

Public Law 95-462
95th Congress

An Act

Granting the consent of Congress to the Historic Chattahoochee Compact between the States of Alabama and Georgia

Oct. 14, 1978
[H.R. 13692]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the Historic Chattahoochee Compact between the States of Alabama and Georgia which compact reads as follows:

Historic
Chattahoochee
Compact,
Alabama-
Georgia.
Consent of
Congress.

“HISTORIC CHATTAHOOCHEE COMPACT

“ARTICLE I. The purpose of this compact is to promote the cooperative development of the Chattahoochee Valley’s full potential for historic preservation and tourism and to establish a joint interstate authority to assist in these efforts.

“ARTICLE II. This compact shall become effective immediately as to the States ratifying it whenever the States of Alabama and Georgia have ratified it and Congress has given consent thereto.

Effective date.

“ARTICLE III. The States which are parties to this compact (hereinafter referred to as ‘party States’) do hereby establish and create a joint agency which shall be known as the Historic Chattahoochee Commission (hereinafter referred to as the ‘Commission’). The Commission shall consist of twenty-eight members who shall be appointed by the historical commission or organization or similar historical body or other designated authority in each of the counties represented by the Commission who shall be bona fide residents and qualified voters of the party State. In Alabama, two shall be residents of Barbour County, two shall be residents of Russell County, two shall be residents of Henry County, two shall be residents of Chambers County, two shall be residents of Lee County, two shall be residents of Houston County, and two shall be residents of Dale County. If there are two historical organizations in any of said counties, then one Commission member shall be selected from each organization; if there are more than two organizations in any such county, then the organization shall meet and decide on the designation of members which will represent their respective county. In Georgia, one shall be a resident of Troup County, one shall be a resident of Harris County, one shall be a resident of Muscogee County, one shall be a resident of Chattahoochee County, one shall be a resident of Stewart County, one shall be a resident of Randolph County, one shall be a resident of Clay County, one shall be a resident of Quitman County, one shall be a resident of Early County, one shall be a resident of Seminole County, and one shall be a resident of Decatur County. In addition, these 11 Georgia members shall choose three at large members who shall be selected from any three of the Georgia member counties listed above. The Commission at its discretion may appoint as many advisory members as it deems necessary from any Georgia or Alabama county which is located in the Chattahoochee Valley area. The contribution of each party State shall be in equal amounts. If the party States fail to appropriate equal amounts to the Commission during any given fiscal year, voting membership on the Commission Board shall be determined as follows: The State making the larger appropriation shall be entitled to full voting membership.

Historic
Chattahoochee
Commission.
Establishment.

The total number of members from the other State shall be divided into the amount of the larger appropriation and the resulting quotient shall be divided into the amount of the smaller appropriation. The then resulting quotient, rounded to the next lowest whole number, shall be the number of voting members from the State making the smaller contribution. The members of the Commission from the State making the larger contribution shall decide which of the members from the other State shall serve as voting members, based upon the level of tourism, renovation and promotional activity, and general support of the Commission's activities by and in the county of residence of each of the members of the State making the smaller appropriation. Such determination shall be made at the next meeting of the Commission following September 30th of each year. Members of the Commission shall serve for terms of office as follows: Of the fourteen Alabama voting members, one from each of said counties shall serve for two years and the remaining member of each county shall serve for four years. The member appointed by the older organization of each county shall serve for the four year term for the initial term of this compact. Upon the expiration of the original terms of office of Alabama members, all successor Alabama voting members shall be appointed for four year terms of office, with seven vacancies in the Alabama voting membership occurring every two years. Of the fourteen Georgia voting members, seven shall serve four year terms and seven two year terms for the initial term of this compact. The terms of the individual Georgia voting members shall be determined by their place in the alphabet by alternating the four and two year terms beginning with Chattahoochee County—four years, Clay County—two years, Decatur County—four years, etc. Upon the expiration of the original terms of office of Georgia members, all successor Georgia voting members shall be appointed for four year terms of office, with seven vacancies in the Georgia voting membership occurring every two years. Of the three Georgia at large Board members, one shall serve a four year term and two shall serve two year terms.

All Board members shall serve until their successors are appointed and qualified. Vacancies shall be filled by the members of the Commission. The first chairman of the Commission created by this compact shall be elected by the Board of Directors from among its voting membership. Annually thereafter, each succeeding chairman shall be selected by the members of the Commission. The chairmanship shall rotate each year among the party States in order of their acceptance of this compact. Members of the Commission shall serve without compensation but shall be entitled to reimbursement for actual expenses incurred in the performance of the duties of the Commission.

“ARTICLE IV. The headquarters of the Commission shall be selected by the Commission and shall be centrally located in the Chattahoochee Valley area. Such headquarters shall be consistent with the legitimate need of the Commission. The Commission shall hold an annual meeting at the Commission Headquarters and one-half of the then members of the Commission shall constitute a quorum for the transaction of business. Additional meetings may be held at such times and places as may be considered necessary, desirable or convenient, upon call of the chairman, or, in the case of his absence or incapacity, of the vice chairman, or, on call of any three members of the Commission. The Commission shall determine and establish its own organization and procedure in accordance with the provisions of this Act and shall have an official seal. The Commission shall elect its chairman, its vice chairman, its secretary and its treasurer, and such officers shall hold

Commission
headquarters.

office for a period of one year or until a successor is elected. Neither the secretary nor the treasurer need be members of the Commission. The Commission may require that the treasurer thereof be bonded in an amount to be determined by the Commission.

"ARTICLE V. The Commission shall have the right to adopt such rules and regulations as may be necessary to carry out the intent and purposes of this Act, and shall be authorized to provide for an executive committee of not fewer than five of its members to whom it may delegate such powers and authority as the Commission may deem to be advisable.

Rules and regulations.

"ARTICLE VI. No member of the Commission shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as a member of the Commission. All such expenses are to be paid from the funds of the Commission. Further, it shall be unlawful for any member of the Commission or any employee thereof to charge, receive, or obtain, either directly or indirectly, any fee, commission, retainer or brokerage out of the funds of the Commission, and no member of the Commission or officer or employee thereof shall have any interest in any land, materials, or contracts sold to, or made or negotiated with the Commission, or with any member or employee thereof acting in his capacity as a member of such Commission. Violation of any provisions of this section shall be a misdemeanor and upon conviction shall be punishable by removal from membership or employment and by a fine of not less than \$100.00 or by imprisonment not to exceed six months or both.

Expenses.

"ARTICLE VII. The Commission shall establish and maintain at such lawful depository or depositories as it shall select, a 'Historic Chattahoochee Fund' composed of the money or monies which may come into its hands from admission, inspection fees, gifts, donations, grants, bequests, loans, bond issues, governmental appropriations or other sources, either public or private. Such funds shall be used by the Commission to pay for the purposes herein set forth, and the servicing, retirement or amortization of any bonds or other evidences of indebtedness issued by the Commission.

Historic Chattahoochee Fund.

"ARTICLE VIII. The Commission shall be authorized:

"1. To investigate and select available sites for housing historic exhibits, including the surrounding grounds, with such State, Federal, or local agencies and governments and private individuals, corporations, associations, or other organizations as may be involved, taking into consideration all pertinent factors affecting the suitability of such sites; to acquire, transport, renovate, maintain and exhibit appropriate and suitable military, or historic units, articles, exhibits, and attractions; to have full complete and exclusive jurisdiction over the sites, and any related exhibits;

Historic exhibits.

"2. To promote tourism throughout the Chattahoochee Valley by attending travel shows; issuing news releases, calendars of events and newsletters; publishing brochures and pamphlets; constructing mobile travel exhibits; producing films and other visual presentations as may be necessary; and advertising in magazines and/or newspapers;

Tourism.

"3. To acquire by rent or lease agreement or otherwise, the necessary housing facilities; and to establish, improve and enlarge available facilities, including providing them with necessary equipment, furnishings, landscaping, and related facilities, including parking areas and ramps, roadways, sewers, curbs, and gutters;

Housing facilities, acquisition.

Contracts and cooperative agreements.

"4. To enter into such contracts and cooperative agreements with the local, State, and Federal government, with agencies of such governments, with private individuals, corporations, associations, and other organizations, as the Commission may deem necessary or convenient to carry out the purposes of this Act, with such contracts and agreements to include leases to private industry;

Money, borrowing.

"5. To borrow money from private sources, the State emergency fund, or such other source as may be acceptable to the Commission under such terms and conditions as may be provided by law, and, in order to provide security for the repayment of any such private loans, the Commission shall have the authority to pledge such future revenues from admissions and any other sources as may, from time to time, be necessary or desirable;

Revenue bonds.

"6. To issue and sell at any time and from time to time its revenue bonds for the purpose of providing funds to acquire, enlarge, improve, equip and maintain its property, and for the payment of obligations incurred for such purposes. The principal and interest on any such revenue bonds shall be payable solely out of the revenues derived from the project;

"7. To make such contracts in the issuance of its bonds as may seem necessary or desirable to assure their marketability and to provide for their retirement by a pledge of all or any revenue which may come to the Commission from the investment of the proceeds of the sale of such bonds or from any other source whatsoever;

Gifts. Acquisition of property.

"8. To accept public or private gifts, grants and donations;

"9. To acquire property by purchase, lease, gift, or license; and to dispose of any property of the Commission when, in the opinion of the Commission such disposition is deemed expedient;

Funds.

"10. To allocate and expend funds from all donations, income and revenue from any source whatsoever coming into its treasury, for the fulfillment and accomplishment of its duties and responsibilities in such manner as may be necessary and appropriate for the perfection of the purposes of this Act;

Transactions.

"11. To sell, convey, transfer, lease or donate any property, franchise, grant, easement, license or lease or interest therein which it may own, and to transfer, assign, sell, convey, or donate any right, title or interest which it may have in any lease, contract, agreement, license or property;

Employees, hiring.

"12. To hire such laborers, artisans, caretakers, technicians, stenographers and administrative employees and supervisory and professional personnel as may be necessary or advisable for the carrying out in the most efficient and beneficial manner of the purposes and provisions of this Act;

Executive director.

"13. To employ an executive director who shall serve at the pleasure of the Commission, who shall be responsible directly to the Commission, whose compensation shall be fixed by the Commission, whose duties and authority shall be designated by the Commission, and who shall be paid from funds of the Commission;

Rules and regulations.

"14. To make such rules and regulations as the Commission may deem necessary and desirable to provide for the operation, management and control of its facilities;

"15. To perform such other acts necessary or incidental to the accomplishment of the purposes of this Act whether or not specifically authorized in this section, and not otherwise prohibited by law.

"ARTICLE IX. The Commission shall constitute a public body corporate and shall have, in addition to those set forth specifically in this Act, all powers necessary or convenient to effect the purposes for which it has been established under and by the terms of this Act, together with all powers incidental thereto or necessary to the discharge of its said powers and duties.

Powers.

"ARTICLE X. The Commission, its property and income and all bonds issued by the Commission, the income from such bonds, or from the investment of such income, and all conveyances, leases, mortgages, and deeds of trust by or to the Commission shall be exempt from all taxation in the State of Alabama and the State of Georgia.

Taxation,
exemption.

"ARTICLE XI. All obligations incurred by the Commission and all bonds issued by it shall be solely and exclusively an obligation of the Commission and shall not create an obligation or debt of the State of Alabama or the State of Georgia or any county or municipality of either.

Obligations.

"ARTICLE XII. The Commission shall maintain at all times accurate records and books of account covering revenues and expenditures. Such records and books shall be available for audit at any time by the department of examiners of public accounts, and shall be audited at least every two years in the same manner as audits are made of other State agencies and departments."

Records and
accounts.

SEC. 2. The Congress consents to the foregoing Historic Chattahoochee Compact between the States of Alabama and Georgia subject to the understanding that nothing contained therein shall be construed to confer upon the joint agency established thereby and known as the Historic Chattahoochee Commission, or upon any other person, the right of eminent domain.

Consent of
Congress.

SEC. 3. The right to alter, amend, or repeal this Act is expressly reserved.

Approved October 14, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1636 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 124 (1978):

Oct. 2, considered and passed House.

Oct. 3, considered and passed Senate.