

1 HB176  
2 114730-5  
3 By Representatives Clouse and Boothe (N & P)  
4 RFD: Local Legislation  
5 First Read: 12-JAN-10

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ENROLLED, An Act,

Relating to Dale County; providing for the election of the chair of the county commission from the county at large; providing that the judge of probate will no longer serve as chair of the county commission; providing for the term and compensation of the chair; to repeal Act 1955 of the 1971 Regular Session (Acts 1971, p. 3174), relating to the county commission, and Act 87-661 of the 1987 Regular Session (Acts 1987, p. 1169), relating to the chair of the county commission; and to provide that this act shall be operative only if approved at a referendum at the general election in 2010.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) In Dale County, effective beginning with the general election in November 2012 and every four years thereafter, the Chair of the Dale County Commission shall be elected from the county at large. The first term of the chair after the general election in 2012 shall commence at the conclusion of the term of the judge of probate serving on the effective date of this act. Thereafter, the judge of probate shall no longer serve as chair of the county commission. The first chair elected from the county at large shall serve until a successor is elected and qualified. Succeeding terms of the chair of the county commission shall

1 commence in November at the same time the term of the county  
2 commission commences as provided by general law. The chair of  
3 the county commission shall thereafter serve for a term of  
4 four years and shall serve until a successor is elected and  
5 qualified. The chair of the county commission shall be a  
6 resident and qualified elector of the county. The chair of the  
7 county commission shall serve full time and shall receive a  
8 salary in the amount of forty thousand dollars (\$40,000) per  
9 year payable in equal monthly installments. In addition, the  
10 chair shall receive a monthly expense allowance in the amount  
11 of three hundred dollars (\$300) per month and the same travel  
12 expenses and health insurance benefits payable to other  
13 members of the county commission. The chair shall preside at  
14 all meetings of the commission, but may designate another  
15 member of the commission to serve as chair in his or her  
16 absence.

17 (b) This section shall not affect the salary of the  
18 Judge of Probate of Dale County during the term of the judge  
19 which ends on January 20, 2013. Effective beginning the next  
20 term of office, the judge of probate shall receive the salary  
21 provided by law.

22 Section 2. All laws or parts of laws which conflict  
23 with this act are repealed. Act 1955 of the 1971 Regular  
24 Session (Acts 1971, p. 3174) and Act 87-661 of the 1987  
25 Regular Session (Acts 1987, p. 1169), are expressly repealed.

1           Section 3. Sections 1 and 2 of this act shall become  
2           operative only if approved by a majority of the qualified  
3           electors of Dale County who vote in an election to be held on  
4           the date of the general election in 2010. The notice of the  
5           election shall be given by the judge of probate, and the  
6           election shall be held, conducted, and the results canvassed  
7           in the manner as other county elections. The question shall  
8           be, "Do you favor the adoption of Act No. \_\_\_\_\_, of the 2010  
9           Regular Session of the Alabama Legislature providing for the  
10          election of the Chair of the Dale County Commission from the  
11          county at large and providing that the judge of probate of the  
12          county will no longer serve as chair of the commission? Yes (   
13          ) No ( )." The county shall pay any costs and expenses not  
14          otherwise reimbursed by a governmental agency which are  
15          incidental to the election. If a majority of the votes cast in  
16          the election are "Yes," Sections 1 and 2 of this act shall  
17          become operative immediately. If the majority of the votes are  
18          "No," this act shall be repealed and shall have no further  
19          effect. The Judge of Probate of Dale County shall certify the  
20          results of the election to the Secretary of State.

21           Section 4. This act shall become effective  
22           immediately following its passage and approval by the  
23           Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 19-JAN-10.

Greg Pappas  
Clerk

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Senate

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16-FEB-10

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Passed