

1 HB379  
2 146806-2  
3 By Representatives Buttram and Henry (N & P)  
4 RFD: Local Legislation  
5 First Read: 28-FEB-13

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Cullman County; to provide for the  
14 maintenance of county roads and bridges on the unit system;  
15 for this purpose to amend Section 45-22-70 of the Code of  
16 Alabama 1975; to add Section 45-22-71 to the Code of Alabama  
17 1975; and to repeal Section 45-22-130 of the Code of Alabama  
18 1975.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 45-22-70 of the Code of Alabama  
21 1975, is amended to read as follows:

22 "§45-22-70.

23 "~~(a)~~ The office of Associate County Commissioner in  
24 Cullman County shall hereafter be a full-time position and any  
25 person serving in such capacity shall devote full-time service  
26 to the duties and responsibilities of the office. ~~In lieu of~~  
27 ~~any annual salary now provided by law an~~ An associate

1 commissioner shall be entitled to ~~an~~ the annual salary of  
2 ~~twenty-six thousand five hundred dollars (\$26,500)~~ he or she  
3 is receiving on the effective date of the act amending this  
4 section or as otherwise provided by general law, which shall  
5 be paid in equal monthly installments from the county  
6 treasury. ~~The associate commissioner elected from the Eastern~~  
7 ~~sector of the county shall be responsible for maintenance and~~  
8 ~~construction of county roads situated to the East of U. S.~~  
9 ~~Highway 31, Alabama Highway 69, and Interstate Highway 65 as~~  
10 ~~such highways intersect to divide the county from North to~~  
11 ~~South into Eastern and Western sectors. The other associate~~  
12 ~~commissioner shall be responsible for the maintenance and~~  
13 ~~construction of those county roads situated in such Western~~  
14 ~~sector as bounded from North to South by the aforementioned~~  
15 ~~state and federal highways.~~

16 " ~~(b) The provisions of this section are retroactive~~  
17 ~~to January 1, 1984.~~"

18 Section 2. Section 45-22-71 is added to the Code of  
19 Alabama 1975, to read as follows:

20 §45-22-71.

21 The Cullman County Commission or like governing body  
22 of Cullman County shall be solely responsible for the  
23 construction, repair, and maintenance of the roads and bridges  
24 in the county; but all such construction, repair, and  
25 maintenance shall be done on the basis of the county as a  
26 unit, without regard to district or quadrant lines, and under  
27 the supervision of an engineer or other qualified road

1 supervisor. The county governing body shall have all the  
2 powers and jurisdiction with respect to county roads and  
3 bridges which are or which hereafter may be vested in or  
4 required of county governing bodies by the general laws of  
5 this state, or vested in or required of the governing body of  
6 Cullman County by local law: and except as may be otherwise  
7 provided herein members of the county governing body of  
8 Cullman County shall perform all the duties and services and  
9 shall exercise all the powers and authority with respect to  
10 the construction, repair, and maintenance of county roads and  
11 bridges which are or hereafter may be provided by law for  
12 members of county governing bodies.

13 Section 3. Section 45-22-130 of the Code of Alabama  
14 1975, is repealed.

15 Section 4. This act is not intended to affect the  
16 salary of the Commissioners of the Cullman County Commission.

17 Section 5. This act shall become effective  
18 immediately following its passage and approval by the  
19 Governor, or its otherwise becoming law.