

1 SJR13  
2 96439-3  
3 By Senators Mitchem, Bedford, Means, Coleman, French, Holley,  
4 Butler, and Orr  
5 RFD:  
6 First Read: 07-FEB-08

1 SJR13

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4 ENROLLED, SJR13,

5 CREATING THE COMMISSION TO ENHANCE THE ENFORCEMENT  
6 OF ALABAMA'S LITTER LAWS.

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8 WHEREAS, the State of Alabama has a significant  
9 problem with unsightly litter along its state and local  
10 highways, roads, and rights-of-way caused by the careless  
11 disregard for the litter laws of this state; and

12 WHEREAS, the presence of litter along the state's  
13 highways, roads, and rights-of-way creates a health hazard and  
14 a public nuisance, in addition to detracting from the beauty  
15 of the state; and

16 WHEREAS, the presence of litter along the state's  
17 highways, roads, and rights-of-way can negatively impact the  
18 diligent efforts being made at the state and local levels to  
19 attract economic and industrial development in the state as  
20 well as efforts to promote the state as an attractive tourist  
21 location; and

22 WHEREAS, it has been very difficult to enforce  
23 Alabama's litter laws at the state or local level in recent  
24 years, where approximately 200 citations for litter violations  
25 were issued statewide in 2005; now therefore,

1           BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
2           HOUSES THEREOF CONCURRING, That there is hereby created the  
3           Commission to Enhance the Enforcement of Alabama's Litter  
4           Laws, hereinafter the "commission." The commission shall be  
5           composed of the following members:

6                   (1) Four members appointed by the Speaker of the  
7           House of Representatives, one of whom shall be a member of the  
8           House of Representatives, one of whom shall be a  
9           representative of county government, one of whom shall be a  
10          representative of municipal law enforcement, and one of whom  
11          shall be a representative of the business community.

12                   (2) Two members appointed by the President Pro  
13          Tempore of the Senate, one of whom shall be a member of the  
14          Senate and one of whom shall be a representative of People  
15          Against a Littered Society (PALS).

16                   (3) Two members appointed by the Lieutenant  
17          Governor, one of whom shall be a sheriff and one of whom shall  
18          be a representative of municipal government.

19                   (4) Four members appointed by the Governor, one of  
20          whom shall be a representative of state law enforcement, one  
21          of whom shall be a representative of the Department of  
22          Economic and Community Affairs, one of whom shall be a  
23          representative of the Department of Transportation, and one of  
24          whom shall be a representative of the Department of  
25          Conservation and Natural Resources.

1           (5) One member appointed by the Chief Justice of the  
2 Alabama Supreme Court, who shall be a representative of the  
3 Administrative Office of Courts.

4           To the extent possible, members of the committee  
5 shall reflect the racial, ethnic, gender, geographic,  
6 urban/rural and economic diversity of the state. All  
7 appointments to the commission shall be made in writing and  
8 filed with the Clerk of the House of Representatives no later  
9 than 45 days following the date of enactment of this  
10 resolution. An organizational meeting of the commission shall  
11 be set by the Speaker of the House of Representatives no later  
12 than 60 days following the conclusion of the 2008 Regular  
13 Session of the Legislature, and at that meeting a chair and  
14 vice chair of the commission shall be elected by a majority  
15 vote from among the commission members. The vice chair shall  
16 serve as acting chair in the absence or incapacity of the  
17 chair. The commission shall thereafter meet at times specified  
18 by a call of the chair or upon a vote of four or more  
19 commission members.

20           The commission shall make a comprehensive study of  
21 Alabama's litter laws and the enforcement of those laws  
22 related to littering along Alabama's highways, roads, and  
23 rights-of-way including, but not limited to, all of the  
24 following:

1           (1) A determination of the conditions hindering  
2 effective enforcement.

3           (2) The possible steps which may be taken to improve  
4 enforcement with or without additional legislation.

5           (3) Consideration of possible programs which may be  
6 established to provide incentives for more effective  
7 enforcement of litter laws.

8           (4) Any other programs or initiatives the commission  
9 believes will assist in enhancing and ensuring effective  
10 enforcement of laws prohibiting the littering of Alabama's  
11 highways, roads, and rights-of-way.

12           The commission may create and appoint members to  
13 advisory committees, which may include members of the  
14 commission, representatives from state governmental agencies,  
15 representatives from local governments and local governmental  
16 agencies, representatives from interested private companies  
17 and nonprofit organizations with an interest in litter or  
18 litter-related issues such as highway beautification or  
19 recycling, and other members of the public with interest and  
20 expertise in the objectives of the commission. Each advisory  
21 committee shall be chaired by a member of the advisory  
22 committee who shall be elected by the members of the advisory  
23 committee and shall make reports to the commission as directed  
24 by the commission.

1           The commission shall continue through the current  
2 quadrennium of the Alabama Legislature and may meet, act, and  
3 conduct its business at any place within this state during the  
4 sessions of the Legislature or any recess thereof, and in the  
5 interim period between sessions. The commission shall report  
6 its initial findings, conclusions, and recommendations  
7 concurrently to the House of Representatives and the Senate  
8 not later than the fifth legislative day of the 2009 Regular  
9 Session and shall make a final report no later than November  
10 1, 2010.

11           Upon request of the chair of the commission, the  
12 Clerk of the House of Representatives and the Secretary of the  
13 Senate shall provide necessary clerical assistance for the  
14 work of the commission. Each non-legislative member of the  
15 commission may be reimbursed for expenses incurred in  
16 attending meetings of the commission as authorized for state  
17 officers in the service of the state as provided in Article 2,  
18 commencing with Section 36-7-20, Chapter 7, Title 36, Code of  
19 Alabama 1975. Upon requisition signed by the chair or vice  
20 chair of the commission, these payments shall be paid out of  
21 any funds appropriated to the use of the House of  
22 Representatives or Senate by means of warrants drawn by the  
23 Comptroller on the Sate Treasury.

24           Legislative members of the commission shall be  
25 entitled to regular legislative compensation, per diem, and

1 travel expenses for each day in attendance at a meeting of the  
2 commission, which shall be paid out of any funds appropriated  
3 to the use of the Legislature, upon warrants drawn on the  
4 Comptroller upon requisitions signed by the chair of the  
5 commission. Notwithstanding the foregoing, no legislative  
6 member shall receive additional legislative compensation or  
7 per diem when the Legislature is in session or if a member is  
8 being paid any other payments on the same dates for attendance  
9 of other state business. The total expenditures of the  
10 Legislature for commission business shall not exceed five  
11 thousand dollars (\$5,000).

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SJR13  
Senate 07-FEB-08  
I hereby certify that the within Senate Joint Resolution  
originated in and was adopted by the Senate.

McDowell Lee  
Secretary

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House of Representatives  
Adopted: 12-FEB-08

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By: Senator Mitchem