization, and other costs and charges as provided in this
644 subsection; Such restrictions on the use of annual proceeds from local sales and use taxes
645 shall be suspended through June 30, 2017. ~~except that if~~ If the Board of the Metropolitan
646 Atlanta Rapid Transit Authority shall fail to file with the Metropolitan Atlanta Rapid
647 Transit Overview Committee annually; the original and 14 copies of a report of the findings
648 of a completed management performance audit of the Authority's current operations, ~~which~~
649 ~~audit that~~ was performed under contract with and at the expense of the Authority, along
650 with any auditor's recommendations based thereon and the auditor's signed written
651 verification that the Metropolitan Atlanta Rapid Transit Authority fully cooperated with
652 such audit and allowed access to all its books, records, and documents to the extent the
653 auditor deemed necessary, then for the period beginning January 1, 2003, and ending June
654 30, 2003, and each fiscal year commencing thereafter until July 1, 2032, no more than fifty
655 percent (50%) of the proceeds of the tax shall be used to subsidize the operating costs of
656 the system, exclusive of depreciation, amortization, and other costs and charges as provided
657 in this subsection. For each fiscal year commencing on or after July 1, 2032, no more than
658 sixty percent (60%) of the annual proceeds of the tax shall be used to subsidize the
659 operating costs of the system, exclusive of depreciation, amortization, and other costs and
660 charges as provided in this subsection; and commencing with July 1, 2032, and for every
661 year thereafter, the proceeds of the tax shall not be used to subsidize operations of the
662 transportation system to an extent greater than fifty percent (50%) of the operating costs
663 of the system, exclusive of depreciation, amortization, and other costs and charges as
664 provided in this subsection. In adopting its annual budget, the Board of the Metropolitan
665 Atlanta Rapid Transit Authority shall be authorized to rely upon estimates of all revenues,
666 operating costs, patronage, and other factors which may affect the amount of the fare
667 required to limit the operating subsidy herein provided for. If the results of any year's
668 operations reflect that the proceeds of the tax were used to subsidize operations to an extent
669 greater than herein provided, the Board shall adjust fares in order to make up the deficit in
670 operations during a period of not to exceed three (3) succeeding years. If the results of
671 operations in the Authority's fiscal year commencing July 1, 1980, or in any subsequent
672 fiscal year reflect that the proceeds of the tax were not used to subsidize operations to the
673 maximum extent herein provided, the Board shall reserve any amounts that could have
674 been used to subsidize operations in that fiscal year and later use said reserved amounts and
675 any interest earned on said reserved amounts to provide an additional subsidy for
676 operations in any future fiscal year or years. The words 'operating costs of the system' for
677 purposes of this subsection 25(I) are defined to include all of the costs of that division of

678 the Authority directly involved and that portion of the nonoperating administrative costs
 679 of those divisions of the Authority indirectly involved, through the provision of support
 680 services, in providing mass transportation services for the metropolitan area, but exclusive
 681 of the costs of the division or divisions directly involved and that portion of the
 682 nonoperating administrative costs of those divisions indirectly involved, in the planning,
 683 design, acquisition, construction, and improvement of the rapid transit system, according
 684 to accepted principles of accounting, and also exclusive of the following costs:

685 (1) Nonrecurring costs and charges incurred in order to comply with any statute or
 686 regulation concerning either the protection or cleaning up of the environment, or
 687 accessibility by handicapped or disabled persons, or occupational health or safety, or
 688 compliance with any national or state emergencies, or with any judgment, decree, or
 689 order of any court or regulatory agency in implementation of any such statute or
 690 regulation; and

691 (2) In the case of leases of equipment or facilities that, according to generally accepted
 692 principles of accounting, would not be classified as capital leases, payments of rent, and
 693 other payments for the property subject to such leases or for the use thereof; provided that
 694 any costs for regular maintenance or repair of such equipment or facilities shall not be
 695 excluded.

696 If any proceeds of the tax levied pursuant to this Act are held for the purpose of planning,
 697 designing, acquiring, or constructing additional facilities or equipment for or improvements
 698 to the rapid transit system and are invested, then all interest earned from such investments
 699 shall be used only for such purposes or for paying the principal of or interest on bonds or
 700 certificates issued for such purposes. Commencing July 1, 1988, and until June 30, 2008,
 701 and only if expressly authorized by the board, interest earned on reserve funds set aside for
 702 rebuilding, repairing, or renovating facilities of the rapid transit system; for replacing,
 703 repairing, or renovating equipment or other capital assets thereof; or from the sale or other
 704 disposition of real property, may, without regard to the original source of the funds so
 705 reserved, be used to pay the operating costs of the system as such costs are defined in this
 706 subsection."

707 **SECTION 13.**

708 This Act shall become effective on June 1, 2014, except for Section 10 of this Act, which
 709 shall become effective upon its approval by the Governor or upon its becoming law without
 710 such approval.

711 **SECTION 14.**

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