

1 SB176
2 155583-3
3 By Senators Figures, Glover and Keahey (Constitutional
4 Amendment)
5 RFD: Local Legislation No. 3
6 First Read: 14-JAN-14

1 SB176

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4 ENROLLED, An Act,

5 Relating to Mobile County; to propose a local
6 constitutional amendment to provide for the transfer of the
7 assets and liabilities of the Water and Sewer Board of the
8 City of Prichard to the Board of Water and Sewer Commissioners
9 of the City of Mobile, presently known as the Mobile Area
10 Water and Sewer System and provide for an election upon the
11 proposed amendment in June 2014.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The following amendment to the
14 Constitution of Alabama of 1901, is proposed and shall become
15 valid as a part of the Constitution when all requirements of
16 this act are fulfilled:

17 PROPOSED AMENDMENT

18 (a) Within 90 days after the ratification of this
19 amendment, the assets and liabilities of the Water Works and
20 Sewer Board of the City of Prichard shall be transferred to
21 the Board of Water and Sewer Commissioners of the City of
22 Mobile, presently known as the Mobile Area Water and Sewer
23 System. The transfer shall include all assets of the Water
24 Works and Sewer Board of the City of Prichard and shall be
25 conditioned upon the assumption or discharge by the Board of

1 Water and Sewer Commissioners of the City of Mobile, presently
2 known as the Mobile Area Water and Sewer System, of all
3 liabilities of the Water Works and Sewer Board of the City of
4 Prichard, including, without limitation, all indebtedness,
5 contracts, and retirement obligations. Any assumption of
6 obligations by the Board of Water and Sewer Commissioners of
7 the City of Mobile, presently known as the Mobile Area Water
8 and Sewer System, shall be evidenced by resolution of that
9 board.

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

13 (c) The rates for water and sewer service to
14 existing customers of the Mobile Area Water and Sewer System
15 shall not be increased at any time for reasons related to the
16 acquisition or maintenance of the assets, liabilities, or
17 infrastructure of the Water Works and Sewer Board of the City
18 of Prichard.

19 Section 2. An election upon the proposed amendment
20 shall be held on the date of the June 2014 first primary
21 election and shall be held in accordance with Amendment 555 to
22 the Constitution of Alabama of 1901, now appearing as Section
23 284.01 of the Official Recompilation of the Constitution of
24 Alabama of 1901, as amended, and the election laws of this
25 state.

1 Section 3. The appropriate election official shall
2 assign a ballot number for the proposed constitutional
3 amendment on the election ballot and shall set forth the
4 following description of the substance or subject matter of
5 the proposed constitutional amendment:

6 "Relating to Mobile County, proposing an amendment
7 to the Constitution of Alabama of 1901, to provide for the
8 transfer of the assets and liabilities of the Water Works and
9 Sewer Board of the City of Prichard to the Board of Water and
10 Sewer Commissioners of the City of Mobile, presently known as
11 the Mobile Area Water and Sewer System.

12 "Proposed by Act _____."

13 This description shall be followed by the following
14 language:

15 "Yes () No ()."

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB176

Senate 21-JAN-14

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Amended and passed 26-FEB-14

Senate concurred in House amendment 27-FEB-14

By: Senator Figures