

1 SB323
2 115685-2
3 By Senators Singleton, Means, Butler, Marsh, Waggoner, Brooks,
4 Mitchell, Penn, Smith, Little (Z), Barron, Smitherman, Little
5 (T), Beason, Preuitt and Bedford (Constitutional Amendment)
6 RFD: Governmental Affairs
7 First Read: 02-FEB-10

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8 SYNOPSIS: Under existing law, a member of the
9 University of Alabama Board of Trustees is required
10 to vacate office at the annual meeting of the board
11 following his or her seventieth birthday.

12 This bill would propose an amendment to
13 Section 264 of the Constitution of Alabama of 1901,
14 as amended by Amendment 399 to the Constitution of
15 Alabama of 1901, now appearing as Section 264 of
16 the Official Recompilation of the Constitution of
17 Alabama of 1901, as amended, to increase the age
18 limitation for service on the board from 70 years
19 to 75 years.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To propose an amendment to Section 264 of the
26 Constitution of Alabama of 1901, as amended by Amendment 399
27 to the Constitution of Alabama of 1901, now appearing as

1 Section 264 of the Official Recompilation of the Constitution
2 of Alabama of 1901, as amended, relating to the University of
3 Alabama Board of Trustees; to increase the age limit for
4 service on the board from 70 to 75 years.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following amendment to the
7 Constitution of Alabama of 1901, as amended, is proposed and
8 shall become valid as a part thereof when approved by a
9 majority of the qualified electors voting thereon and in
10 accordance with Sections 284, 285, and 287 of the Constitution
11 of Alabama of 1901, as amended:

12 PROPOSED AMENDMENT

13 "Section 264.

14 "The state university shall be under the management
15 and control of a board of trustees, which shall consist of two
16 members from each congressional district in the state, an
17 additional member from the congressional district which
18 includes the site of the first campus of the university, the
19 superintendent of education, and the governor, who shall be ex
20 officio president of the board. The members of the board of
21 trustees as now constituted shall hold office until their
22 respective terms expire under existing law, and until their
23 successors shall be elected and confirmed as hereinafter
24 required. The additional trustees provided for by this
25 amendment shall be elected by the existing members of the
26 board, and confirmed by the senate in the manner provided
27 below, for initial terms of not more than six years

1 established by the board so that one term shall expire each
2 three years in each congressional district. Successors to the
3 terms of the existing and additional trustees shall hold
4 office for a term of six years, and shall not serve more than
5 three consecutive full six-year terms on the board; provided
6 however that a trustee shall retire from the board and vacate
7 office at the annual meeting of the board following that
8 trustee's ~~seventieth~~ seventy-fifth birthday. Election of
9 additional and successor trustees or of trustees to fill any
10 vacancy created by the expiration of a term or by the death or
11 resignation of any member or from any other cause shall be by
12 the remaining members of the board by secret ballot; provided,
13 that any trustee so elected shall hold office from the date of
14 election until confirmation or rejection by the senate, and,
15 if confirmed, until the expiration of the term for which
16 elected, and until a successor is elected. At every meeting of
17 the legislature the superintendent of education shall certify
18 to the senate the names of all who shall have been so elected
19 since the last session of the legislature, and the senate
20 shall confirm or reject them, as it shall determine is for the
21 best interest of the university. If it rejects the names of
22 any members, it shall thereupon elect trustees in the stead of
23 those rejected. No trustee shall receive any pay or emolument
24 other than his actual expenses incurred in the discharge of
25 his duties as such. Upon the vacation of office by a trustee,
26 the board, if it desires, may bestow upon a trustee the
27 honorary title of trustee emeritus, but such status shall

1 confer no responsibilities, duties, rights, or privileges as
2 such."

3 Section 2. An election upon the proposed amendment
4 shall be held in accordance with Sections 284 and 285 of the
5 Constitution of Alabama of 1901, now appearing as Sections 284
6 and 285 of the Official Recompilation of the Constitution of
7 Alabama of 1901, as amended, and the election laws of this
8 state.

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

14 "Proposing an amendment to the Constitution of
15 Alabama of 1901, to increase the age limit for members serving
16 on the University of Alabama Board of Trustees from 70 years
17 to 75 years of age.

18 "Proposed by Act _____."

19 This description shall be followed by the following
20 language:

21 "Yes () No ()."