

1 HB647
2 147393-2
3 By Representatives DeMarco, Payne, Drake, Carns, Wood,
4 McClurkin, Williams (J), Standridge, Shedd, Roberts, Todd,
5 Farley, Treadaway and Hill
6 RFD: County and Municipal Government
7 First Read: 18-APR-13

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8 SYNOPSIS: This bill would apply to any municipal water
9 works board that serves water customers in any
10 county other than the county where the authorizing
11 municipality is principally located.

12 The bill would provide for the appointment
13 of an additional board member by the county
14 commission of any county where water customers are
15 served by the board other than the county where the
16 authorizing municipality is principally located.

17 The bill would also limit the term of all
18 board members to two six-year terms, limit the
19 compensation and expense allowance of the board
20 members, specify that the board members would be
21 covered by the State Ethics Law, and provide for
22 notice and a public hearing prior to adoption of
23 any rate increase.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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2 Relating to any municipal water works board which
3 serves water customers in any county other than the county
4 where the authorizing municipality is principally located; to
5 provide for the appointment of an additional board member by
6 the county commission of a county where water customers are
7 served by the board other than the county where the
8 authorizing municipality is principally located; to limit the
9 term of all board members to two six-year terms; to limit the
10 compensation and expense allowance of the board members; to
11 specify that the board members would be covered by the State
12 Ethics Law; and to provide for notice and a public hearing
13 prior to the board adopting any rate increase.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) Notwithstanding any other provisions
16 of law, any municipal water works board authorized to be
17 incorporated by a municipality which serves water customers in
18 two or more counties other than the county where the
19 authorizing municipality is principally located shall be
20 subject to the following:

21 (1) One additional board member shall be appointed
22 by the county commission of each county where water customers
23 are served by the board other than the county where the
24 authorizing municipality is principally located. The
25 additional board member shall be a resident of the county from
26 which appointed and a water customer in the area served by the
27 board. Any additional board members shall serve a term of four

1 years and shall serve until a successor is appointed and
2 qualified. The board member shall be entitled to all the
3 powers, duties, authority, compensation, and other emoluments
4 as other members of the board.

5 (2) All members of the board shall serve no more
6 than two six-year terms.

7 (3) Notwithstanding any other provision of law,
8 including Section 11-50-234.1, Code of Alabama 1975, all
9 members of the board may not receive any compensation or
10 expense allowance, or a combination of compensation and
11 expense allowance, that exceeds five hundred dollars (\$500)
12 per month.

13 (4) All members of the board may be subject to the
14 State Ethics Law, Chapter 25 of Title 36, Code of Alabama
15 1975.

16 (5) No increase in rates for water shall be adopted
17 by the board unless notice of the meeting at which the rate
18 increase is to be considered is given at least 30 days prior
19 to the meeting in the same manner as provided in the Alabama
20 Open Meeting Law and a public hearing is held at the meeting
21 prior to any vote on the rate increase.

22 Section 2. All laws or parts of laws which conflict
23 with this act are repealed.

24 Section 3. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.