

1 SB466
2 130878-1
3 By Senator Figures (Constitutional Amendment)
4 RFD: Local Legislation No. 3
5 First Read: 03-MAY-11

2
3
4
5
6
7
8 SYNOPSIS: This bill would propose a constitutional
9 amendment to provide for the transfer of the assets
10 and liabilities of the Water Works and Sewer Board
11 of the City of Prichard to the Board of Water and
12 Sewer Commissioners of the City of Mobile,
13 presently known as the Mobile Area Water and Sewer
14 System.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to Mobile County; to propose a
21 constitutional amendment to provide for the transfer of the
22 assets and liabilities of the Water and Sewer Board of the
23 City of Prichard to the Board of Water and Sewer Commissioners
24 of the City of Mobile, presently known as the Mobile Area
25 Water and Sewer System.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 (c) The rates for water and sewer service to
2 existing customers of Mobile Area Water and Sewer System shall
3 not be increased at any time for reasons related to the
4 acquisition or maintenance of the assets, liabilities, or
5 infrastructure of the Water Works and Sewer Board of the City
6 of Prichard.

7 (d) Notwithstanding ratification of this amendment
8 in accordance with applicable state law, this amendment shall
9 not be effective and the actions, including, but not limited
10 to, the transfer of assets and liabilities in subsections (a)
11 and (b), shall not take place unless both of the following
12 have occurred:

13 (1) A favorable vote by the majority of those
14 persons who reside and voted in precincts any part of which
15 are serviced by the Board of Water and Sewer Commissioners of
16 the City of Mobile (Mobile Area Water and Sewer System).

17 (2) A favorable vote by the majority of those
18 persons who reside and voted in precincts any part of which
19 are serviced by the Water and Sewer Board of the City of
20 Prichard.

21 The votes cast on this amendment in precincts any
22 part of which are serviced by the Board of Water and Sewer
23 Commissioners of the City of Mobile (Mobile Area Water and
24 Sewer System) and the votes cast on this amendment in
25 precincts any part of which are serviced by the Water and
26 Sewer Board of the City of Prichard shall be tabulated

1 separately to determine whether a majority of those who voted
2 in each area approved the amendment.

3 Section 2. An election upon the proposed amendment
4 shall be held in accordance with Sections 284 and 285 of the
5 Constitution of Alabama of 1901, now appearing as Sections 284
6 and 285 of the Official Recompilation of the Constitution of
7 Alabama of 1901, as amended, and the election laws of this
8 state.

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

14 "Proposing an amendment to the Constitution of
15 Alabama of 1901, to provide for the transfer of the assets and
16 liabilities of the Water Works and Sewer Board of the City of
17 Prichard to the Board of Water and Sewer Commissioners of the
18 City of Mobile, presently known as the Mobile Area Water and
19 Sewer System.

20 "Proposed by Act _____."

21 This description shall be followed by the following
22 language:

23 "Yes () No ()."