

1 HB483
2 158441-1
3 By Representative Standridge
4 RFD: Ethics and Campaign Finance
5 First Read: 13-FEB-14

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

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

18 The bill would also limit the term of all
19 board members to two full terms, limit the
20 compensation and expense allowance of the board
21 members, specify that the board members would be
22 covered by the State Ethics Law, provide for notice
23 and a public hearing prior to adoption of any rate
24 increase, specify that the board would be subject
25 to the Alabama Open Meetings Act, and provide for
26 payments to any county where certain amounts of
27 water are withdrawn by the board.

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2 A BILL
3 TO BE ENTITLED
4 AN ACT
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6 Relating to any municipal water works board which
7 serves water customers in certain counties other than the
8 county where the authorizing municipality is principally
9 located; to provide for the appointment of an additional board
10 member by the county commission of a county where water
11 customers are served by the board; to limit the terms of all
12 board members; to limit the compensation and expense allowance
13 of the board members; to specify that the board members would
14 be covered by the State Ethics Law; to provide for notice and
15 a public hearing prior to the board adopting any rate
16 increase; to specify that the board would be subject to the
17 Alabama Open Meetings Act; and to provide for payments to any
18 county where certain amounts of water are withdrawn by the
19 board.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. (a) Notwithstanding any other provisions
22 of law, any municipal water works board authorized to be
23 incorporated by a municipality which either serves water
24 customers on the effective date of this act in four or more
25 counties other than the county where the authorizing
26 municipality is principally located, or after the effective
27 date of this act, serves water customers in four or more

1 counties other than the county where the authorizing
2 municipality is located shall be subject to the following:

3 (1) On the occurrence of the first vacancy for any
4 reason in the board membership held by any member of any board
5 to which this act applies or the first vacancy for any reason
6 in the board membership after this act becomes applicable to a
7 board, one board member shall be appointed by the county
8 commission of the county where the authorizing municipality is
9 principally located to fill the vacant seat. The board member
10 appointed by the county commission of the county where the
11 authorizing municipality is principally located may not be a
12 resident of the authorizing municipality.

13 (2) One additional board member shall be appointed
14 by the county commission of each county where water customers
15 are served by the board other than the county where the
16 authorizing municipality is principally located. The
17 additional board member shall be a resident of the county from
18 which appointed and a water customer in an area served by the
19 board. The additional board member shall serve a term of four
20 years and shall be entitled to all powers, duties, authority,
21 compensation, and other emoluments as other members of the
22 board.

23 (3) The term of members of the board appointed after
24 the effective date of this act shall be four years, except any
25 member serving when this act becomes applicable to the board
26 shall serve the remainder of his or her term and a person
27 appointed to fill a vacancy of a member serving when this act

1 becomes applicable to the board shall serve the remainder of
2 the term of the vacant seat. Any person otherwise appointed to
3 fill a vacancy on the board shall serve the remainder of the
4 term of the vacant seat. Members appointed to fill vacancies
5 shall be appointed by the same appointing authority as
6 provided for the board seat that is vacant. All members of the
7 board may serve not more than two full terms, including any
8 board member serving when the act becomes applicable to the
9 board.

10 (4) Notwithstanding any other provision of law,
11 including Section 11-50-234.1, Code of Alabama 1975, no member
12 of the board may receive any compensation or expense
13 allowance, or a combination of compensation and expense
14 allowance, that exceeds five hundred dollars (\$500) per month.

15 (5) All members of the board and employees of the
16 board shall be subject to the State Ethics Law, Chapter 25 of
17 Title 36, Code of Alabama 1975.

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

24 (7) The board shall otherwise be subject to Chapter
25 25A of Title 36, Code of Alabama 1975, the Alabama Open
26 Meetings Act.

1 (8) The board shall pay a withdrawal fee to any
2 county where more than 25 million gallons of water per day are
3 withdrawn by the board in the amount of five cents (\$.05) per
4 1,000 gallons withdrawn.

5 Section 2. All laws or parts of laws which conflict
6 with this act are repealed.

7 Section 3. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.