

1 SB428
2 115849-2
3 By Senator Figures (Constitutional Amendment)
4 RFD: Local Legislation No. 3
5 First Read: 16-FEB-10

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8 SYNOPSIS: This bill would propose a local
9 constitutional amendment to provide for the
10 transfer of the assets and liabilities of the Water
11 Works and Sewer Board of the City of Prichard to
12 the Board of Water and Sewer Commissioners of the
13 City of Mobile, presently known as the Mobile Area
14 Water and Sewer System; and would provide the date
15 for the election upon the proposed amendment in
16 June 2010.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 Relating to Mobile County; to propose a local
23 constitutional amendment to provide for the transfer of the
24 assets and liabilities of the Water and Sewer Board of the
25 City of Prichard to the Board of Water and Sewer Commissioners
26 of the City of Mobile, presently known as the Mobile Area

1 Water and Sewer System and provide for an election upon the
2 proposed amendment in June 2010.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. The following amendment to the
5 Constitution of Alabama of 1901, is proposed and shall become
6 valid as a part of the Constitution when all requirements of
7 this act are fulfilled:

8 PROPOSED AMENDMENT

9 (a) Within 90 days after the ratification of this
10 amendment, the assets and liabilities of the Water Works and
11 Sewer Board of the City of Prichard shall be transferred to
12 the Board of Water and Sewer Commissioners of the City of
13 Mobile, presently known as the Mobile Area Water and Sewer
14 System. The transfer shall include all assets of the Water
15 Works and Sewer Board of the City of Prichard and shall be
16 conditioned upon the assumption or discharge by the Board of
17 Water and Sewer Commissioners of the City of Mobile, presently
18 known as the Mobile Area Water and Sewer System, of all
19 liabilities of the Water Works and Sewer Board of the City of
20 Prichard, including, without limitation, all indebtedness,
21 contracts, and retirement obligations. Any assumption of
22 obligations by the Board of Water and Sewer Commissioners of
23 the City of Mobile, presently known as the Mobile Area Water
24 and Sewer System, shall be evidenced by resolution of that
25 board.

1 (b) Upon transfer of its assets and liabilities
2 pursuant to subsection (a), the Water Works and Sewer Board of
3 the City of Prichard shall be dissolved.

4 Section 2. An election upon the proposed amendment
5 shall be held on the date of the June 2010 primary election
6 and shall be held in accordance with Amendment 555 to the
7 Constitution of Alabama of 1901, now appearing as Section
8 284.01 of the Official Recompilation of the Constitution of
9 Alabama of 1901, as amended, hereinafter "Amendment 555," and
10 the election laws of this state. Notice of such election shall
11 be given by proclamation of the Governor published in
12 accordance with Amendment 555 and, if statewide approval is
13 required under Amendment 555, in accordance with Section 284
14 of the Constitution of Alabama of 1901, as amended.

15 Section 3. The appropriate election official shall
16 assign a ballot number for the proposed constitutional
17 amendment on the election ballot and shall set forth the
18 following description of the substance or subject matter of
19 the proposed constitutional amendment:

20 "Relating to Mobile County, proposing an amendment
21 to the Constitution of Alabama of 1901, to provide for the
22 transfer of the assets and liabilities of the Water Works and
23 Sewer Board of the City of Prichard to the Board of Water and
24 Sewer Commissioners of the City of Mobile, presently known as
25 the Mobile Area Water and Sewer System.

26 "Proposed by Act _____."

1 This description shall be followed by the following
2 language:
3 "Yes () No ()."