

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS  
OFFICE OF WATER RESOURCES  
AND  
ALABAMA WATER RESOURCES COMMISSION  
ADMINISTRATIVE CODE

CHAPTER 305-7-3  
OFFICERS

TABLE OF CONTENTS

305-7-3-.01	Officers
305-7-3-.02	Chairperson
305-7-3-.03	Vice Chairperson
305-7-3-.04	Secretary
305-7-3-.05	Vacancies In Offices

305-7-3-.01      Officers.

The officers of the Commission shall be a Chairperson, Vice-Chairperson and Secretary. The initial Chairperson of the Commission shall be selected by the Governor for a term of two (2) years from the effective date of the Act. The initial Vice-Chairperson of the Commission shall be elected by a majority vote of the members of the Commission at a regular meeting of the Commission. The Chairperson and the Vice-Chairperson of the Commission, after the expiration of the term of the initial Chairperson as provided by the Act, shall be elected from the membership of the Commission and serve a term of two (2) calendar years; provided, however, that any Chairperson, prior to his election to office, shall have served at least two (2) years on the Commission before assuming the position of the Chairperson. In the event that no member of the Commission has served for more than two (2) years in such capacity, the Commission shall elect a Chairperson from among the members of the Commission. All officers of the Commission shall continue to serve, after their lawful appointment or election, until such time as a successor in office is duly elected by the Commission. The election of the officers of the Commission shall be held at a regular meeting of the Commission.

**Author:** Walter B. Stevenson, Jr.

**Statutory Authority:** Code of Ala. 1975, §§9-10B-15, 9-10B-18.

**History:** Filed: October 20, 1993; Adopted: December 9, 1993;  
Effective: February 22, 1994.

**305-7-3-.02      Chairperson.**

The duties of the Chairperson shall be as follows:

- (1) Preside at all meetings of the Commission and have the duties normally conferred by parliamentary procedure for such office;
- (2) Execute instruments and documents on behalf of the Commission;
- (3) Submit information and recommendations regarding the business affairs and policies to the Commission; and
- (4) Make appointments to committees authorized by the Commission.

**Author:** Walter B. Stevenson, Jr.

**Statutory Authority:** Code of Ala. 1975, §§9-10B-15, 9-10B-18.

**History:** Filed: October 20, 1993; Adopted: December 9, 1993;  
Effective: February 22, 1994.

**305-7-3-.03      Vice Chairperson.**

The term of office of the Vice-Chairperson: shall be concurrent with the term of the Chairperson. The duties of the Vice-Chairperson shall be as follows:

- (1) In the absence or disability of the Chairperson, perform the duties and exercise the powers of the Chairperson;
- (2) Perform other duties as may be delegated or required by the Commission; and
- (3) Succeed to the office of Chairperson in the event of a vacancy created by the previously duly elected or appointed Chairperson of the Commission. In such event, the Vice-Chairperson shall continue to serve as Chairperson of the Commission until such time as a special election to fill the office of Chairperson has been held.

**Author:** Walter B. Stevenson, Jr.

**Statutory Authority:** Code of Ala. 1975, §9-10B-18.

**History:** Filed: October 20, 1993; Adopted: December 9, 1993;  
Effective: February 22, 1994.

**305-7-3-.04      Secretary.**

The Division Chief of the Office of Water Resources shall be ex-officio Secretary of the Commission and shall not vote on any matters coming before the Commission. The duties of the Secretary shall be as follows:

- (1) Prepare, with the approval of the Chairperson, the agenda for all meetings;
- (2) Keep a record of all proceedings (minutes) of the Commission;
- (3) Perform, or delegate to other members of the Office of Water Resources, the duties of Secretary for any Committee established by the Commission;
- (4) Maintain records and related reports of the Commission and any Committees at the Office of Water Resources, as a permanent record of the Commission;
- (5) Attest to instruments and documents officially acted upon by the Commission;
- (6) Submit such recommendations and information as may be considered proper concerning the business affairs and policies of the Commission;
- (7) Affix the seal of the Commission and attest by signature, all contracts and instruments as may be required by the Commission or applicable law;
- (8) Administer the provisions of the Commission's Rules, orders, and procedures established thereunder;
- (9) Be custodian of all property held in the name of the Commission; and
- (10) Appoint an "Acting Secretary," when necessary, to carry out the duties of the Secretary during temporary absences of the Secretary. Such Acting Secretary shall be an employee of the Office of Water Resources.

**Author:** alter 8. Stevenson, Jr.

**Statutory Authority:** Code of Ala. 1975, §§9-10B-17, 9-10B-18.

**History:** Filed: October 20, 1993; Adopted: December 9, 1993;  
Effective: February 22, 1994.

**305-7-3-.05      Vacancies In Offices.**

If the office of the Chairperson of the Commission is vacant due to death, disability, resignation or for any other reason, the Vice-Chairperson shall immediately assume the responsibilities of the Chairperson and shall continue to serve in such capacity until such time as that vacancy has been filled by a special election held by the Commission. If the office of the Vice-Chairperson is vacant due to death, disability, resignation or for any other reason, that vacancy shall be filled by a special election held by the Commission. If the office of Secretary is vacant due to death, disability, or resignation of the Division Chief of the Office of Water Resources, an Acting Secretary from the Office of Water Resources shall be appointed by the Chairperson to perform the duties of the Secretary until such time as the Division Chief of the Office of Water Resources is duly appointed. The Acting Secretary shall have the authority to carry out all of the functions and duties of the office of Secretary.

**Author:** Walter B. Stevenson, Jr.

**Statutory Authority:** Code of Ala. 1975, §9-10B-18.

**History:** Filed: October 20, 1993; Adopted: December 9, 1993;  
Effective: February 22, 1994.