

CHAPTER 33
Lake Paul A. Wallace Authority

SECTION 49-33-10. Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Authority" means the Lake Paul A. Wallace Authority, a body corporate and politic created to receive, manage, maintain, and operate the property known as Lake Paul A. Wallace located in Marlboro County.
- (2) "Department" means the Department of Natural Resources.
- (3) "Lake" means Lake Paul A. Wallace.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-20. Creation of Lake Paul A. Wallace Authority; functions.

(A) There is hereby created a body corporate and politic to be known as the "Lake Paul A. Wallace Authority".

(B) The function of the authority is to:

- (1) be the body politic and corporate to manage, maintain, and operate the Lake Paul A. Wallace;
- (2) ensure that the primary purpose of the lake is for public fishing and recreation in compliance with the federal law under which the lake was established; and
- (3) provide that the wildlife habitat remain a protected area as long as this function does not contravene with the provisions contained in item (1) of this subsection.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-30. Membership of authority.

(A) The authority shall be composed of seven members appointed by the Marlboro County Legislative Delegation, as follows:

- (1) two members nominated by the city council of Bennettsville;
- (2) two members nominated by the county council of Marlboro County; and
- (3) three members at large who reside near or have a demonstrable history of recreational use of Lake Paul A. Wallace.

(B) The members shall serve for terms of four years, except that of the members first appointed, one nominated by city council, one nominated by county council, and one at-large member will serve for terms of two years for their initial appointment.

(C) One of the at-large members must be designated by the Marlboro County Legislative Delegation to serve as the chairman of the authority.

(D) A vacancy must be filled in the same manner as the appointment for the vacant position is made, and the successor appointed to fill the vacancy shall hold office for the remainder of the unexpired term.

(E) The following shall serve ex officio as a nonvoting member: the Director of the Department of Natural Resources or his designee.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-40. Per diem and mileage.

(A) The members of the authority, at the discretion of the city, county, or authority may receive such per diem and mileage as is provided by law for members of boards, commissions, and committees.

(B) The city council of Bennettsville, the county council of Marlboro, and the authority may provide the per diem, mileage, and staff for the authority.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-50. Convening the authority.

The authority shall convene upon the call of the chairman and organize by electing a vice chairman, a secretary, and a treasurer, whose terms of office shall be for such period as the authority shall determine in its bylaws.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-60. Filing of certificates.

The secretary of the authority shall file in the offices of the clerk of court for Marlboro County and the Secretary of State appropriate certificates, showing the personnel of the authority and the duration of the terms of the respective members.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-70. Powers of authority.

The authority has the following powers to:

- (1) have perpetual succession;
- (2) sue and be sued;
- (3) adopt, use, and alter a corporate seal;
- (4) define a quorum for its meetings;
- (5) maintain a principal office, which shall be located in Bennettsville;
- (6) make bylaws for the management and regulation of its affairs;
- (7) acquire, hold, and manage real estate;
- (8) make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the authority; and
- (9) do all other acts and things necessary or convenient to carry out any function or power committed or granted to the authority.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.

SECTION 49-33-80. Authority empowered to receive and spend funds.

The authority is empowered to receive and spend any funding available through (1) the department, (2) the municipal, county, state, or federal government, or (3) any other source in order to finance the management, maintenance, and operation of the lake that is in compliance with federal and state law.

HISTORY: 2012 Act No. 229, Section 1, eff July 1, 2012.