

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

CHAPTER 305-7-1  
ORGANIZATION AND GENERAL OPERATION OF THE ALABAMA  
WATER RESOURCES COMMISSION

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305-7-1-.01 Name Of The Commission. The name of the Commission shall be the Alabama Water Resources Commission "Commission."

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

**Statutory Authority:** Code of Ala. 1975, §§9-10B-2, 9-10B-12.

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

305-7-1-.02 Seal Of The Commission. The Commission may adopt a seal. The Commission Secretary shall have possession of the seal.

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

**Statutory Authority:** Code of Ala. 1975, §9-10B-16.

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

305-7-1-.03 Office Of The Commission. The administrative office of the Commission shall be at the Office of Water Resources in the Alabama Department of Economic and Community Affairs in the City of Montgomery, Montgomery County, State of Alabama. The Commission may have branch offices at such other places as it may from time to time designate.

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

**Statutory Authority:** Code of Ala. 1975, §9-10B-16.

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

**305-7-1-.04 Duties Of The Commission.** The duties of the Commission are as follows:

(1) To advise the Governor and the presiding officers of the Alabama Senate and Alabama House of Representatives, as necessary or as requested, on all matters relating to the waters of the state as provided in the Act;

(2) To provide guidance to the Director of the Alabama Department of Economic and Community Affairs and the Division Chief of the Office of Water Resources on all matters within the Commission's scope of authority;

(3) To advise in the formulation of policies, plans, and programs of the Office of Water Resources in the performance of its functions and duties;

(4) To establish, adopt, promulgate, modify, repeal, and suspend any rules or regulations authorized pursuant to the Act which may be applicable to the state as a whole, or any of its geographical parts, and to consider the adoption of any rule or regulation recommended by the Division Chief of the Office of Water Resources;

(5) To advise the Office of Water Resources regarding the implementation of policies, plans, and programs governing the waters of the state;

(6) To hear and determine appeals of administrative actions of the Office of Water Resources, including the administration of Certificates of Use or the issuance, modification, or repeal of any order, notice of violation or citation issued pursuant to the Act; and

(7) To implement, perform and carry out all of the responsibilities and obligations of the Commission pursuant to the Act.

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

**Statutory Authority:** Code of Ala. 1975, §9-10B-16.

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

**305-7-1-.05 Prohibited Activities.** No member of the Commission, including the Secretary, shall:

(1) Use their position to obtain direct personal financial gain for their self, or their family, or any business with which they or a member of their family are associated unless such use and gain are specifically authorized by law;

(2) Solicit or receive any money, other than that received in their official capacity, for advice or assistance on matters concerning the legislature, an executive department, public regulatory board, commission or other body;

(3) Disclose confidential information gained in the course of, or by reason of, their position or employment that in any way could result in financial gain other than their legal reimbursements as a member of the Commission;

(4) Solicit or accept from any person anything of value, including a promise of future employment, a favor, or service while serving as a member or Secretary of the Commission;

(5) Participate in any proceeding or vote on any matter in which the Commission member, their family, or any business with which the member or their family is associated has a pecuniary interest. After declaring any pecuniary interest to the parties, if the parties do not oppose the member from sitting in proceedings, the record shall note clearly the waiver by the parties. This provision is not to imply that the Commission members can in any way be granted immunity from provisions of the Ethics Act and the requirements set out therein; and

(6) Fail to comply in all ways with the Alabama Code of Ethics (Code of Ala. 1975, §§ 36-25-1, et seq.).

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

**Statutory Authority:** Code of Ala. 1975, §9-10B-12**History:** Filed: October 20, 1993; **Adopted:** December 9, 1993; Effective: February 22, 1994.