

# THE ALABAMA MUNICIPAL **JOURNAL**

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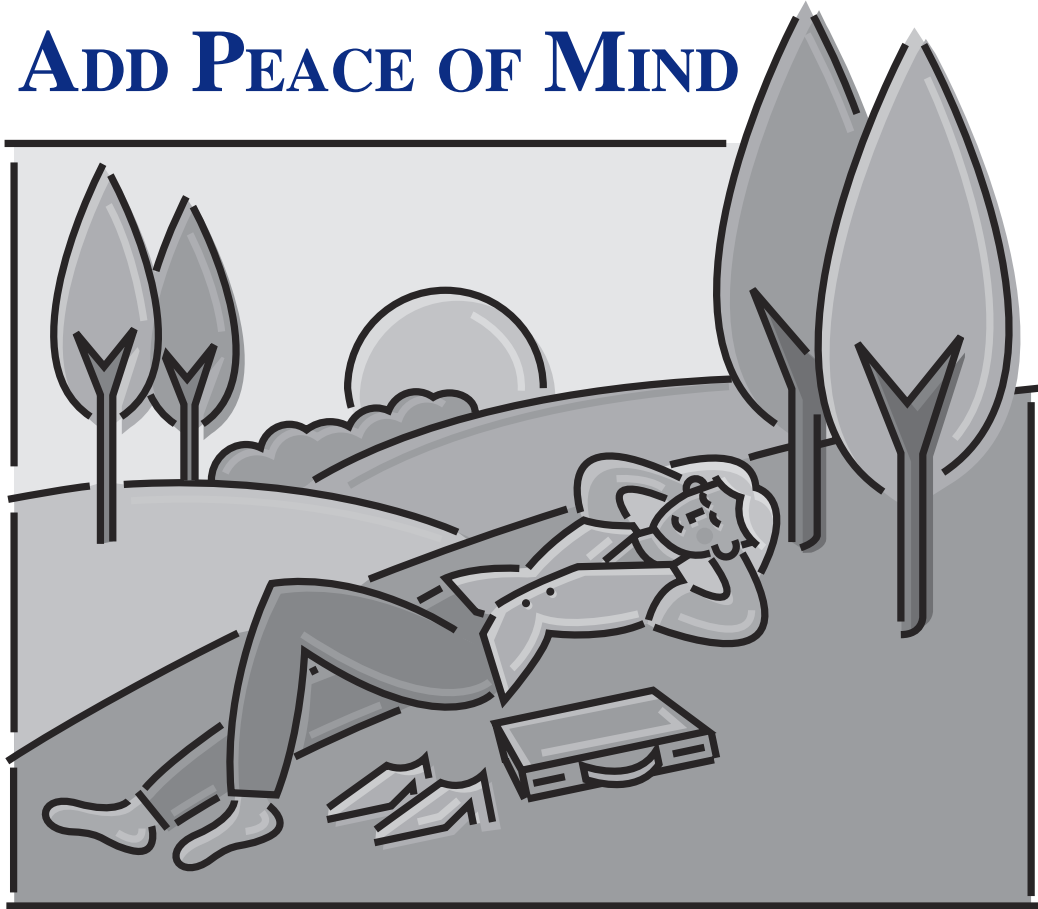
## 2006 Convention Review



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# THE ALABAMA MUNICIPAL JOURNAL

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## PREP AID MUNICIPALITIES IN DEALING WITH DISASTERS

By Bobby Hayes, Mayor, Pelham  
Immediate Past President

Mayor Watson, Mayor Jones, Councilmember Hunt, Ladies and Gentlemen, I am honored to stand before you this morning as we open our 2006 annual convention. It has been a privilege to have served as your president during this past year. I appreciate the opportunities you have given me and I thank you for your confidence and support. But most of all I thank you for your friendship.

Mayor Jones, as usual the hospitality of the Port City has been outstanding. I want to personally thank you, the Mobile City Council, and all of your staff, for making us feel so welcome this weekend. It is obvious with all of the construction, that your city is flourishing.

I also want to thank Mayor Lew Watson of Lincoln, who has represented us well as our League vice president this year. Lew is a long-serving, dedicated mayor. The citizens of Lincoln are fortunate to have such a tireless leader.

Gov. Riley, we certainly thank you for being with us this morning. Your schedule is no doubt *quite* busy this time of year. Thank you also to Councilmember Hunt. We are happy to have you back in Alabama for our convention again this year. Shortly, we will hear from Jim as he discusses the National League of Cities and several key challenges our cities will be facing at the national level.

I'm sure you join me in congratulating Councilmember Cynthia McCollum of Madison who was elected as second vice president of the National League of Cities during the Congress of Cities this past December. This is a tremendous honor for our state as Cynthia is the first elected official from Alabama to be in line for the presidency of NLC. We couldn't ask for a better representative at the national level. I've no doubt she'll make us proud for one reason only: she already has!

This has truly been a rewarding year. I can hardly believe that my tenure is coming to an end. It has been my honor to represent municipalities in Alabama as I have traveled with



League staff to meetings in Washington and North and South Carolina, as well as many municipalities throughout Alabama. My tenure as president of the League has given me a profound respect for Perry Roquemore and his entire staff. Our League is highly respected by the National League of Cities for its operations in Alabama and its ability to engage its membership on state and national issues affecting local governing bodies. We are fortunate to have an organization representing our interests that is so well managed and professionally staffed.

As I look back over my years of public service, this year as your League president stands out as one of the most memorable. I have had the opportunity to make new friends, encourage old ones in difficult circumstances and work to impact legislation benefiting all of us.

Through the combined efforts of the League and its members, we achieved a number of successes in the Legislature this year, especially in the areas of **absentee balloting** for overseas and military personnel; **provisional voting**, which replaces challenged ballot procedures for municipal elections with provisional ballot procedures; and **reverse auctions**, which permits municipalities to purchase goods and services from vendors through an on-line, real-time bidding process similar to procedures used in many other states.

In addition, we were successful in passing a bill making abundantly clear that employees of separately incorporated municipal boards are *not* employees of the city in which the board is incorporated. The League also passed legislation





that gives a municipality clear title when selling abandoned vehicles and freeing the municipality of any liens and encumbrances. Finally, we were successful in securing the appropriation of matching state funds required for the State Revolving Loan Fund for Wastewater Treatment and the Alabama Drinking Water Finance Authority.

While working to pass important legislation to help us better govern our cities, our League staff was also working every bit as hard to defeat legislation dangerous to the interests of municipalities. A number of adverse bills were defeated this session, including a proposed constitutional amendment to significantly erode eminent domain powers. Thanks to our efforts, the Legislature also failed to pass bills that would have

- limited municipal licenses on real estate firms;
- required municipalities to pay costs of housing juveniles in all instances where the juvenile was convicted of violating a municipal ordinance;
- stopped annual reappraisals of property for ad valorem tax purposes;
- required many municipalities to adopt a model statewide building code; and
- proposed a constitutional amendment to provide for the process of initiative and referendum at the state and local level.

We are, indeed, fortunate to be represented by a highly respected and effective organization. Of course, there is still work to be done, particularly in the areas of a mayor's voting authority; alternates on a municipal planning commission; and the pre-zoning of annexed property.

I encourage each of you to continue to lend your support and voice to issues affecting our cities. When the League asks us to contact the Alabama Legislature regarding important issues, please take the time to make those calls to let our senators and representatives know where we stand. We must make our voices heard, for everyone knows that when our voices are in unison, they are stronger, more powerful and achieve greater results.

This past year our municipalities were faced with much greater challenges than the Alabama Legislature. When Hurricane Katrina made landfall on August 29th, she wreaked havoc along the Gulf Coast, leaving nothing but ruin and devastation. The unparalleled destruction of this storm, combined with that of storms over the past few years, prompted a meeting at our League Headquarters with representatives from the National League of Cities and the Florida, North Carolina, Mississippi, Louisiana, Texas and Alabama Leagues. A conference call including representatives from FEMA, the White House and the Oklahoma League provided a great deal of useful dialogue but not many solutions.

In an effort to aid our municipalities in preparing for and dealing with emergencies and disasters, the League prepared and distributed a CD titled "Municipal Emergency Preparedness Packet", known as PREP, to every municipality in our state. PREP addresses emergency and disaster preparation; management and cleanup; and provides information to assist municipalities in securing state and federal aid before and after a disaster. PREP's theme is preparation, preparation, preparation – the more we can do to prepare for potential emergencies the less catch-up we'll have to play when a disaster occurs. Periodic updates to PREP will be available on the League's website but I highly encourage you to print the information from the CD and distribute it to your staff. Hurricane season is barely a month away.

I want to take a moment to give you a quick update on the League's newest program – the Alabama Municipal Funding Authority, or AMFund, which was developed to help municipalities obtain funding for projects to benefit their citizens. AMFund issues tax-exempt bonds. The proceeds from these bonds fund AMFund, from which individual League members can borrow at low tax-exempt interest

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James Hunt, councilmember from Clarksburg, WV, and president of the National League of Cities, was a keynote speaker during the Opening Session.

# THE LEAGUE HONORS COUNCILMEMBER CYNTHIA MCCOLLUM



NLC President James Hunt (left) and immediate past president of the League, Mayor Bobby Hayes of Pelham (right), present Councilmember Cynthia McCollum of Madison (center) with a special resolution during Monday's Opening Session.

**W**HEREAS, Councilmember Cynthia McCollum was elected to serve as Second Vice President of the National League of Cities at its annual Congress of Cities this past December; and

WHEREAS, Councilmember McCollum is the first elected official from the State of Alabama to be elected to this position and is in line to serve as President of the National League of Cities in 2008, representing not only Alabama but cities and towns throughout America; and

WHEREAS, Councilmember McCollum has served on a variety of committees and in several leadership positions for the National League of Cities since becoming a member in 1989; and

WHEREAS, Councilmember McCollum has worked closely with the Alabama League of Municipalities serving on the League's Executive Committee; the Committee on Finance, Administration and Intergovernmental Relations; and as vice chair of

the League's Municipal Workers Compensation Fund; and

WHEREAS, Councilmember McCollum has completed both the League's Certified Municipal Official and Advanced Certified Municipal Official programs; and

WHEREAS, Councilmember McCollum has provided invaluable guidance to her municipality and its employees throughout her tenure, serving as president of the Council and as Council President Pro Tem;

NOW, THEREFORE, BE IT RESOLVED, by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that we do hereby acknowledge and congratulate Councilmember McCollum for her unprecedented accomplishment in being elected as Second Vice President for the National League of Cities and commend her for her grace and dignity as an elected official.

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# Minutes of the General Business Session

Alabama League of Municipalities, Mobile, Alabama

May 9, 2006

The General Business Session of the Convention of the Alabama League of Municipalities was called to order promptly at 2 p.m., May 9, 2006, by Pres. Bobby Hayes, mayor of Pelham, at the Riverview Plaza Hotel in Mobile, AL. Hayes thanked everyone for their attendance at the annual business session and for their efforts on behalf of the League during the past year. He also thanked the membership for giving him the opportunity of serving as president during the past year.

The president then called upon Perry C. Roquemore, Jr., executive director of the Alabama League of Municipalities, for his annual report. Roquemore expressed his appreciation for the support of the officers, staff and membership during the past year. He stated that the League membership was now at 443 cities and towns and that League finances would be adequate for fiscal year 2005-2006. Roquemore also discussed the recently completed 2006 legislative session. A copy of his report is attached to these minutes.

Hayes then called on Mayor Leon Smith of Oxford, president of the Municipal Workers' Compensation Fund, Inc., for an annual report. Mayor Bobby Payne of Tallassee, chair of the Alabama Municipal Insurance Corporation (AMIC), was then called on to make AMIC's annual report. Copies of these reports are attached to these minutes.

The president then called upon Mayor Bob Bunting of Ozark, chairman of the Resolutions Committee, for the committee's report. Bunting reported that the Resolutions Committee had met on Sat., May 6, and had recommended that the League's *Policies and Goals for 2006* be adopted with the following amendments:

1. Policy Position **F-5.14**, which relates to municipal board employees, **F-5.15**, which relates to giving title to vehicles sold by municipalities, and **F-11.2**, which relates to provisional voting in municipal elections, should be deleted due to passage of League bills at the Legislature. Remaining policy statements should be renumbered as required.

2. Policy Position **H-3.15** should be amended to change the figure "10,000" to "5,000" in both places the number appears in the statement.

3. Policy Position **C-3.5** should be amended by deleting the words "Southern Standard" and by substituting in lieu thereof the word "International."

Bunting moved adoption of the *Policies and Goals for 2006*, as amended, and the motion was seconded by Mayor Melvin Duran of Priceville. The motion carried.

Bunting then presented the resolutions for adoption. He pointed out that members were given summaries of 51 resolutions recommended by the Resolutions Committee. He then read Resolutions 48 through 51. A typographical error was discovered and administratively corrected in Resolution 50.

Resolution No. 48 memorialized those active and former municipal officials that passed away since the last convention. Additional names were added from the floor.

Resolution No. 49 memorialized Former League President Mayor Robert B. Doyle, Jr. of Mobile.

Resolution No. 50 memorialized Former League President Earl D. James of Montgomery.

Resolution No. 51 commended Mayor Bobby Hayes for his service as president of the League.

Mayor Sheldon Day of Thomasville moved adoption of Resolutions 1-51 and Mayor George Roy of Calera seconded the motion. The motion passed unanimously.

Hayes then called upon Mayor Steve Means of Gadsden to present the report of the Nominating Committee. Means said the Nominating Committee had a tough assignment choosing officers for the next year from an abundance of very qualified candidates. He reported the Nominating Committee had met and had recommended the following persons:

**President** – Mayor Carroll L. Watson, Lincoln

**Vice President** – Mayor Charles W. "Sonny" Penhale, Helena

**Executive Director** – Perry C. Roquemore, Jr., Montgomery

Mayor Roy Dobbs of Berry moved that those persons be elected. The motion, which was seconded by Mayor Rena Hudson of Warrior, passed unanimously.

## **For Chair and Vice Chair of the Standing Committees of the League:**

Committee on State and Federal Legislation

Chair – Mayor Bob Bunting, Ozark

Vice Chair – Councilmember Charles Woods, Childersburg

## **Committee on Finance, Administration and Intergovernmental Relations**

Chair – Mayor Jay Jaxon, Eufaula

Vice Chair – Councilmember Debbie Quinn, Fairhope

*continued next page*

**Committee on Energy, Environment and Natural Resources**

Chair – Mayor Ron Davis, Prichard  
Vice Chair – Mayor Howard Shell, Atmore

**Committee on Community and Economic Development**

Chair – Councilmember Thomas O. Moore, Demopolis  
Vice Chair – Mayor Dan Deason, Scottsboro

**Committee on Transportation, Public Safety and Communications**

Chair – Councilmember Bobby Phillips, Calera  
Vice Chair – Mayor Cecil Williamson, Demopolis

**Committee on Human Development**

Chair – Councilmember Isabell Boyd, Brundidge  
Vice Chair – Council President George Evans, Selma

Mayor Roy Dobbs of Berry moved that the chairs and vice chairs of the six committees be elected as named. The motion, which was seconded by Mayor John Lammers of Carrollton, passed unanimously.

**Executive Committee**

**First Congressional District:**

Mayor Richard Long, Jackson  
Mayor Tim Russell, Foley  
Mayor Tim Kant, Fairhope  
Mayor Sam Jones, Mobile  
Mayor Jim Trout, Chickasaw

**Second Congressional District:**

Mayor Curtis Jackson, Autaugaville  
Mayor Frank Houston, Coosada  
Mayor Fred McNab, Pinckard  
Councilmember Dean Argo, Prattville  
Mayor Jo Glenn, Wetumpka

**Third Congressional District:**

Mayor Charles Fagan, Piedmont  
Mayor Joseph K. Roberson, Ohatchee  
Mayor Bobby Bright, Montgomery  
Councilmember Ray Edwards, Valley  
Councilmember Mack Arthur Bell, Roanoke

**Fourth Congressional District:**

Councilmember Robert Earnest, Winfield  
Mayor Charles O’Rear, Attalla  
Mayor Roy Dobbs, Berry  
Mayor Wally Burns, Southside  
Councilmember Bill Stewart, Gadsden

**Fifth Congressional District:**

Mayor Loretta Spencer, Huntsville

Councilmember Cynthia McCollum, Madison  
Mayor Melvin Duran, Priceville  
Mayor Kenneth Copeland, Littleville  
Mayor David Bradford, Muscle Shoals

**Sixth Congressional District:**

Mayor Bernard Kincaid, Birmingham  
Mayor Harvey Fretwell, Northport  
Councilmember Lee Garrison, Tuscaloosa  
Mayor Tom Henderson, Center Point  
Councilmember Ed Scott, Adamsville

**Seventh Congressional District:**

Mayor John Lammers, Carrollton  
Councilmember Roberta Jordan, Pine Hill  
Mayor James Perkins, Selma  
Councilmember Jesse Matthews, Bessemer  
Councilmember Don Moore, Uniontown

**Ex Officio Members (Active Past Presidents)**

Mayor Steve Means, Gadsden  
Mayor Johnny Ford, Tuskegee  
Mayor Henry V. Bonner, Roanoke  
Mayor Bobby Payne, Tallassee  
Mayor Leon Smith, Oxford  
Mayor Ted Jennings, Brewton  
Mayor Billy Joe Driver, Clanton  
Mayor George Roy, Calera  
Mayor Dan Williams, Athens  
Mayor Jim Byard, Prattville  
Mayor Bobby Hayes, Pelham

Means moved adoption of the Nominating Committee report. The motion was seconded by Councilmember Edward H. Carroll, Sr., of Orange Beach. Following a request for nominations from the floor and having none, the motion to approve the report of the Nominating Committee and to elect all officers therein carried unanimously and all officers were declared elected. A copy of the full report is attached to these minutes.

Council President Reggie Copeland of Mobile was called upon to present the report of the Site Selection Committee. He said the League Convention would be held in future years as follows: April 21-24, 2007, Huntsville; May 17-20, 2008, Birmingham; May 2-5, 2009, Montgomery; and May 15-18, 2010, Mobile. Copeland moved adoption of the report, which was seconded by Mayor Leon Smith of Oxford. The Site Selection Committee report was approved and a copy is attached to these minutes.

There being no further business, the meeting was adjourned.

Perry C. Roquemore, Jr.  
Acting Secretary



**RESOLUTION NO. 1**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their deep appreciation to Mayor Samuel L. Jones and members of the Mobile City Council and their spouses, and their respective staffs for their hospitality and assistance in planning and promoting this convention, and for their help in the daily operation of a very successful convention. Their work and dedication has made this year’s convention one of the most successful and enjoyable in recent years.

**RESOLUTION NO. 2**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their deep appreciation to Governor Bob Riley for his excellent address at the Opening Session on Monday during our convention.

**RESOLUTION NO. 3**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their deep appreciation to James Hunt, Councilmember, Clarksburg, West Virginia, President, National League of Cities, for his outstanding address during the Opening Session on Monday morning of our convention. We wish the best for him and our national organization as they continue, at the federal level, to oversee the interests of municipal government throughout the country.

**RESOLUTION NO. 4**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank Bruce Baughman, Director, Alabama Emergency Management Agency for his presentation “Preparing for the 2006 Hurricane Season” on Monday morning of this convention.

**RESOLUTION NO. 5**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they sincerely thank the Alabama Congressional Delegation, namely Congressman Jo Bonner, Congressman Terry Everett, Congressman Michael Rogers, Congressman Robert Aderholt, Congressman Bud Cramer, Congressman Spencer Bachus, Congressman Artur Davis, Senator Richard Shelby and Senator Jeff Sessions for their interest in promoting the affairs of Alabama municipalities in the Congress of the

United States. We urge them to continue the spirit of unity which prevails in our Congressional Delegation.

**RESOLUTION NO. 6**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank the leadership of the Alabama House of Representatives for supporting League legislation and assisting the League when possible during the legislative process, namely: Seth Hammett, Speaker of the House; Demetrius Newton, Speaker Pro Tempore; Representative Ken Guin, Chairman of the House Rules Committee; Neal Morrison, Chairman of the House Special Order Calendar sub-committee; and Representative Bill Dukes, Chairman, House County and Municipal Government Committee.

**RESOLUTION NO. 7**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do wish to thank the leadership of the Alabama Senate for supporting League legislation and for assisting the League when possible during the legislative process, namely: Lucy Baxley, Lieutenant Governor; Lowell Barron, President Pro Tempore of the Senate; Senator Jim Preuitt, Chairman of the Senate Rules Committee; and Senator Phil Poole, Chairman of the State Governmental Affairs Committee. We also want to thank the Senators who chaired committees vital to local government legislation.

**RESOLUTION NO. 8**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank Andy Rutens of Gallowaym, Smith, Wettermark & *continued next page*

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Everest for his presentation during the Annual Meeting of the Alabama Municipal Insurance Corporation on Saturday afternoon of this convention.

**RESOLUTION NO. 9**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank the following persons for their presentations during the first set of concurrent sessions held on Monday afternoon of this convention: Perry Roquemore, Executive Director, ALM; Ken Smith, Deputy Director/Chief Counsel,ALM; Greg Cochran, Director, State and Federal Relations, ALM; Hal Bloom, ALM Legislative Liaison; Dr. Wil Baker, Alabama Medical Education Consortium; Frank D. McPhillips, Maynard, Cooper & Gale, P.C., Birmingham; Matt Bragiel, Tour Andover Controls and Rhonda Courtney, Stones River Companies.

**RESOLUTION NO. 10**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank the following persons for their presentations during the second set of concurrent sessions held on Monday afternoon of this convention: Ken Smith, Deputy Director/Chief Counsel, ALM; Leo Lawrenson, President, Lawrenson Services, Inc.; Roger Owens, Law Enforcement Loss Control Specialist, AMIC/MWCF; Chief Thomas R. Mangham, Opelika Police Department; Perry Roquemore, Executive Director, ALM; and Lori Lein, Staff Attorney, ALM.

**RESOLUTION NO. 11**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their appreciation to the Honorable Brenda Flowers Smith, Assistant Attorney General, for her considerable help during the past year and for her continued assistance in answering the requests of Alabama municipalities. We also thank Brenda Smith for participating in the program of this convention.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Honorable Troy King, Attorney General, State of Alabama.

**RESOLUTION NO. 12**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, Congressman Jo Bonner for his presentation to delegates and guests during

the Monday luncheon.

**RESOLUTION NO. 13**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their thanks to the participants on the Municipal Clerks Program and particularly do they thank Liana Barnett, Director, Human Resources, Mobile Public Library; Lori Lein, Staff Attorney, ALM; Brenda Smith, Chief, Opinions Division, Alabama Office of Attorney General; Perry Roquemore, Executive Director, ALM; and Ken Smith, Deputy Director/Chief Counsel, ALM.

**RESOLUTION NO. 14**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank Mayor Lew Watson of Lincoln for his service during the past year as Vice President of the League. His attention to duty was most commendable.

**RESOLUTION NO. 15**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank the Chairs, Vice Chairs and members of the League's standing committees for their excellent work during the past year. We thank them for their work on the League's Statement of Policies and Goals.

**RESOLUTION NO. 16**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do express their sincere appreciation to the mayors, councilmembers, clerks and administrators who presided over the programs during this convention and to those who made presentations during the sessions of this convention.

**RESOLUTION NO. 17**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their thanks to Jason Humphries and Ken Smith for arranging the Municipal Masters Golf Tournament and for their work during the tournament.

**RESOLUTION NO. 18**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do

thank Mayor Steve Means of Gadsden for serving as master of ceremonies at the Spouses Breakfast.

**RESOLUTION NO. 19**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank Mayor Leon Smith of Oxford, Councilmember Cynthia McCollum of Madison, Mayor Ted Jennings of Brewton, Mayor George Roy of Calera and Mayor Dan Williams of Athens for their excellent work as directors of the Municipal Workers Compensation Fund, Inc. We also wish to thank Steve Martin and Faith Ann Gunn for their dedicated attention to duties in the management of the workers compensation program. This company has been an outstanding success and we urge other cities to participate in its program and utilize its services.

**RESOLUTION NO. 20**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank Mayor Bobby Payne of Tallassee, Mayor Billy Joe Driver of Clanton, Mayor Melvin Duran of Priceville, Mayor David Bradford of Muscle Shoals and Mayor Charles Murphy of Robertsdale for serving on the Board of Directors of the Alabama Municipal Insurance Corporation. We also wish to commend the work of Steve Wells, AMIC's President. Because of the work of these officials, AMIC has proven to be extremely successful and of tremendous benefit to the cities and towns of Alabama. We urge other municipalities to participate in this service offered through the League.

**RESOLUTION NO. 21**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank Mayor Steve Means, Gadsden, Chair; Mayor Roy Dobbs, Berry, Vice Chair; Mayor Wally Burns, Southside; Mayor Jim Byard, Prattville; and Councilmember Charles Woods, Childersburg for serving on the Board of Directors of the Alabama Municipal Funding Authority, Inc. (AMFund). AMFund is the League's newest venture and we urge our municipalities to participate in this new program.

**RESOLUTION NO. 22**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their appreciation to the clerks of the cities and towns of this state for the outstanding work they do on our behalf. We

also commend them for their excellent and timely program at this convention.

**RESOLUTION NO. 23**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank the city managers and city administrators for the work they perform for the cities and towns of Alabama. We also thank them for their participation in the programs of this convention and especially for serving as moderators during some of the roundtable discussions held on Tuesday morning of this convention.

**RESOLUTION NO. 24**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank the various departments and agencies of the state and federal government that have been most helpful to the cities and towns of this state during the past year. We commend them for their cooperation and thank them for their assistance.

**RESOLUTION NO. 25**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank  
*continued next page*



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the Mobile Police Department for their participation in the Opening Session of this convention.

**RESOLUTION NO. 26**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank Shelia Jackson, City of Troy, for singing the National Anthem during the Opening Session of this convention.

**RESOLUTION NO. 27**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they commend Perry Roquemore and the members of the League staff for their deep devotion to the interests of the municipalities of this state and that we thank them for their unselfish labors in fulfilling the responsibilities of their assignments.

**RESOLUTION NO. 28**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do express their appreciation to US Bank for co-sponsoring the League's Welcome Reception held at the Government Plaza Atrium on Saturday night of this convention.

**RESOLUTION NO. 29**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they thank the Alabama Municipal Insurance Corporation, Municipal Workers Compensation Fund and Millennium Risk Managers for sponsoring the coffee breaks for delegates during the convention.

**RESOLUTION NO. 30**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank Maynard, Cooper and Gale, P.C. for co-sponsoring the President's Banquet Tuesday night of the convention.

**RESOLUTION NO. 31**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, Alabama Municipal Electric Authority; Alabama Electric Cooperative, Inc.; Tennessee Valley Authority; and Electric Cities of Alabama for sponsoring the luncheon on Monday afternoon of this convention.

**RESOLUTION NO. 32**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do sincerely thank Alabama Gas Corporation for sponsoring the reception on Monday night of our convention.

**RESOLUTION NO. 33**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank the City of Mobile for sponsoring the banquet on Monday night of this convention. Their sponsorship is another example of the excellent hospitality shown by the city during our convention this year.

**RESOLUTION NO. 34**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank Shelia Jackson for her performance at the Spouses Breakfast on Monday morning of this convention.

**RESOLUTION NO. 35**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their sincere appreciation to the companies and businesses which sponsored parties for delegates on Sunday night of the convention.

**RESOLUTION NO. 36**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they express their deep appreciation to the Alabama Telecommunications Association for their sponsorship of the Spouses Breakfast.

**RESOLUTION NO. 37**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do express their appreciation to Wachovia Bank for sponsoring the reception preceding the Presidents Banquet on Tuesday night of the convention.

**RESOLUTION NO. 38**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do express their appreciation to Alabama Power for co-sponsoring the entertainment on Monday night of the convention.

### RESOLUTION NO. 39

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do hereby express their appreciation to the exhibitors at this convention for their participation and note that their contributions have meant much to the success of this convention. Specifically, we thank the following exhibitors: A.M.E. Engineers, Inc.; AIDT; AIG-Valic Financial Advisors, Inc.; Alabama Association of Municipal Clerks and Administration; Alabama Association of Regional Councils; Alabama Cable Telecommunications Assn; Alabama Chapter, National Safety Council; Alabama City / County Management Association; Alabama Cooperative Extension System; Alabama Correctional Industries; Alabama Department of Agriculture and Industries; Alabama Department of Economic and Community Affairs; Alabama Department of Public Health - ALL Kids; Alabama Department of Rehabilitation; Alabama Department of Revenue; Alabama Department of Transportation; Alabama Forestry Commission; Alabama Manufactured Housing Institute; Alabama Municipal Electric Authority; Alabama Municipal Insurance Corp; Alabama Municipal Revenue Officers Assn; Alabama One Call; Alabama Public Library Service; Alabama Recreation and Parks Association; Alabama State Employment Service; AlaTax Revenue Discovery Systems; Allied Waste Industries; AMFund; ARCADIS; Arrow Disposal Service; Asphalt Zipper Inc.; Attorney General's Office of Consumer Affairs; AUM Center for Government; Bay Benefits Group; Behavioral Health Systems; CDG Engineers and Associates, Inc.; Center for Economic Development, Jacksonville State University; Center for Governmental Services Auburn University; Central Pipe and Supply, Inc.; CGI Communications; City of Huntsville; City of Saraland; Continental Utility Solutions, Inc.; Dixie Decorations; DMD Engineers, Inc.; Eco-Tech, Inc.; Empire Pipe and Supply; Employees' Retirement Systems; First Continental Leasing; Garver Engineers; Geological Survey of Alabama / State Oil and Gas Board; GovDeals, Inc.; Governor's Office of Faith-Based and Community Initiatives; Grasshopper Company; Hadco; Hammill and Associates, Inc.; Hancock Bank; Hatch Mott MacDonald; Helena Police Explorers; Hendon Engineering; Holiday Designs; Holophane Lighting; Ingenuity, Inc.; Ingram Equipment Company; J.A. Dawson; JDH Contractor; Judicial Correction Services; Junior Davis and Associates; Keep Alabama Beautiful; KHAFRA; Local Government Corporation; Local Government Services; Long-Lewis Sterling; Mobile County Emergency Management Agency; Municipal Code/ MCC Innovations; Municipal Revenue Services; Municipal Workers Compensation Fund;

NAFECO; National League of Cities; OncoAmerica; Onyx Waste Services; Pac-Mac; PolyEngineering; Professional Probation Services, Inc.; Pro-Fire Equipment; Redflex Traffic Systems; Reeves Agency Inc.; Regions Bank - Corporate Trust; Rubber Wholesalers; SAIN Associates; Sansom Equipment Co., Inc.; Sentell Engineering; Severn Trent Environmental Services; SouthEastern Equipment Co.; Southern Playgrounds, Inc.; St. Paul Travelers Insurance; Staples; State Employees' Insurance Board; Sunbelt Fire; Sungard EXP; TAC Energy Solutions; Tank Pro, Inc.; TelVue Corp; Tennant Company; The Aviation Council of Alabama; The Verdin Company; Thompson Tractor Co., Inc.; Truck Equipment Sales, Inc.; TTL, Inc.; Tudor Custom Recreation Equipmeny; Tyler Technologies/ INCODE; U.S. Department of Housing and Urban Development; USDA Rural Development; Utility Service Co.; Volkert and Associates, Inc.;

### RESOLUTION NO. 40

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they sincerely thank Carr, Riggs and Ingram, LLP for providing the Hole-In-One prize for the Municipal Masters Golf Tournament. Also, we are most appreciative to Municipal Revenue Service for providing the golf prizes for tournament winners; the law firms of Balch and Bingham and Burgess and Hale for co-sponsoring the breakfast; Cobb, Shealy, Crum and Derrick for sponsoring a raffle prize; and C. Robert Gottlieb, Jr. for sponsoring lunch.

BE IT FURTHER RESOLVED that they do thank the following for their sponsorships: Platinum Sponsor: Morgan Keegan. Gold Sponsors: Municipal Revenue Service; Cobb, Shealy, Crum and Derrick. Silver Sponsors: Balch and Bingham; Burgess and Hale; C. Robert Gottlieb Jr.; Carr, Riggs, and Ingram. Bronze Sponsors: Ball, Ball, Mathews, and Novak; Black and Hughston, PC; Lusk and Lusk;

*continued next page*

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Merchant Capital; Turnbach, Warren, Roberts and Loyd; Wooten, Thornton, Carpenter, O'Brien, Lazenby, and Lawrence; Porter, Porter, and Hassinger; Sunbelt Fire, INC.; Fan and Rea; Stanley Martin, Attorney at Law; Fuller and Willingham; Zieman, Speegle, Jackson, and Hoffman; Coleman and Sedlack.

**RESOLUTION NO. 41**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do express their thanks to the following sponsors of League legislation during the 2006 Regular Session, namely: Representatives Steve McMillan, Bill Dukes, Ron Johnson, Warren Beck, Marcel Black, Randy Wood, Jack Williams, Mike Ball, John Robinson, Richard Lindsey, Randy Hinshaw, John Knight and Senators Tommy Ed Roberts, Pat Lindsey, Zeb Little, Hari Ann Smith, Jabo Waggoner, E.B. McClain, Larry Mearns, Bobby Denton, Bobby Singleton, Hinton Mitchem, Wendell Mitchell and Hap Myers.

**RESOLUTION NO. 42**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank the members of the 2005-2006 Executive Committee for their expertise, advice and assistance regarding League operations.

**RESOLUTION NO. 43**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do thank ABC-LEO for hosting a reception on Sunday evening of the convention.

**RESOLUTION NO. 44**

WHEREAS, the Alabama Legislature passed an Eminent Domain statute during the 2005 Special Session, and

WHEREAS, the Alabama Legislature passed a new statute defining "blight" during the 2006 Regular Session, and

WHEREAS, these new provisions of law should address any future community renewal efforts involving eminent domain facing municipal governments,

NOW, THEREFORE, BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on the 9th day of May, 2006, that they urge the Alabama Legislature to withhold passage of any Constitutional Amendments on

Eminent Domain until adequate time has passed to experience the effects of these new statutes.

**RESOLUTION NO. 45**

WHEREAS, the Clean Water State Revolving Fund (CWSRF) was established to provide low interest loans to governmental entities for clean water and nonpoint source pollution control projects, and

WHEREAS, the amount of funds available is dependent upon the amount of appropriations from the U.S. Congress and the amount of repayments from funds previously loaned, and

WHEREAS, our nation's cities need an improved federal commitment to long-term, sustainable funding for municipal wastewater and drinking water utilities to comply with federal mandates and meet infrastructure repair and replacement needs, and

WHEREAS, Congress cut funding from \$1.1 billion in the FY2005 budget to \$887 million in FY2006 and the Administration's budget proposes a further reduction, requesting \$688 million for the fund next year,

NOW, THEREFORE, BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on the 9th day of May, 2006, that they do urge Congress to return to funding this important program to previous levels to assist municipal governments in funding future water infrastructure needs.

**RESOLUTION NO. 46**

WHEREAS, Congress has received much pressure from the telecommunications industry to amend current federal laws, and

WHEREAS, the recommendations from the telecommunications industry would dramatically alter the roles and authority of municipal governments, and

*continued page 35*



# Distinguished Service Awards Presented May 9th

Each year, the League presents Distinguished Service Awards to municipal officials who have completed at least 20 years of service in municipal government. A total of 27 awards were announced this year during the closing night ceremonies at the League Convention in Mobile. Pictured below are the recipients of the 2006 Distinguished Service Awards.



*Mayor Ted Jennings, Brewton*



*Mayor Carrie Fulghum, Gainesville*



*Mayor Larry Albright, Haleyville*



*Councilmember Marva D. Gipson  
Aliceville*



*Councilmember Jimmy Madison  
Berry*



*Councilmember Isabell Boyd  
Brundidge*



*Councilmember Robert W. Echols, Jr.  
Gadsden*



*Councilmember Arthur L. Sumbry  
Phenix City*



*Councilmember Tommy Perry  
Priceville*

*continued next page*

# Service Awards Continued



*Councilmember Bryan Stone  
Rainbow City*



*Councilmember Larry Smith  
Sylvan Springs*



*Municipal Clerk Mary Ellison  
Jemison*

## The following Distinguished Service Award recipients were unable to attend the closing ceremonies:

- Councilmember Clinton Killen, Lexington
- Councilmember Bobby McGuire, Lexington
- Municipal Attorney Michael Smith, Eutaw
- Municipal Attorney Ernest G. Hester, Guin
- Mayor Lynn H. Watson, Georgiana
- Councilmember Hubert Phillips, Fairview
- Councilmember Bill Kling, Sr., Huntsville
- Councilmember Larry Bryant, Sardis City
- Municipal Clerk Peggy H. Stripling, Eutaw
- Municipal Clerk, James C. McGee, Fort Payne
- Municipal Attorney, Patrick Tate, Fort Payne
- Municipal Court Clerk Murcury Davis, Eutaw
- Former Mayor, Alfred Lackey, Steele



*Municipal Clerk Donna Treslar  
Pelham*

## League Deputy Director, Ken Smith, Receives Service Award



Ken Smith, the League's deputy director and general counsel, was presented his 20-year service award by Perry Roquemore, the League's executive director, during the President's Banquet on Tuesday evening of the convention.

## Mayor Charles W. "Sonny" Penhale Elected League Vice President

On Tuesday, May 9, Charles W. "Sonny" Penhale, mayor of Helena, was elected League vice president during the League's General Business Session.

Penhale has been an active participant with the League and is a past member of the Human Development Committee. He has also served on the League's Executive Committee since 2002 and attended numerous meetings held by the National League of Cities. In addition, he has completed both the Basic and Advanced CMO program through the League. ■



# The President's Report

Lew Watson  
Mayor of Lincoln

## Address – President's Banquet 2006 League Convention

It is with the deepest and utmost thanks to each of you that I accept the position of president of our League of Municipalities for the coming year. This is a most humbling experience. I want all of you to know what a pleasure it has been to serve as vice president to Mayor Bobby Hayes. I now understand how he keeps being re-elected; this man is never at a loss for words. There is never a dull moment when Bobby is around. Bobby, it has been a pleasure working with you over the past year.

I am looking forward to working with my vice president, Mayor Sonny Penhale, in the coming year. I congratulate you on your election to that office. We are going to have a good time this year and I am very pleased to have this opportunity to work with you.

Our League is about service to our members. Whether it's working for new legislation to make life better for the citizens of this state, fighting bad legislation, lending



Immediate Past President of the League, Mayor Bobby Hayes of Pelham, passes the gavel to newly-elected League President, Mayor Lew Watson of Lincoln.



Mayor Lew Watson delivers his acceptance speech during the President's Banquet on Tuesday night of the convention.

assistance in court cases that affect our cities and towns or just providing individual assistance to our member cities, the League is there. When I was elected in 1972 I knew that the League existed since my father had served as a councilmember. What I did not know was the depth of support the League provides its member cities and towns. In fact, what I did not know about the League could fill a bushel basket.

I did not know there even was a president of the League back then. I can remember my first call to the League. I called and spoke with John Watkins, the League director at the time. I said, "John, I need a little help," and John said "that's what we are here for, what can I do?" I said, "John, I don't even know where our city limits are, can you help with that?" It did not take long to get that answer.

I can remember coming down to our League building the first time. I was hungry for knowledge on how to run a town. I wanted to know about every grant that was available and all the details. I wanted to know how to improve the finances of my town. I wanted to know about all the laws that govern our cities. I wanted to know about how to grow my town, how to annex more land into the town and how to get a park for my town. Why, heck I even wanted to know about zoning, but I gave up that idea pretty quickly. I wanted to create jobs in my town and bring in industry. And for all my wants, the League was there. I talked with John Watkins so much I even had his home phone number. John probably would have liked to have had caller ID back then.

I remember meeting many of my fellow mayors and council members at League meetings. We had committees back then too, you know. We also had bad legislation we had to fight. It seems like some things never change. John would have us troop over to the Capitol on the Wednesday Legislative committee hearings and we would tell the legislators how this bill or that bill would hurt the citizens of

*continued page 28*

# Speakers Discuss Sales Tax Holiday, Hurricane Preparedness and “Great Things” at 2006 Convention

By Niko Corley, Communications Coordinator, ALM

## Gov. Bob Riley, Opening Session

Gov. Bob Riley addressed more than 750 delegates of the Alabama League of Municipalities’ 2006 Convention during the opening session on May 8 in Mobile. In his speech, the governor urged all of the state’s municipalities to take part in Alabama’s first sales tax holiday in August.

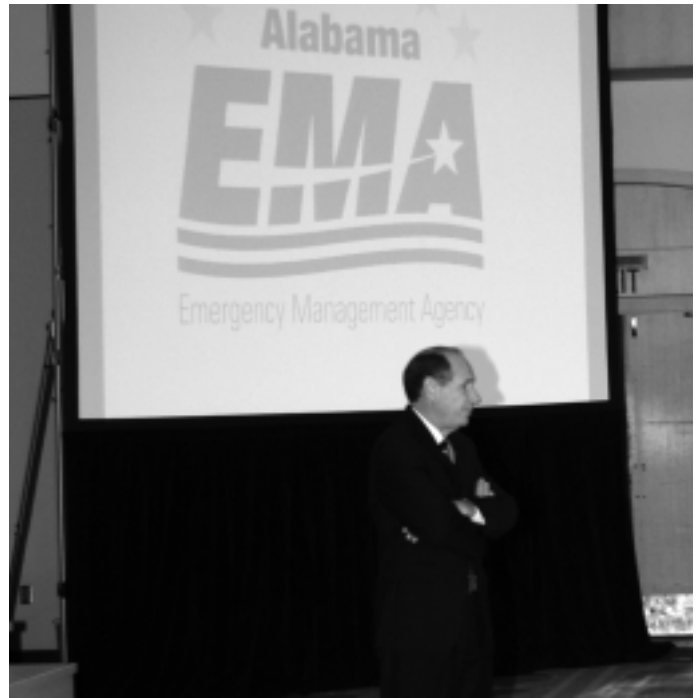
Riley said that during the first full weekend of August each year, “If cities and counties will join us, we will make Alabama a sales tax-free zone.” The governor added, “It will not only help Alabama families save some of their hard-earned money, it will help our retailers and our entire economy.”

Riley said most of Alabama’s contiguous states have similar sales tax holidays and that waiving sales taxes during the holiday will assure the state remains competitive and keeps Alabama consumers buying within the state when the time comes to purchase back-to-school supplies.

After listing items the sales tax holiday would apply to, the governor, along with League Executive Director Perry C. Roquemore, Jr., and Alabama Communities of Excellence President Nisa Miranda, recognized the cities of Brewton, Guntersville and Valley as Alabama Communities of Excellence and awarded each city a \$5,000 economic development grant.



Governor Bob Riley addressed convention delegates during the Monday Opening Session.



AEMA Director Bruce Baughman spoke on hurricane preparedness following Opening Session.

## AEMA Director Bruce Baughman, *Preparing for the 2006 Hurricane Season*

Alabama Emergency Management Agency Director Bruce Baughman spoke to delegates of the 2006 Convention on May 8, discussing hurricane preparedness issues as they relate to municipalities.

Baughman began by reviewing recent hurricane seasons and then updated those in attendance on current hurricane preparedness initiatives. While Alabama sustained tremendous damage during the 2005 hurricane season, the devastation paled in comparison to that suffered by Mississippi and Louisiana, due in part to Alabama’s high level of emergency preparedness and response capability.

That being said, there are, however, areas that need improvement. Baughman said pre-staging more commodities in Alabama, installing backup power at critical facilities, tightening the coordination of volunteer activities and re-examining evacuation routes top the list of key enhancements to the state’s emergency plan.

While the daytime reversal of I-65’s southbound lanes to provide a four-laned northbound evacuation route was successful during Hurricane Katrina last year, Baughman

*continued page 30*





# Municipal Overview

By  
PERRY C. ROQUEMORE, JR.  
*Executive Director*

## Director's Report League Convention, May 9, 2006

Good afternoon! It's my pleasure to bring you up-to-date on the operations of your League for the past year. Since we met in Huntsville last year, your League officers and staff have been busy implementing new programs and trying to protect the interests of Alabama's municipalities at both the national and state levels.

### League Committees

The Executive Committee, presided over by our able president and vice president, met three times during the past year and dealt with numerous issues on each occasion. Last September, we tried a new format for our policy committee meetings. Instead of holding a single Committee Day, each of the five policy committees met on separate days at League Headquarters to hear resource advisors speak on issues of importance to the committee. Following the presentations, committee members revised their respective policy statements. The revised policy statement, created through the hard work of these committee members, is ready for your final consideration today.

Our *Policies and Goals* document is very important as it is used to guide your League staff throughout the year and to assist the Committee on State and Federal Legislation when it meets each year to develop the League's legislative package. I want to personally thank our committee chairs and vice chairs for their leadership and hard work. I also want to thank all the officials who served on our committees this year for their valuable input. Would all of the participants on our committees please stand up so that we can applaud you for your efforts on our behalf.

Even though we have a lot of great committee members, there is always room for more. If a municipal official desires to serve on a League committee, all you have to do is contact the League and make your request known.

### NLC Activities

The Alabama League of Municipalities was well

represented at NLC meetings and activities during the past year. The League had one of the largest state delegations at the National League of Cities Congress of Cities in Charlotte, NC, in December, and at the NLC Congressional-City Conference in Washington, D.C. in March. In December, one of our own, Councilmember Cynthia McCollum of Madison, was elected second vice president of NLC and is in line to become president of the organization the year after next. Mayor James Perkins of Selma was elected to serve on the NLC Board of Directors and Mayor Leon Smith of Oxford and Mayor Ted Jennings of Brewton serve on the NLC Advisory Committee.

Many of our officials serve on various NLC policy committees and steering committees as well as on the Small Cities Advisory Committee. I would like all Alabama officials who serve on NLC boards and committees to stand and be recognized.

### Membership

The League's membership now stands at 443 municipalities, representing over 99 percent of Alabama's urban population. Although the number of participating municipalities is very high, we believe there are other small communities in our state that could benefit from League membership. We encourage officials in League member cities and towns to urge their neighbors who are not members to join the League.

### Finances, Property and Equipment

The League's finances for the current 2005-2006 budget year are expected to be adequate to meet the Executive Committee's budget adopted last July. This year, we have made great strides in upgrading our computer system at the League. We have purchased a lot of equipment, built a secure, temperature-controlled room to house the equipment and have hired a full time IT manager to keep it all running smoothly. I expect this investment to produce significant benefits for our members in the coming months. I encourage all municipal officials to drop by your League Headquarters building anytime you are in Montgomery.

### Legislative Report

The Alabama Legislature completed its 2006 Regular Session at 2:38 a.m. on Tuesday, April 18. This year, 1,439 bills were introduced and 367 received final passage. By comparison, in 2005, 1,237 bills were introduced and only 139 received final passage.

The League Committee on State and Federal Legislation, led by its chair, Mayor Bob Bunting of Ozark, and its vice chair, Councilmember Charles Woods of Childersburg, met in November and adopted an ambitious League Legislative

*continued next page*

Package. Seven proposals in this package were enacted during this session.

The League bills that passed this session did the following:


- corrected dicta in a recent Supreme Court decision by making it clear that employees of any separately incorporated public corporation authorized to be created by a municipality are employees of that entity and not employees of the municipality authorizing its creation;
- amended the competitive bid laws to provide that public contracts for the purchase of goods or services may be entered into using a bidding process known as reverse auction;
- amended the law relating to the sale of abandoned motor vehicles to provide that municipalities could transfer title on all sold vehicles;
- appropriated seed money for both the drinking water and wastewater revolving loan programs;
- authorized the implementation of provisional voting instead of challenged voting in future municipal elections; and
- addressed federal concerns with our absentee ballot procedures for military persons serving overseas by lengthening the time between the general election and runoff

election which necessitated delaying the taking of office in municipal elections until the first Monday in November.

It's always a great feeling to report that none of the major bills dangerous to municipalities passed this session, including the proposal for a constitutional amendment to severely restrict our powers of eminent domain. The legislature also failed to pass bills that would have:

- limited municipal licenses on real estate firms;
- required municipalities to pay costs of housing juveniles in all instances where the juvenile was convicted of violating a municipal ordinance;
- raised the population requirement to establish a municipal school system from 5,000 inhabitants to 15,000 inhabitants;
- stopped annual reappraisals of property for ad valorem tax purposes;
- required many municipalities to adopt a model statewide building code;
- proposed a constitutional amendment to provide for the process of initiative and referendum at the state and local level;
- to prohibit all municipal ordinances relating to fertilizer; and
- to exempt sales of food items from state sales and use tax.

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I should also point out that two significant bills passed this session affecting taxes. After 10 years of work, the Legislature approved a bill to reform municipal business licenses. The bill, in our opinion, is good legislation that will benefit municipalities and businesses alike. The League will offer guidance to help municipalities conform to the new law. Also, legislation to create a state sales tax holiday weekend was enacted. Municipalities and counties have the option of setting a sales tax holiday weekend for the same dates and for the same items. The League will provide assistance to our members in helping them understand their options in regards to this legislation.

We had a good session only because of your strong contacts with your legislators. Thanks for your phone calls and letters.

**League Services**

Your League is a service organization. In addition to our lobbying efforts and our efforts to assist municipal officials by providing information, advice and training, the League also has several programs in place to save our member municipalities money. These include the Municipal Workers Compensation Fund, the Alabama Municipal Insurance Corporation, the Municipal Revenue Service

program for collecting delinquent insurance license taxes, our computer software programs – the *ALM Library* and *MunicipaLaw on Disc* and the Alabama Municipal Funding Authority or AMFund, which became operational this year and provides an additional financing alternative for our members.

The League continues to endorse several other programs such as the AIG-VALIC deferred compensation program, the City Net long distance telephone program through Delta Com, the Gov Deals online auction service and the Cable Franchise Management Program.

If you need any of these services, I recommend you contact the League or the endorsed providers. Most of them have had displays in our trade show. The League officers and staff will continue to look at new and innovative programs to assist our member municipalities.

**CMO Program**

Our education program for the Elected Municipal Official, which gives every elected municipal official in Alabama the opportunity to obtain the designation of Certified Municipal Officer (CMO), is celebrating its eleventh year of operation in 2006. Since CMO's inception, more than 2,700 officials have participated in the program.

*continued page 29*

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**Christopher L. Lee, Executive Director of Administrative Services, City of Mobile**

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# Final Report on the 2006 Regular Session

The Alabama Legislature completed its 2006 Regular Session on Tuesday, April 18. This year, 1,439 bills were introduced and 367 received final passage. By comparison, in 2005, 1,237 bills were introduced and only 139 received final passage. In 2004, a total of 1,397 bills were introduced and 317 bills received final passage. In 2003, a total of 1,322 bills were introduced, of which 268 received final passage. Both the general fund budget and the education budget received final passage before the last day of the session.

It was a very good session for municipalities. In addition to League bills receiving final passage, a number of other beneficial bills were also enacted.

## Final Status of the League Legislative Package

Seven proposals in the League's 2006 Legislative Package were enacted during this session. The League bills that passed this session are:

**Employees of Separately Incorporated Municipal Boards** (HB156, Act 2006-548): This League bill relates to municipalities; to specifically provide that employees of any separately incorporated public corporation authorized to be created by a municipality are employees of that entity and not employees of the municipality authorizing its creation.

**Municipal Elections – Provisional Voting** (HB479, Act 2006-281): To amend Sections 11-46-24, 11-46-28, 11-46-38, 11-46-46, 11-46-52, 11-46-55, 11-46-95, 11-46-123, 17-7-5.1, 17-9-33, 17-10-12, 17-10A-2, and 17-11A-1, Code of Alabama 1975, relating to elections; to provide for provisional voting; to provide further for information provided to voters; to provide further for the absentee ballot process; to provide further for canvassing of votes; to provide that polling places located in areas of the state operating on Eastern time may open according to Eastern time; and to repeal Sections 11-46-41 and 17-10-22, Code of Alabama 1975.

**Reverse Auction Bidding** (SB89, Act 2006-107): To amend Sections 41-16-24, 41-16-27, and 41-16-54, Code of Alabama 1975, relating to the Competitive Bid Law, to provide that public contracts for the purchase of goods or services may be entered into using a bidding process known as reverse auction and to provide for certain exceptions and to provide for the length of time certain contracts may be let.

**Abandoned Motor Vehicles – Titles** (SB373, Act 2006-414). To amend Sections 32-13-3, 32-13-4, and 32-13-6, Code of Alabama 1975, relating to abandoned motor vehicles, to provide for procedures related to the sale of abandoned motor vehicles; and to repeal Sections 12-19-76

and 32-13-7, Code of Alabama 1975.

**Absentee Balloting – Overseas & Military Personnel** (SB529, Act 2006-354). Relating to elections; to amend Sections 17-10-10, 17-10-23, 17-16-6, and 17-16-36, Code of Alabama 1975, relating to absentee balloting; to provide procedures for overseas citizens and military personnel to cast absentee ballots; and to amend Sections 11-43-44, 11-46-21, 11-46-55, and 17-10-12, Code of Alabama 1975, as last amended by Act 2006-281 of the 2006 Regular Session, to provide for runoffs in municipal elections to take place six weeks following the general municipal election and to provide further that municipal officials elected at the regular municipal election pursuant to Section 11-46-21 shall assume the duties of their respective offices on the first Monday in November following the election.

**Appropriation for Wastewater Treatment SRF** (SB75, Act 2006-335). Many years ago, the Alabama Legislature established a State Revolving Loan Fund for Wastewater Treatment (SRF). The purpose of the SRF 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 projects. The General Fund Budget contained additional matching funds from the Legislature to continue Alabama's nationally recognized Wastewater Treatment SRF program.

**Appropriation for Drinking Water SRF** (SB75, Act 2006-335). The Alabama Legislature established Alabama Drinking Water Finance Authority for the purpose of taking state funds and matching them with federal dollars to create a loan fund to offer low interest loans to governmental entities for drinking water projects. This program is very similar to the wastewater SRF discussed above. The League will seek funds from the Legislature to match federal dollars available for Alabama's drinking water SRF program.

League bills that failed to pass this session included bills to clarify the voting powers of a mayor in municipalities of less than 12,000 population, to authorize municipalities to pre-zone territory proposed to be annexed, to authorize the mayor to appoint two alternates to the municipal planning commission, to clarify the jurisdiction of a municipal planning commission, to authorize additional expenditures from the corrections fund, to expand municipal authority to apply building codes to state and local buildings, to allow collection of full local sales taxes on sales made at state ABC stores and to authorize municipal courts to assess the same maximum fines as the state when such fines exceed the current limits. Many of the measures in the package which

*continued next page*



failed to pass will likely be reintroduced in a future session.

The League wishes to thank the following persons for sponsoring League issues this session: Representatives Steve McMillan, Bill Dukes, Ron Johnson, Warren Beck, Marcel Black, Randy Wood, Jack Williams, Mike Ball, John Robinson, Richard Lindsey, Randy Hinshaw and John Knight, and Senators Tommy Ed Roberts, Pat Lindsey, Zeb Little, Hari Ann Smith, Jabo Waggoner, E.B. McClain, Larry Means, Bobby Denton, Bobby Singleton, Hinton Mitchem, Wendell Mitchell and Hap Myers.

### **Status of Dangerous Legislation**

We are happy to report that no statewide legislation deemed dangerous to the interests of our municipalities was enacted this session. A number of bills adverse to municipalities were defeated this session including a proposed constitutional amendment to significantly erode eminent domain powers. The Legislature also failed to pass bills that would have:

- limited municipal licenses on real estate firms;
- required municipalities to pay costs of housing juveniles in all instances where the juvenile was convicted of violating a municipal ordinance;
- raised the population requirement to establish a municipal school system from 5,000 inhabitants to 15,000 inhabitants;
- stopped annual reappraisals of property for ad valorem tax purposes;
- required many municipalities to adopt a model statewide building code;
- proposed a constitutional amendment to provide for the process of initiative and referendum at the state and local level;
- to prohibit all municipal ordinances relating to fertilizer; and
- to exempt sales of food items from state sales and use tax.

### **General Bills of Interest to Municipalities that Passed Presidential Preferential Primary Date Altered**

(HB51, Act 2006-634 ): To amend Sections 17-16-1, 17-16-6, 17-16A-1, and 17-16A-3, Code of Alabama 1975, relating to the presidential preference primary election; to change the date of the presidential preference primary election to the first Tuesday in February beginning in the year 2008; to include the separate and special presidential preference primary election in the definition of primary election; and to change the qualification date to coincide with the change of primary date.

**Alabama Law Institute Training for Public Officials** (HB72, Act 2006-532): Relating to the Alabama Law Institute; to amend Section 29-8-4 of the Code of Alabama

1975, to expressly provide that its duties include conducting periodic training and continuing education programs for public officials, including providing educational material.

**Cost of Juveniles in County Facility for Municipal Ordinance Violation** (HB73, Act 2006-533): To amend Section 12-15-10, Code of Alabama 1975, relating to juveniles; to provide for a municipality to be responsible for the expenses of maintenance and care of any juvenile placed in a facility utilized by the county for housing juveniles for violations of a municipal ordinance that is not based on a state criminal statute adopted by the municipality as a municipal ordinance.

**LRS Notification of Municipal Annexations or Deannexations** (HB74, Act 2006-249): To require that municipalities notify the Legislative Reapportionment Office of any annexation or deannexation of property to or from the corporate limits of the municipality.

**Solid Waste Disposal Plans – Approval Process** (HB75, Act 2006-534): To amend Section 22-27-48, Code of Alabama 1975, relating to local governmental approval of solid waste disposal sites; to provide for certain local application and renewal fees and to further provide for the exemption for certain industrial landfills.

**Voter Registration List** (HB81, Act 2006-537): To amend Section 17-4-129, Code of Alabama 1975, relating to the publishing of voter registration lists, to provide further for the method of publication.

**State Election Laws Revision** (HB100, Act 2006-570): This bill would make substantial revisions to Title 17 of the Code of Alabama 1975, which contains the provisions of law generally relating to the conduct of elections. The bill would repeal obsolete provisions; revise, reorder and recast other provisions to make nonsubstantive technical changes; add provisions currently contained in administrative rules; and make other changes in other provisions to reflect judicial decisions and interpretations.

**Employment Security Enhancement Fund** (HB105, Act 2006-519): To amend Sections 25-4-40.1 and 25-4-54, Code of Alabama 1975, as amended by Act No. 2004-110, HB166, 2004 Regular Session, relating to the expiration date of the special assessment used to fund the Employment Security Enhancement Fund, to extend the expiration date of the special assessment to March 31, 2008.

**Emergency Management & Preparedness** (HB107, Act 2006-522): To amend Sections 31-9-3, 31-9-4, 31-9-8, and 31-9-10, Code of Alabama 1975, relating to state emergencies and the Emergency Management Agency; to provide for the governor's authority to proclaim an emergency; to expand the authority of state and local responders regarding emergency preparedness and response; to establish degrees of emergency classifications;

and to further provide for the powers of political subdivisions with respect to emergency management.

**Increase Maximum State Fines for Felonies, Misdemeanors & Violations** (HB118, Act 2006-197): To amend Sections 13A-5-11 and 13A-5-12 of the Code of Alabama 1975, to increase the maximum amount of fines authorized to be assessed upon conviction for a felony, misdemeanor or violation.

**Time-off to Vote** (HB141, Act 2006-545): To provide that each employee in the state shall be permitted to take any necessary time off to vote in any election.

**Execution of Warrants in Another County** (HB145, Act 2006-547): Relating to the execution of warrants or writs of arrest; to amend Section 15-10-10, Code of Alabama 1975, to provide that an arrest warrant from another county may be executed by any law enforcement officer in this state; and to repeal Section 15-10-13, Code of Alabama 1975, relating to the endorsement of warrants by judges or magistrates in another county.

**Electronic Traffic Tickets** (HB146, Act 2006-579): Relating to the issuance of a complaint and summons or notice to appear for persons arrested for misdemeanor traffic violations; to amend Sections 12-12-53, 12-12-54, 12-14-51, and 32-1-4, Code of Alabama 1975, to provide for the establishment, definition of and use of an electronic traffic ticket (e-ticket).

**Trucks Registered Under IRP – Tag & Registration Fees** (HB154, Act 2006-276): Relating to motor vehicles; to amend Sections 32-6-62, 40-12-248, and 40-12-252 of the Code of Alabama 1975; to authorize the issuance of multi-year truck and truck tractor license plates for vehicles registered under the International Registration Plan; to authorize permanent trailer license plates upon payment of a one-time fee per license plate issued; to increase the registration fees for any truck or truck tractor with gross weights exceeding a certain weight; to provide penalties for violations.

**Extending Termination Date of Coal Tax** (HB172, Act 2006-386): To amend Sections 40-13-6 and 40-13-8, Code of Alabama 1975; to provide that the excise and privilege tax on coal shall terminate on Oct. 1, 2011, unless extended by the Alabama Legislature; and provide further for the distribution of tax receipts.

**Tax Returns – Confidentiality of Information** (HB184, Act 2006-577): To amend Section 40-2A-10, Code of Alabama 1975, relating to the confidentiality, disclosure and exchange of tax returns and tax information, to clarify the law concerning the maintenance of taxpayer confidentiality and compliance by counties and municipalities.

**Tax Abatements – Private Use Industrial Property** (HB185, Act 2006-578): To amend Section 40-9B-5, Code of Alabama 1975, relating to certain tax abatements, to

provide that tax abatements for private use industrial property shall not be valid for 13 days following mailing of appropriate notification to the county commission of the county in which the property is located and to clarify the effective date of the abatements.

**Validation of School Elections** (HB207, Act 2006-516): To amend Section 16-13-190, Code of Alabama 1975, relating to the ratification of certain elections held for school purposes, to include certain previously held municipal elections which were irregular.

**Distinctive License Plates for Firefighters** (HB209, Act 2006-422): To amend Section 32-6-272 of the Code of Alabama 1975, relating to distinctive license plates for firefighters; to allow firefighters to present proof of their membership to the judge of probate or the license issuing official; to provide for penalties.

**Licensing and Registration of Pick-up Trucks** (HB222, Act 2006-356): Relating to motor vehicles; to amend Section 40-12-248 of the Code of Alabama 1975, relating to the licensing and registration of trucks and truck tractors, to provide for the licensing and registration of pick-up trucks which are used for personal or agricultural use without regard to the heaviest load to be carried including the heaviest load carried in combination on any trailer.

**Sales Tax Holiday** (HB228, Act 2006-574): To exempt certain covered items from the state sales and use tax during the first full weekend in August of each year, authorize any county or city to exempt certain covered items from local sales and use taxes, and prohibit a county or municipality from providing for a sales and use tax exemption during any period other than the first full weekend in August.

**TVA In-lieu-of-tax Payments** (HB231, Act 2006-655): To amend Section 40-28-2, Code of Alabama 1975, relating to the distribution of in-lieu-of-taxes payments made by the Tennessee Valley Authority, to provide for the redistribution of the payments.

**Obstruction of Volunteer Firefighters** (HB247, Act 2006-423): To amend Section 13A-10-1, Code of Alabama 1975, relating to the definitions for criminal offenses relating to the obstruction of public administration; to include volunteer firefighters in the definition of “firemen” and the fire control activities of volunteer fire departments in the definition of “governmental function” in order to prohibit certain actions obstructing volunteer firefighters and volunteer fire departments and provide penalties.

**Electronic Funds Transfers – Threshold Lowered** (HB249, Act 2006-552): To amend Section 41-1-20, Code of Alabama 1975, to lower the electronic funds transfer threshold for use in making payments of taxes, fees and other obligations collected from certain business entities by

*continued next page*

the Department of Revenue, to include local government taxes and fees collected or administered by the department.

**Animal Sterilization** (HB252, Act 2006-627): Relating to animals; to provide for the sterilization of certain dogs and cats and penalties for violations.

**Issuance of Drivers Licenses, Learners Licenses and Nondriver ID Cards** (HB260, Act 2006-554): To amend Sections 32-6-3, 32-6-4, 32-6-4.1, 32-6-5, and 32-6-8 of the Code of Alabama 1975, to provide for the issuance of initial driver's licenses, learner's licenses and non-driver identification cards by a driver's license office of the Department of Public Safety; and to provide for distribution of the fees.

**Education Budget** (HB272, Act 2006-282): To make appropriations for the support, maintenance and development of public education in Alabama, for debt service and for capital outlay for the fiscal year ending Sept. 30, 2007.

**Home Builders Licensure Board** (HB280, Act 2006-105): To amend Sections 34-14A-2, 34-14A-4, 34-14A-5, 34-14A-6, 34-14A-7, 34-14A-8, 34-14A-12, 34-14A-14, and 34-14A-15, Code of Alabama 1975, to repeal Section 34-14A-16, Code of Alabama 1975, and to add Sections 34-14A-8.1 and 34-14A-18 to the Code of Alabama 1975, relating to the home building profession, to provide further for the duties and responsibilities of the Home Builders Licensure Board, the fees for licensure, to remove certain exemptions from the licensure requirements and to establish the property acquisition fund.

**Uniform Residential Landlord and Tenant Act** (HB287, Act 2006-316): Adopting the Uniform Residential Landlord and Tenant Act; regulating landlord-tenant relationships under residential rental agreements; providing for general provisions and definitions; landlord obligations; tenant obligations; remedies; and prohibitions against retaliatory conduct; amending Section 6-6-350 of the Code of Alabama 1975, relating to appeals from district court to circuit court and Section 35-9-60 of the Code of Alabama 1975, relating to liens for the rent of buildings, to remove references to dwelling houses; repealing Section 35-9-4, Code of Alabama 1975, relating to the hiring of lodging for an indefinite term and Article 3, commencing with Section 35-9-80, of Chapter 9 of Title 35, Code of Alabama 1975, relating to possession wrongfully withheld and specifying a prospective effective date.

**Workers Compensation – Structured Settlements** (HB288, Act 2006-628): Relating to transfers of structured settlement payment rights; to provide definitions of terms used in this act, including a definition of the term “structured settlement” that excludes workers' compensation settlements; to provide for required disclosures to the payee; to require a disclosure statement be provided to the payee by the transferee not less than three days prior to the date

on which a payee signs a transfer agreement; to prescribe the style of and what shall be set forth in the disclosure statement from the transferee to the payee; to provide that the payee has the right to cancel the transfer agreement within three business days after the date the agreement was signed; to provide for the approval of transfers of structured settlement payment rights; to require advance authorization by a court or administrative authority based on express findings made after a factual hearing by the court or administrative authority in order for a transfer of structured settlement payment rights to be effective; to prescribe the express findings on which the court or administrative authority shall base the advance authorization; to provide for the effects of transfer of structured settlement payment rights; to provide that the structured settlement obligor and the annuity issuer have no liability for the transferred payments as to all parties except the transferee; to provide the circumstances when the transferee will be liable to the structured settlement obligor and the annuity issuer; to provide that the structured settlement obligor and the annuity issuer may not be required to divide periodic payments between the payee and transferee; to prescribe the procedure for approval of transfers of structured settlement payment rights; to provide where an application for approval of a transfer of structured settlement payment rights may be brought; to require the transferee to file with the court or administrative authority and serve all interested parties with a notice of the proposed transfer and application not less than 20 days prior to the hearing; to provide what shall be set forth and provided with the notice; to provide that the provisions of this act may not be waived by a payee; to provide that a transfer agreement entered into on or after the effective date of this act by a payee who resides in this state shall provide that disputes under the transfer agreement shall be governed by the laws of this state; to provide the procedures the transferee shall establish and maintain to allow payments of structured settlement payment rights that are life-contingent; to protect a payee from liability to a proposed transferee or assignee based on any failure of the transfer to satisfy the conditions of this act; to prohibit transfers in contravention of any law; to not imply that any transfer under a transfer agreement prior to the effective date of this act is valid or invalid; to provide that certain compliance requirements and the fulfillment of certain conditions in this act are the responsibility of the transferee and not the structured settlement obligor or the annuity issuer; to provide that nothing in the act shall require or allow the disclosure of the terms of a confidential settlement; and to provide for an effective date of this act.

**Sales & Lease Taxes – Sales or Leases to State Agencies** (HB321, Act 2006-557): To add a new Section 41-4-116 to the Code of Alabama 1975, to provide that

vendors or contractors and each affiliate selling or leasing tangible personal property to a state agency shall be subject to state and local taxation on its sales or leases into the state.

**Peace Officer/Firefighter Death Benefits – Exempt from State Income Tax** (HB323, Act 2006-424): To exempt certain death benefit payments received by the designated beneficiary of a peace officer or fireman killed in the line of duty from state income tax.

**Airport Authorities** (HB330, Act 2006-558): To amend Section 4-3-45, Code of Alabama 1975, relating to the boards of directors of airport authorities, to provide that directors shall be compensated in an amount authorized by the bylaws, that directors shall serve until their successors are appointed and qualified and that directors, officers and employees of the authority are not personally liable for debts, obligations or liabilities of the authority.

**Scrap Tires** (HB346, Act 2006-559): To amend Sections 22-40A-3, 22-40A-6, 22-40A-7, 22-40A-8, 22-40A-9, 22-40A-11, 22-40A-14, 22-40A-15, 22-40A-18, and 22-40A-21, Code of Alabama 1975, relating to the regulation of the receiving, transportation and processing of scrap tires; to provide further for exemptions for Class 2 receivers; to

further regulate transporters and processors; to require manifests to accompany scrap tire hauling; to allow ADEM to further grant variances or provide additional requirements; to allow information sharing between the Department of Insurance; to clarify a reference to the ADEM director; to further penalize violators of processors and violators of ADEM compliance orders.

**Reinstatement of a Motor Vehicle Registration** (HB365, Act 2006-221): To amend Section 32-7A-9, Code of Alabama 1975, relating to the fees for reinstatement of a motor vehicle registration that has been suspended, to provide further for the payment of the fees to the Department of Revenue or the county in which the license plate was issued.

**UC Benefit** (HB369, Act 2006-521): To amend Section 25-4-72, Code of Alabama 1975, as amended by Act 2004-111, relating to unemployment compensation weekly benefits, to increase the maximum unemployment benefits by \$10 per week for benefit years which begin on or after July 2, 2006, and to increase the maximum unemployment benefits by an additional \$5 per week for benefit years which begin on or after July 1, 2007.

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# Address – President’s Banquet ————— continued from page 17

our communities. It seems like there is no end to the bad ideas brought up in the Legislature each year or the selfish interest groups that strive to make Alabama like a third world country.

But service to its member towns and cities is what our League is about. Our League was formed in 1935. That founding group of 100 communities has now grown to almost 450 cities and towns. We have grown because the League does a great job of helping our cities and towns. There is no question that comes to the League that is insignificant – because it is important to you, it’s important to the League to answer that question.

This dedication to duty is why our League has grown. It’s why we have loved our executive directors and League staff members. When John Watkins retired we were very fortunate that he had hired a very capable staff attorney who took up where John left off, that person being Perry Roquemore. Perry, like his predecessor, has carried the League to new heights. And like John, Perry has brought in good people.

Services offered to our member communities have continued to expand. Many in this room can remember when there was no municipal insurance program, no comprehensive municipal officials’ training program or municipal workers’ compensation fund. Perry has encouraged each of us to become members of the National League of Cities. Our state now has the largest attendance at all of the NLC meetings. Imagine that, when in 1977, Alabama had only 10 member cities in the NLC. All of us owe so much to Perry and his staff. Thank you Perry and League staff members for all you do for us.

The last municipal elections brought in many new faces to local government. The League is your place to learn, whether in the Certified Municipal Official program, the training seminars or meetings like our annual convention. This is where you get the tools to carry back home to build a better community. This is where you meet fellow council members, clerks and mayors who share many of the same problems you face in your community. This is where you share what works for your community and how others have faced those same problems. Remember, there are no national problems, just local problems on a national scale.

For those of you in your first term, you are no longer rookies. You have almost completed half of your term. Look at where you are in your city or town. It’s almost halftime. Are you winning? It’s time to look at the score board. It’s time to take stock of where you are now and where you want to be two years from now. Play as a team. Football teams don’t win games because they have a great

quarterback or center or linemen; they win because they play as a team, where everyone does their part.

It’s no different with council members and mayors. Whether you like your fellow council members or mayor is unimportant. You must overcome any adverse feelings and work for the good of the community. Just think about when your grandson or granddaughter, son or daughter asks you what you did while serving as a council member or as mayor. Will you be able to tell them how you built your town, how you created jobs, how you built a park, how you bought a new fire truck, how you expanded the water system or built a new sewer plant or senior citizens’ center? I hope all of you are pleased with what you have accomplished during the past 19 months. If not, it isn’t too late. It’s not halftime yet, so get ready for the second half and make your town a winner.

With that, I will close my address to you, but not before thanking my wife Joyce for all of these years of support, of doing without me while I performed my municipal duties. To my council members who are with us here tonight, Billy Pearson, Kurt Kuykendall, Sadie Britt and Jean Burk, I want to thank you for your support. I would not be here tonight were it not for you. At this time I want to introduce to you my city clerk, Laura Carmack. Every city would do well to have a clerk as hard-working as Laura.

To each of you, I wish you great success in the coming year. Thank you Perry and the League staff for all of your hard work and for putting together this great convention. Thank you Bobby for your work with the League over the past year. Pray for each other and for our men and women overseas. Good night, and God Bless our League and all of you. ■

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As of last week, 681 officials have obtained the required 40 credit hours of training for Basic CMO certification and 271 officials have earned their Advanced CMO designation. At this Convention, many officials will earn their Basic and Advanced CMOs. The names of this year's graduates will be announced at dinner tonight. A ceremony will be held in Montgomery this summer for this year's graduates.

## Publications and Information

The League's Web page has been significantly improved this year to give members another method of obtaining needed assistance. We are getting a tremendous number of hits to our site in addition to many compliments on it. This year we will be adding streaming video to our site as well as offering our members an opportunity to add video to their own city websites. If you haven't had the opportunity, please check out our web site at [www.alalm.org](http://www.alalm.org). It has quite a few features for assisting League members.

*The Alabama Municipal Journal* has become one of the country's best municipal publications. Our staff also developed and distributed our PREP CD this year to help our members prepare for disasters. The League will follow up this year by continuing its efforts to improve municipalities' ability to prepare for and cope with disasters. Hopefully, this storm season will not be nearly as bad as last year's, but we must be prepared for the worst.

## Officers and Staff

Our League is recognized as one of the most successful in the country. The reason is simple – the untiring efforts of our membership. Your president and vice president have done a super job on your behalf. Your past presidents continue to offer needed advice and assistance as we move forward. Finally, I must thank my great League staff. I'll match them with any staff anywhere. These people are very professional and provide excellent service for our members. Join me in thanking all of our League employees for the great job they do for us.

## Looking Ahead

The next year will be full of challenges for municipalities. We will have to find ways to deal with rising fuel costs, rising health care and pension costs and the threat of legislation to eliminate the city's right to charge franchise fees and control our rights-of-way. We can expect to see several of the dangerous bills from this year's session resurface in the 2007 Regular Session.

The League will work hard to improve all of our services and develop new services to meet the challenges facing our cities and towns. Internally, we will continue the efforts begun

this year to upgrade our use of technology at League Headquarters.

In closing, I want to thank all of our municipal officials who have participated in League activities during the past year. Individuals from large cities and small towns from all parts of Alabama have worked together for the common good of municipal government in Alabama. Alabama municipalities are truly blessed with dedicated officials. Remember, this is your League. Our ability to produce positive results for our members depends upon the involvement and teamwork of our municipal officials. If you know of municipal officials in your area that do not get actively involved in League activities, encourage them to do so. This League is only as strong as its members.

It's great to be a part of this League. Thank you! ■

## The Power To Save A Life

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For more information, call **Tom Bartels** at **AMEA 1-800-239-AMEA(2632)** to discuss your situation or arrange a demonstration.

# Speakers

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said a plan for reversing the interstate's southbound lanes at night needs development. Other areas needing improvement include developing special needs shelters, reconfiguring National Guard task forces, improving commodity tracking and expediting the opening of shelters and the deployment of FEMA response teams.

Baughman cited the Alabama Mutual Aid System, the Emergency Management Assistance Compact, unified incident action, legislative conference calls and mandatory evacuations as disaster management success stories for Alabama.

## Congressman Jo Bonner, Monday Luncheon

Congressman Jo Bonner of Alabama's 1<sup>st</sup> District spoke to a crowd of 1,200 delegates, spouses and guests at the Monday, May 8 luncheon of the 2006 Convention. Bonner said the record low unemployment the state has experienced lately is a "good sign that great things are happening in Alabama."

Among the other "great things" Bonner listed was a rise in African-American home ownership in Alabama, the work of the Alabama Development Office and Alabama's being named Southern Business and Development's State of the Year for 2005 (Alabama has won for the past three years and tied North Carolina last year).

Bonner also said automotive industry manufacturers and tier suppliers "put Alabama on the map."

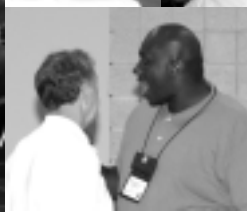
At the conclusion of his address, the congressman shared his excitement about the state's economic future.

"If we play by the rules and work hard, nothing will slow us down," Bonner said. ■



Congressman Jo Bonner addressed convention delegates during the Monday luncheon.

## More convention snapshots...



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# Final Report on the Regular Session — continued from page 27

**ADECA – Disposal of Surplus Property** (HB374, Act 2006-562): To amend Sections 41-16-120 and 41-16-123, Code of Alabama 1975, relating to the disposal of surplus property by the Alabama Department of Economic and Community Affairs, providing for electronic or print publication, providing for payment plans, clarifying the removal time for property and allowing for an increase in administrative fees.

**Charitable Purposes Relief Act of 2006** (HB397, Act 2006-583): To create the Inventory Reduction for Charitable Purposes Relief Act of 2006; to amend Section 40-23-1, Code of Alabama 1975, relating to the state sales tax, to provide that a gift by a retailer of a product or products where the aggregate retail value of any single gift is equal to or less than ten thousand dollars (\$10,000), withdrawn from the retailer's inventory, to a qualified charitable entity is not a sale and is not subject to the state sales tax.

**Auto Insurance – Volunteer Firefighters, Rescue Squad Members or EMS Personnel** (HB408, Act 2006-425): To amend Section 27-1-23, Code of Alabama 1975, which prohibits an automobile insurance carrier of a full-time law enforcement officer or firefighter from considering motor vehicle accidents that occur while they are in the performance of their duties, to further provide that the law would apply to members of a volunteer fire department or volunteer rescue squad or volunteer emergency medical service.

**Peace Officer & Firefighter Benefits** (HB409, Act 2006-426): To amend Sections 36-30-1 and 36-30-2, Code of Alabama 1975, relating to death and disability benefits for certain peace officers and firefighters; to provide further for benefits for certain illnesses resulting in death.

**Arson – Death of Firefighter or Peace Officer** (HB413, Act 2006-427): To amend Section 13A-6-2 of the Code of Alabama 1975, relating to the crime of murder, to include the death of a firefighter or other public safety officer who dies while performing his or her duty as a consequence of the crime of arson.

**Volunteer Firefighters – Termination from Regular Employment** (HB437, Act 2006-428): To prohibit an employer from terminating an employee who is a volunteer firefighter or emergency medical services provider who responds to an emergency which results in loss of work; to provide for reinstatement after termination; to provide for a statute of limitations for commencing an action; and to provide for venue of the action.

**Peace Officer & Firefighter Death Benefits** (HB447, Act 2006-429): To amend Section 36-30-2, Code

of Alabama 1975, to provide further for the amount of compensation for compensable deaths of peace officers, firefighters, or certain volunteer firefighters.

**Public Employees' Defined Contribution Savings Plan** (HB449, Act 2006-625): To amend Sections 36-27C-4 and 36-27C-7, Code of Alabama 1975, relating to the Public Employees' Defined Contribution Savings Plan, to allow the board of control to establish an interest bearing account for employer contributions and to revise the allocation formula for contribution of the employer match.

**Alarm System Licensure – Locksmiths** (HB537, Act 2006-541): To amend Sections 34-1A-1, 34-1A-2, and 34-1A-3, as amended by Act 2004-103, 2004 Regular Session (Acts 2004, p. 137), and Section 34-1A-6, Code of Alabama 1975, relating to alarm system licensure.

**Tax Exemption – Private School Athletic Events** (HB564, Act 2006-602): To amend Section 40-23-2, Code of Alabama 1975, as amended by Act 2004-638, 2004 Regular Session (Acts 2004, p. 1461), relating to exemptions from the state sales tax, to provide that athletic events held by nonpublic schools would be exempt from the state sales tax and to remove the tax exemption for the Alabama High School Athletic Association.

**Motor Bus License and Registration** (HB566, Act 2006-632): Relating to motor bus passenger carrier vehicles; to exempt any motor bus passenger carrier vehicle registered in this state from the payment of state, county, municipal or other local ad valorem taxes; and to establish a special motor bus passenger carrier business operating license.

**Pardons** (HB592, Act 2006-544): Relating to pardons; to provide that a person convicted of violating a state law or municipal ordinance whose purpose was to maintain or enforce racial segregation or discrimination would be granted a pardon of the conviction upon application; and to provide for a hearing if the state objects to the granting of the pardon; to provide for expungement of the record of conviction; to provide for transfer of the record of conviction to the Alabama Department of Archives and History; and to provide for access to the record of convictions.

**Eminent Domain** (HB654, Act 2006-584): To amend Section 24-2-2, Code of Alabama 1975, relating to redevelopment projects of municipalities; and to amend Section 24-3-2, Code of Alabama 1975, relating to urban renewal projects; to further provide for the definition of blighted property and blighted areas and to limit the exercise of the power of eminent domain to blighted property for the purposes of these statutes.

**Municipal Business License Reform** (HB754, Act 2006-586): To amend Sections 6-2-35, 11-51-90 to 11-51-


93, inclusive, and 11-51-95, 11-51-122, 11-51-150 to 11-51-155, inclusive, Code of Alabama 1975, to add Sections 11-51-90A, 11-51-90B, 11-51-186, 11-51-187, 11-51-188, 11-51-189, 11-51-190, 11-51-191, 11-51-192, 11-51-193, 11-51-194, 11-51-195 and 11-51-196; to provide a statewide uniform system for the issuance and calculation of the cost of municipal business licenses; to promulgate a common business license application form for use by all municipalities; to provide a uniform definition of “gross receipts” and “delivery license”; to provide for a uniform system for the municipal business license audit process and the taxpayer’s appeal of municipal business license assessments and for the filing of claims for and payment of refunds; to provide uniform statutes of limitation for assessments and refunds that substantially conform with their counterparts for municipal sales and use taxes; to allow municipalities to lawfully exchange tax information related to business license taxpayers; and to provide delayed effective dates and transition rules.

**School Boards – Joint Purchasing** (HB817, Act 2006-621): To amend Section 41-16-50, Code of Alabama 1975, relating to competitive bids, to authorize two or more city or county boards of education that are not adjoining to enter into joint purchasing agreements subject to the competitive bid law.

**Commercial Drivers License Holders – Charged with Traffic Violation** (HB824, Act 2006-622): To provide that a holder of a commercial driver’s license, the operator of a commercial motor vehicle or a commercial driver learner permit holder who is charged with a violation of a traffic law in this state would not be eligible for a deferred prosecution program, diversion program or any deferred imposition of judgment program.

**Code Update** (SB53, Act 2006-291): To adopt and incorporate into the Code of Alabama 1975, those general and permanent laws of the state enacted during the 2003 Second Special Session and the 2004 Regular Session as contained in the 2004 Cumulative Supplement to certain volumes of the code and the 2004 First Special Session, the 2005 Regular Session, and the 2005 First Special Session as contained in the 2005 Cumulative Supplement and 2005 Replacement Volume to certain volumes of the code; to specify that this adoption and incorporation constitute a continuous systematic codification of the entire Code of Alabama 1975 and that this act is a law that adopts a code; to declare that the Code Publisher has certified it has discharged its duties regarding the replacement volume; to





*continued next page*



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expressly provide that this act does not affect any 2006 session statutes; and to specify the duties of the Secretary of State regarding the custody of these cumulative supplements and replacement volume.

**County Subdivision Regulations** (SB61, Act 2006-227): To amend Sections 11-24-2 and 11-24-3, Code of Alabama 1975, relating to county subdivision regulations and the approval of plats by the county commission; to further provide for the enforcement of violations; to further provide for notices required under the law; to provide for a permit to develop subdivisions; and to provide a cause of action by the county commission to compel repairs by the owner or developer of a subdivision.

**General Fund Budget** (SB75, Act 2006-335): To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the state, for other functions of government, for debt service and for capital outlay for the fiscal year ending Sept. 30, 2007.

**Regional Jail Authority** (SB83, Act 2006-185): To allow two or more municipalities to establish a regional jail authority to maintain and operate a regional jail facility, which would serve as the municipal jail for each municipality participating in the regional jail authority; and to provide for the composition, terms and powers of the board of directors of the regional jail authority, including the issuance of bonds by the authority.

**Energy Cost Savings Contracts** (SB86, Act 2006-93): To amend Section 41-16-143 of the Code of Alabama 1975, authorizing governmental units to enter into guaranteed energy cost savings contracts, to further provide for the time over which the contracts may be required to guarantee that the cost savings measures from the contracts will exceed the cost of the contracts and the time period over which payments may be made under the contracts.

**Water and Sewer Systems – Voluntary Checkoff for Volunteer Fire Departments** (SB91, Act 2006-203): Relating to county water systems incorporated pursuant to Chapter 88 or other portions of Title 11, Code of Alabama 1975, and municipal water systems incorporated pursuant to Chapter 50 or other portions of Title 11, Code of Alabama 1975; to authorize such systems to solicit their customers, through their periodic billings, for voluntary contributions for local volunteer fire departments; to require prior authorization of the board of directors to participate; to provide for the distributions of such contributions; and to require volunteer fire departments to provide monthly estimates of water used to the water system providing water.

**Municipal and County Housing Authority Bonds** (SB146, Act 2006-188): Relating to municipal and county housing authorities; to amend Sections 24-1-32 and 24-1-71, Code of Alabama 1975, to authorize municipal and county

housing authorities to sell bonds at a private sale to a government-sponsored enterprise.

**Compensation of Supernumerary Tax Officials** (SB191, Act 2006-108): To amend Section 40-6-3, Code of Alabama 1975, relating to the compensation of supernumerary ad valorem tax officials, to provide for future cost-of-living increases in compensation equal to and on the same terms and conditions as increases in compensation of other county retirees, when granted by the county commissions.

**Competitive Bids – National Cooperative Bidding Program** (SB193, Act 2006-279): To amend Sections 16-51, as amended by Act No. 2004-487, 2004 Regular Session, and 41-16-54, Code of Alabama 1975, pertaining to the competitive bidding on public contracts; to exempt purchases of goods available to a county commission as a result of competitive bidding by a national cooperative bidding program; to provide further for notification of proposed purchases.

**Court Ordered Methods of Election** (SB219, Act 2006-252): To require that the method of election and the number to be elected ordered by a federal court be retained by the boards of education, county commissions and municipal governing bodies until such time as changes may be made in accordance with general or local law.

**DUI – Prior Convictions in Other States** (SB230, Act 2006-298): To amend Section 32-5A-191, Code of Alabama 1975, relating to driving while under the influence of alcohol or a controlled substance; to provide that a prior conviction for driving under the influence of alcohol or drugs from this state, a municipality within this state or another state or territory or a municipality of another state or territory could be considered by a court for enhancement of the sentence of a person who is convicted for driving under the influence.

**State Employees – Cost-of-Living Increase** (SB250, Act 2006-421): To provide for a five percent cost-of-living salary increase for certain state employees for the fiscal year beginning Oct. 1, 2006.

**Duties of Municipal Court Magistrates** (SB279, Act 2006-412): To amend Section 12-14-51, Code of Alabama 1975, to expand the duties of municipal court magistrates under certain conditions.

**ERS – Cost-of-living Increase** (SB284, Act 2006-510): To provide for a cost-of-living increase to certain retirees and beneficiaries of the Employees' Retirement System.

**Terrorism – Endangering Food and Water Supply** (SB308, Act 2006-508): To create the crime of endangering the food supply and endangering the water supply; to provide penalties; to amend Section 13A-10-151, Code of Alabama

*continued page 36*



WHEREAS, the current issues being debated by Congress tend to eliminate local cable franchising authority altogether, cripple local governments' ability to manage the rights-of-ways, immediately eliminate all existing franchise agreements (new provisions would be applicable to all video service providers, both existing cable companies and new entrants), severely damage cities' ability to ensure that the public is compensated for use of the public rights-of-way by significantly limiting cities' authority to collect the current five percent cable franchise fees by, limiting fees to the cost of managing the rights of way, limiting what can be included in the gross revenue base, eliminate any fee (above the franchise fee) for ROW construction permits, eliminate institutional networks and limit PEG capacity to no more than four channels, eliminate PEG capital grants, eliminate local government authority to impose any consumer protection obligations (all rules will be adopted at a federal level and enforced by state commissions), eliminate the prohibition on economic redlining and preclude local government from imposing any build out requirements on video service providers; and prohibit municipalities from providing communications services without first giving the private sector a right of first refusal,

NOW, THEREFORE, BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on the 9th day of May, 2006, that they do urge Congress to abstain from the pressures of the telecommunication industry in hindering current municipal authorities and reducing the franchise, business license and right of way fees paid to municipal governments by telecommunication providers.

## **RESOLUTION NO. 47**

WHEREAS, Councilmember Cynthia McCollum was elected to serve as Second Vice President of the National League of Cities at its annual Congress of Cities this past December; and

WHEREAS, Councilmember McCollum is the first elected official from the State of Alabama to be elected to this position and is in line to serve as President of the National League of Cities in 2008, representing not only Alabama but cities and towns throughout America; and

WHEREAS, Councilmember McCollum has served on a variety of committees and in several leadership positions for the National League of Cities since becoming a member in 1989; and

WHEREAS, Councilmember McCollum has worked closely with the Alabama League of Municipalities serving on the League's Executive Committee; the Committee on

Finance, Administration and Intergovernmental Relations; and as vice chair of the League's Municipal Workers Compensation Fund; and

WHEREAS, Councilmember McCollum has completed both the League's Certified Municipal Official and Advanced Certified Municipal Official programs; and

WHEREAS, Councilmember McCollum has provided invaluable guidance to her municipality and its employees throughout her tenure, serving as president of the Council and as Council President Pro Tem;

NOW, THEREFORE, BE IT RESOLVED, by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that we do hereby acknowledge and congratulate Councilmember McCollum for her unprecedented accomplishment in being elected as Second Vice President for the National League of Cities and commend her for her grace and dignity as an elected official.

## **RESOLUTION NO. 48**

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they memorialize the following persons who have died in office since our last convention, namely: Johnnie Daughtery, councilmember, McIntosh; Tommy G. Nelson, mayor, Red Bay; Carolyn Dennis, mayor, Grant; William Shuttlesworth, Jr., councilmember, West Jefferson; Robert Thomas, councilmember, Attalla; and Joyce Sanford, councilmember, Moulton.

BE IT FURTHER RESOLVED that the following former officials be memorialized: Gerald D. Kelley, Sr., councilmember, Geneva; Bobby Wood, mayor, Athens; Jim Isaac, mayor, Forkland; John W. Blackwell, mayor, Russellville; Tommy Roden, councilmember and mayor, Holly Pond; Robert M. "Bob" Davis, mayor, Cedar Bluff; Gerald Ash, mayor, Springville; Robert B. Doyle, mayor, Mobile; Pat C. Reynolds, mayor, Vestavia Hills; Jack Bush, mayor, Alexander City; Joe Smitherman, mayor, Selma; Lonnie Crawford, mayor, Scottsboro; W. Miles Prater, mayor, Millport; Earl D. James, mayor, Montgomery; Hoyt Warsham, Gadsden public works commissioner; J.R. Sanders, mayor, Goshen; Perry Young, mayor, Lineville; Wallace Thompson, mayor, Sylvan Springs; Bobbie Bradberry, councilmember, Westover; Tom Peavy, city engineer, Mobile; Roscoe Winn, mayor, Ohatchee; Otto Duke, councilmember, Greenville; B.G. Wells, councilmember, Greenville; J. Bernard, mayor, Mt. Vernon;

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# Final Report on the Regular Session — continued from page 34

1975, to make endangering the food supply and endangering the water supply specified offenses.

**Utility Taxes – Telephone and Telegraph Companies** (SB316, Act 2006-292): To amend Sections 40-21-80, 40-21-82, 40-21-100, and 40-21-102, Code of Alabama 1975, relating to the taxation of public utilities that provide telegraph service or telephone service; to provide definitions relating to the sourcing of telegraph or telephone services; to provide rules concerning the sourcing of gross receipts and gross sales for public utilities that furnish telegraph or telephone services in Alabama.

**Sale of Abandoned Motor Vehicles** (SB373, Act 2006-414): To amend Sections 32-13-3, 32-13-4, and 32-13-6, Code of Alabama 1975, relating to abandoned motor vehicles, to provide for procedures related to the sale of abandoned motor vehicles; and to repeal Sections 12-19-76 and 32-13-7, Code of Alabama 1975.

**Industrial Development Authority** (SB451, Act 2006-417): To amend Act 91-635, 1991 Regular Session (Acts 1991, p. 1193), as amended by Act 97-645, 1997 Regular Session (Acts 1997, p. 1188), and Act 99-590 and Act 99-591, 1999 Regular Session (Acts 1999, pp. 1349, 1352), relating to grants by the State Industrial Authority, to alter the amounts of the grants and to amend Section 40-25-23, Code of Alabama 1975, relating to the distribution of the tax on tobacco products, to provide that a certain amount be distributed to the State Industrial Development Authority for a funding source for the grants.

## Proposed Constitutional Amendments

**HB623, Act 2006-304** – Cleburne County Sheriff authorized to participate in Employees' Retirement System

**HB624, Act 2006-308** – Cleburne County Sheriff authorized to participate in Employees' Retirement System

**HB683, Act 2006-305** – Mayors who serve as utility superintendent authorized to participate in Employees' Retirement System

**HB725, Act 2006-318** – Shelby County voter registration list

**HB729, Act 2006-313** – Tuscaloosa County court costs

**HB775, Act 2006-512** – Macon County Board of Education

**HB783, Act 2006-314** – Baldwin County ad valorem rates frozen for those over 65 years old

**HB821, Act 2006-317** – Baldwin County Commission limited home rule powers

**HB828, Act 2006-457** – Butler County officials authorized to participate in ERS

**SB92, Act 2006-111** – DeKalb County elected officials authorized to participate in the Employers' Retirement System

**SB340, Act 2006-110** – Autauga County court costs

**SB459, Act 2006-232** – Escambia County elected officials authorized to participate in Employers' Retirement System

**SB466, Act 2006-514** – Tuscaloosa County court costs

**SB471, Act 2006-280** – Baldwin County Judicial Commission

**SB483, Act 2006-307** – Baldwin County wastewater utilities – sewer service

**SB586, Act 2006-513** – Sumter County ad valorem tax

These bills will be presented to the voters for ratification at an upcoming election.

## Local Bills

**HB45, Act 2006-337** – Calhoun County court costs

**HB65, Act 2006-239** – Jefferson County court costs

**HB85, Act 2006-217** – Prichard mayor and council compensation and expenses

**HB144, Act 2006-250** – Big Oak Ranch in Springville exempt from state and local sales taxes

**HB230, Act 2006-338** – Limestone County sheriff – pistol and badge

**HB233, Act 2006-220** – Macon County officials' compensation

**HB273, Act 2006-90** – Covington County Commission compensation

**HB274, Act 2006-91** – Covington County Commission contingent fund increased

**HB286, Act 2006-115** – Jackson County transfer of water from Tennessee River Basin

**HB309, Act 2006-556** – Barber Vintage Motorsports Museum tax exemption

**HB322, Act 2006-92** – Macon County sheriff or police chiefs authorized to sell abandoned property

**HB357, Act 2006-357** – Mobile County election laws

**HB379, Act 2006-339** – Birmingham Retirement System

**HB387, Act 2006-340** – Mobile County election officers

**HB421, Act 2006-241** – Houston County fire protection fee for volunteer fire departments

**HB460, Act 2006-341** – Madison County Tennessee River Preservation Act

**HB474, Act 2006-223** – Autauga County Sheriff Service of Process Fund

**HB522, Act 2006-342** – Mobile County Commission vacancies filled by special election

**HB539, Act 2006-233** – Civil Service Board in certain Class 4 cities

**HB579, Act 2006-391** – Chilton County lodging tax

**HB583, Act 2006-343** – Limestone County revenue commissioner & license commissioner expenses

**HB620, Act 2006-603** – Morgan County transfer of water from Tennessee River Basin

**HB628, Act 2006-243** – Sylacauga Civil Service Board compensation

**HB638, Act 2006-392** – Daphne municipal judges and magistrates warrant recall fee

**HB645, Act 2006-393** – Wilcox County ad valorem taxes

**HB674, Act 2006-606** – Lawrence County transfer of water from Tennessee River Basin

**HB679, Act 2006-345** – Wilcox County additional property tax for hospital

**HB680, Act 2006-615** – Christian Service Centers of the Covington Baptist Association, Inc. sales and use tax exemption

**HB682, Act 2006-389** – BayFest, Inc. exempt from municipal sales and use taxes

**HB686, Act 2006-346** – Marshall County TVA payments

**HB696, Act 2006-347** – Madison County TVA payments

**HB698, Act 2006-244** – Lauderdale County fire protection districts

**HB699, Act 2006-348** – Class 5 cities (Dothan) elections

**HB700, Act 2006-349** – Dothan Board of Education

**HB703, Act 2006-390** – Dale County Fire Protection and Emergency Medical Services

**HB704, Act 2006-328** – Montgomery Water Works and Sanitary Sewer Board retirement

**HB709, Act 2006-359** – Russell County motor vehicles issuance fee

**HB710, Act 2006-360** – Russell County probate judge recording fees

**HB721, Act 2006-351** – Macon County lodging tax

**HB722, Act 2006-505** – Macon County draft or keg beer

**HB723, Act 2006-361** – Limestone County Tennessee River Preservation Act

**HB737, Act 2006-330** – Butler County Board of Registrars compensation

**HB740, Act 2006-363** – Houston County draft or keg beer

**HB743, Act 2006-395** – Tuscaloosa County solicitor's fee

**HB744, Act 2006-364** – Baldwin County Board of Equalization mileage expense

**HB745, Act 2006-365** – Baldwin County Board of Education mileage expense

**HB747, Act 2006-396** – Chambers County sales and use tax

**HB749, Act 2006-506** – Monroeville sale of draft beer

**HB752, Act 2006-397** – Cullman County sales and use tax

**HB762, Act 2006-367** – Hoover employees called into military service – health benefits

**HB768, Act 2006-399** – Dallas County probate judge compensation

**HB790, Act 2006-368** – Cullman County juvenile court cases

**HB800, Act 2006-331** – Coffee County election officials' expense allowance

**HB804, Act 2006-370** – Wilcox County judge of probate recording fees

**HB806, Act 2006-372** – Geneva County court costs

**HB807, Act 2006-373** – Colbert County Tennessee River Preservation Act

**HB812, Act 2006-375** – Clay County economic development zone

**HB815, Act 2006-377** – Lauderdale County lodging tax

**HB816, Act 2006-378** – Limestone County TVA payments

**HB819, Act 2006-379** – Monroe County judge of probate and chief clerk compensation

**HB822, Act 2006-380** – Clarke County municipal option elections for alcoholic beverages

**HB825, Act 2006-381** – Houston County manufactured home sales

**HB827, Act 2006-382** – Cherokee County judge of probate duties

**HB830, Act 2006-383** – Russell County Historical Commission exempt from certain county and municipal sales and use taxes

**HB835, Act 2006-609** – Baldwin County planning and zoning

**SB39, Act 2006-201** – Baldwin County court costs applicable to juvenile cases clarified

**SB96, Act 2006-187** – Jackson County sheriff – pistol and badge

**SB169, Act 2006-401** – Class 1 & 2 cities ABC licenses

**SB296, Act 2006-300** – Baldwin County and municipalities impact fees on new development

**SB374, Act 2006-194** – Elmore County sales tax for jails

*continued next page*

**SB457, Act 2006-247** – Perry County revenue commissioner

**SB465, Act 2006-592** – Tuscaloosa County fire protection districts

**SB468, Act 2006-253** – Lauderdale County election officer compensation

**SB488, Act 2006-626** – Russellville Personnel Board

**SB491, Act 2006-593** – Limestone County transfer from Tennessee River Basin

**SB505, Act 2006-594** – Class 1 city firefighters' physical requirements

**SB513, Act 2006-403** – Tuscaloosa County solicitor's fee

**SB520, Act 2006-385** – Houston and Henry County additional circuit judge

**SB538, Act 2006-567** – Hoover city employees called into military service

**SB549, Act 2006-568** – Jefferson County poll workers

**SB550, Act 2006-404** – DeKalb County TVA payments

**SB556, Act 2006-355** – Talladega County additional judgeship

#### **Annexation Bills**

**HB187, Act 2006-88** – Lincoln

**HB204, Act 2006-635** – Irondale

**HB477, Act 2006-242** – Alabaster

**HB635, Act 2006-225** – Florence

**HB690, Act 2006-394** – Satsuma

**HB692, Act 2006-616** – Helena

**HB693, Act 2006-358** – Helena

**HB761, Act 2006-366** – Bay Minette

**HB799, Act 2006-369** – Foley

**HB810, Act 2006-374** – Foley

**HB836, Act 2006-610** – Elberta

**SB498, Act 2006-278** – South Vinemont

**SB570, Act 2006-569** – Vance

**SB571, Act 2006-653** – Woodstock

#### **Joint Resolutions Enacted of Interest to Municipalities**

**HJR 479, Act 2006-476** – Task Force to study Alabama's procurement laws


**HJR 653, Act 2006-500** – Alabama Building Code Study Commission ■

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# Resolutions

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Claude Brown, councilmember, Dauphin Island; Oliver Stephens, mayor, Slocomb; Wayne Sullivan, councilmember, Pinckard; Robert W. Parrett, councilmember, Selma; Esther Bryant, councilmember, Rutledge; Timothy Brasher, councilmember, Wilsonville; James "Satch" McGilvary, councilmember, Eufaula; John Garrison, councilmember, Trussville; and Everett Jones, mayor, Trussville.

## RESOLUTION NO. 49

WHEREAS, Robert B. Doyle, Jr., former mayor of Mobile, Alabama, faithfully served his community and its citizens for three terms beginning in 1969; and

WHEREAS, Mayor Doyle was elected by his municipal colleagues from the State of Alabama to serve as President of the Alabama League of Municipalities from 1978-1979; and

WHEREAS, after his tenure as President of the League, Mayor Doyle continued to faithfully support the League through active involvement on League standing committees; and

WHEREAS, Mayor Doyle's belief in hard work and caring service to his community and its citizens were his guiding principles,

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do memorialize Mayor Robert B. Doyle, Jr., and pay tribute to the many years of dedicated service he gave to the Alabama League of Municipalities and to the City of Mobile. His devotion to municipal government and his friendship will be missed by his colleagues throughout the state.

## RESOLUTION NO. 50

WHEREAS, Earl D. James, former mayor of Montgomery, Alabama, faithfully served his community and its citizens from 1959 until 1971; and

WHEREAS, Mayor James was elected by his municipal colleagues from the State of Alabama to serve as President of the Alabama League of Municipalities from 1966 to 1967; and

WHEREAS, after his tenure as President of the League, Mayor James continued to faithfully support the League through active involvement on League standing committees; and

WHEREAS, Mayor James' belief in hard work and caring service to his community and its citizens were his guiding principles,

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that

they do memorialize Mayor Earl D. James and pay tribute to the many years of dedicated service he gave to the Alabama League of Municipalities and to the City of Montgomery. His devotion to municipal government and his friendship will be missed by his colleagues throughout the state.

## RESOLUTION NO. 51

WHEREAS, Bobby Hayes, Mayor of Pelham, Alabama, has served as President of the Alabama League of Municipalities for the past year; and

WHEREAS, Mayor Hayes' diligent attention to duty and outstanding leadership on behalf of the League and its members has led to the growth and well-being of the League especially during the past year; and

WHEREAS, the members of the League shall always be most grateful for Mayor Hayes' years of unselfish service and untiring efforts to promote the programs, projects and philosophy of the League;

BE IT RESOLVED by the Delegates of the Alabama League of Municipalities in Convention assembled in Mobile, Alabama, on this the 9th day of May, 2006, that they do recognize and commend Mayor Hayes for his service as a municipal official in the State of Alabama and as a leader of our state organization and that they do wish him well in all of his future endeavors.

## Congratulations, Bobby!



Mayor Lew Watson of Lincoln (right), incoming League president, presents Mayor Bobby Hayes of Pelham (left), immediate past president of the League, with a plaque of appreciation for his service.



# Opening Session Address ————— continued from page 5

rates to fund almost any municipal equipment or project. AMFund takes advantage of the economies of scale offered through pooled financing, which allows municipalities to share issuance costs to reduce each borrower's costs, and participates in bond issues of sufficient size to enable the borrowers to achieve attractive pricing.

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AMFund is managed by a board of directors composed of municipal elected officials. Mayor Steve Means from Gadsden chairs this board and Mayor Roy Dobbs from Berry serves as vice chair. The other members of this board are Mayor Jim Byard of Prattville, Mayor Wally Burns of Southside and Councilmember Charles Woods from Childersburg. We are grateful for their assistance with and sound management of AMFund.


We would also like to thank: **Credit Provider**, U.S. Bank; **Trustee**, J.P. Morgan; **Bond Counsel**, Bradley,

Arant, Rose & White; **Financial Advisor**, Lawrenson Services, Inc.; **Underwriters/Remarketers**, Sterne, Agee & Leach Thornton Farrish, Inc.

The League and AMFund look forward to working to invest in the future of Alabama's municipalities for years to come.

I would be remiss if I did not thank the members of the Pelham City Council and all of the city staff. They have let me serve you this year, and have always been behind me and our League. I especially want to thank Donna Treslar who has been my executive assistant for many years, and last year assumed the position and responsibilities of city clerk. However, I did not allow her to move her office, and she has remained working in the office adjoining mine, where she has been keeping a close eye on me as my assistant as well as city clerk.

Again, I thank you for the privilege of serving as your League president for the past year. May God bless you and your communities. ■



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