

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

2
3
4
5
6
7
8
9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to Dale County; providing for the election
14 of the chair of the county commission from the county at
15 large; providing that the judge of probate will no longer
16 serve as chair of the county commission; providing for the
17 term and compensation of the chair; to repeal Act 1955 of the
18 1971 Regular Session (Acts 1971, p. 3174), relating to the
19 county commission, and Act 87-661 of the 1987 Regular Session
20 (Acts 1987, p. 1169), relating to the chair of the county
21 commission; and to provide that this act shall be operative
22 only if approved at a referendum at the general election in
23 2010.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) In Dale County, effective beginning
26 with the general election in November 2012 and every four
27 years thereafter, the Chair of the Dale County Commission

1 shall be elected from the county at large. The first term of
2 the chair after the general election in 2012 shall commence at
3 the conclusion of the term of the judge of probate serving on
4 the effective date of this act. Thereafter, the judge of
5 probate shall no longer serve as chair of the county
6 commission. The first chair elected from the county at large
7 shall serve until a successor is elected and qualified.
8 Succeeding terms of the chair of the county commission shall
9 commence in November at the same time the term of the county
10 commission commences as provided by general law. The chair of
11 the county commission shall thereafter serve for a term of
12 four years and shall serve until a successor is elected and
13 qualified. The chair of the county commission shall be a
14 resident and qualified elector of the county. The chair of the
15 county commission shall serve full time and shall receive a
16 salary in the amount of forty thousand dollars (\$40,000) per
17 year payable in equal monthly installments. In addition, the
18 chair shall receive a monthly expense allowance in the amount
19 of three hundred dollars (\$300) per month and the same travel
20 expenses and health insurance benefits payable to other
21 members of the county commission. The chair shall preside at
22 all meetings of the commission, but may designate another
23 member of the commission to serve as chair in his or her
24 absence.

25 (b) This section shall not affect the salary of the
26 Judge of Probate of Dale County during the term of the judge
27 which ends on January 20, 2013. Effective beginning the next

1 term of office, the judge of probate shall receive the salary
2 provided by law.

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

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

1 Section 4. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.