

1 SB344
2 154680-4
3 By Senators Waggoner, Blackwell, Scofield, Ward, Williams and
4 Reed
5 RFD: Fiscal Responsibility and Accountability
6 First Read: 11-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, and specify that the board would be
25 subject to the Alabama Open Meetings Act.

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27 A BILL

1 TO BE ENTITLED

2 AN ACT

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

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

26 (1) On the occurrence of the first vacancy for any
27 reason in the board membership held by any member of any board

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

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

19 (3) The term of members of the board appointed after
20 the effective date of this act shall be four years, except any
21 member serving when this act becomes applicable to the board
22 shall serve the remainder of his or her term and a person
23 appointed to fill a vacancy of a member serving when this act
24 becomes applicable to the board shall serve the remainder of
25 the term of the vacant seat. Any person otherwise appointed to
26 fill a vacancy on the board shall serve the remainder of the
27 term of the vacant seat. Members appointed to fill vacancies

1 shall be appointed by the same appointing authority as
2 provided for the board seat that is vacant. All members of the
3 board may serve not more than two full terms, including any
4 board member serving when the act becomes applicable to the
5 board.

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

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

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

20 (7) The board shall otherwise be subject to Chapter
21 25A of Title 36, Code of Alabama 1975, the Alabama Open
22 Meetings Act.

23 Section 2. All laws or parts of laws which conflict
24 with this act are repealed.

25 Section 3. This act shall become effective
26 immediately following its passage and approval by the
27 Governor, or its otherwise becoming law.

