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3 HOUSE TRANSPORTATION, UTILITIES AND INFRASTRUCTURE COMMITTEE
4 SUBSTITUTE FOR HB428

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9 SYNOPSIS: Under existing law, privately owned sewer
10 systems, with certain exceptions, are regulated by
11 the Alabama Department of Environmental Management
12 with regard to sewage treatment, but are not
13 regulated by the Public Service Commission with
14 regard to rates and consumer protection.

15 This bill proposes a local constitutional
16 amendment for Tuscaloosa County, to bring certain
17 privately owned sewer systems that use public
18 rights-of-way of public roads in the city limits of
19 Lake View under the jurisdiction of the Public
20 Service Commission.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 To propose a local constitutional amendment to the
27 Constitution of Alabama of 1901, for Tuscaloosa County,

1 relating to privately owned sewer systems; to bring certain
2 privately owned sewer systems that use public rights-of-way of
3 public roads in the city limits of Lake View under the
4 jurisdiction of the Public Service Commission.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following amendment to the
7 Constitution of Alabama of 1901, is proposed and shall become
8 valid as a part of the Constitution when all requirements of
9 this act are fulfilled:

10 PROPOSED AMENDMENT

11 (a) This amendment shall apply only in Tuscaloosa
12 County.

13 (b) Any privately owned plant, property, or facility
14 used for the collection, treatment, or disposal of sewage that
15 uses, directly or through a lease or contract, public
16 rights-of-way of public roads for any part of its collection
17 or disposal system and that has residential or commercial
18 customers located in the city limits of Lake View in
19 Tuscaloosa County that are billed a flat service fee or fee
20 based on water usage shall be certified and regulated by the
21 Public Service Commission in relation to all of the customers
22 of the entity located in the city limits of Lake View and in
23 the unincorporated areas of Tuscaloosa County.

24 Section 2. An election upon the proposed amendment
25 shall be held in accordance with Sections 284 and 284.01 of
26 the Constitution of Alabama of 1901, now appearing as Sections
27 284 and 284.01 of the Official ReCompilation of the

1 Constitution of Alabama of 1901, as amended, and the election
2 laws of this state.

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

8 "Relating to Tuscaloosa County, proposing an
9 amendment to the Constitution of Alabama of 1901, to bring
10 certain privately owned sewer systems that use public
11 rights-of-way of public roads in the city limits of Lake View
12 under the jurisdiction of the Public Service Commission.

13 "Proposed by Act _____"

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

16 "Yes () No ()."