



## **Legislative Goals for 2013 Regular Session**

### **Mayoral Vacancies in Certain Class 7 or 8 Municipalities**

Section 11-44G-2, Code of Ala. 1975, provides a procedure to be used in Class 7 or 8 municipalities for filling a vacancy in the office of mayor. Another statute provides that the Council President in cities of 12,000 or more inhabitants shall automatically become mayor under the death or resignation of the mayor. Over the years, the population of some Class 7 or 8 municipalities has increased to 12,000 or more inhabitants. These cities are faced with conflicting statutes and have no guidance as to the procedures they should use to fill mayoral vacancies. This bill proposes to amend Section 11-44G-2 to allow the council president to fill the vacancy in Class 7 or 8 cities with populations of 12,000 or more inhabitants.

### **Employee Liability Protection**

The League will seek legislation to clarify the status of municipal employee liability protection under the tort laws of the State of Alabama. To ensure that municipal employees are protected under the tort caps provided to municipal governments.

### **ABC Sales Tax Revision**

ABC retail stores do not currently collect the local sales tax rates of the jurisdiction where they conduct business. The League will seek legislation amending the way local ABC retailers establish, collect and remit municipal sales taxes at the local retail locations.

### **Weed Abatement Revisions**

Municipalities have the authority to abate weeds in their jurisdictions and the process in which to apply the cost of abatement to the property owner. The League supports legislation to amend these processes to shorten the length of time for notice and address frequent abusers of abatement ordinances.

### **Municipal Election Law Revisions**

Following each municipal election cycle, the League discovers areas of municipal election laws which need amending. The League supports several technical amendments to the municipal elections laws.

### **Competitive Bid Law – Local Preference**

Current law allows municipalities to give a 3% preference for local bidders as defined by the bid law. The League will seek legislation to increase the preference allowed local bidders under the provisions of the competitive bid law from 3 percent to 5 percent.

## **Appropriation for Wastewater Treatment SRF and the Alabama Drinking Water Finance Authority**

Many years ago, the Alabama Legislature established a State Revolving Loan Fund for Wastewater Treatment (SRF) and the Alabama Drinking Water Finance Authority. The purpose of these programs was to take state funds and match them with federal dollars to create a loan fund to offer low interest loans to governmental entities for wastewater treatment and drinking water projects. Each year, the League seeks additional matching funds from the legislature to continue these nationally recognized programs.

### **Meeting Cancellation**

No current procedure exists that allow municipalities to cancel meetings in advance, even when no quorum will attend. This legislation will allow the presiding officer to cancel a meeting after receiving written notice from a sufficient number of members of the council to know that a quorum will not attend the meeting.

### **Island Annexation**

The Legislature has granted a few municipalities the authority to annex by ordinance all or any portion of any unincorporated or territories, which are enclosed within the corporate limits of the municipality and have been so enclosed for a period of one (1) year or more.

### **Municipal Debt Recovery**

Municipalities acquire debt from citizens with little recourse in collecting these debts. The League supports legislation authorizing the Alabama Department of Revenue to set aside taxpayers' refunds in order to satisfy debts owed to a municipality.

### **Administrative Search Warrants**

This bill would authorize an administrative official of a governmental entity in this state in the administration of a public welfare law to seek and obtain from a judicial officer the issuance of an administrative warrant in order to enter upon premises upon or within which there is or may be a reasonable expectation of privacy in order to conduct an inspection authorized by a public welfare law. This bill would authorize and empower judicial officers to issue an administrative warrant upon a showing of the probable cause standard applicable to administrative search warrants. This bill would provide for requirements, and exceptions to those requirements, relating to the issuance of the warrant; its contents; notice of its issuance; the manner of its execution, service, and return; the duration of the warrant; the conduct of the inspection authorized by the warrant; and the use of evidence or facts obtained or discovered during an inspection conducted under the authority of the warrant. Under this bill any person who willfully refuses to permit, obstructs, or aids in the obstruction of, an inspection authorized by a warrant issued pursuant to this act would be is guilty of a Class C misdemeanor.