

1 HB379
2 206055-1
3 By Representatives Howard, McCutcheon, Daniels, England,
4 Rafferty, Lawrence, McClammy, Boyd, Hatcher, Gray, Jones (S),
5 Warren, Forte, Clarke, Hall, Moore (M), Rogers and Jackson
6 RFD: Military and Veterans Affairs
7 First Read: 03-MAR-20

SYNOPSIS: Under existing law, the membership of the Alabama Job Creation and Military Stability Commission includes the Lieutenant Governor, six legislators, two retired service members for each of the four major military facilities, one civic leader, and the agency heads of the Alabama National Guard, Alabama State Law Enforcement Agency, Alabama Department of Commerce, the Alabama Department of Veterans Affairs, and the Alabama Department of Economic and Community Affairs.

This bill would include one senator appointed to the commission by the Lieutenant Governor from the minority caucus and one representative from the minority caucus appointed to the commission by the Speaker of the House.

A BILL
TO BE ENTITLED
AN ACT

1 Relating to the Alabama Job Creation and Military
2 Stability Commission; to amend Section 31-14-3, Code of
3 Alabama 1975, as last amended by act 2019-380, 2019 Regular
4 Session, to include one senator appointed to the commission by
5 the Lieutenant Governor from the minority caucus and one
6 representative from the minority caucus appointed to the
7 commission by the Speaker of the House.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Section 31-14-3, Code of Alabama 1975, is
10 amended to read as follows:

11 "§31-14-3.

12 "(a) There is created the Alabama Job Creation and
13 Military Stability Commission. Members of the commission shall
14 include a chair and two vice chairs. The chair shall be the
15 Lieutenant Governor, or in the absence of a Lieutenant
16 Governor, the chair shall be the Governor, or his or her
17 designee. The vice chairs shall be the President Pro Tempore
18 of the Senate, or his or her designee, and the Speaker of the
19 House of Representatives, or his or her designee.

20 "(b) The commission shall also consist of the
21 following members:

22 "(1) Two members of the House of Representatives
23 appointed by the Speaker of the House of Representatives.

24 "(2) Two members of the Senate appointed by the
25 President Pro Tempore of the Senate.

26 "(3) The Adjutant General of the Alabama National
27 Guard.

1 "(4) The Secretary of the Alabama State Law
2 Enforcement Agency.

3 "(5) The Secretary of the Department of Commerce.

4 "(6) The Director of the Alabama Department of
5 Economic and Community Affairs.

6 "(7) The Commissioner of the Alabama Department of
7 Veterans Affairs.

8 "(8) One senator from the minority caucus appointed
9 by the Lieutenant Governor.

10 "(9) One representative from the minority caucus
11 appointed by Speaker of the House.

12 "~~(8)~~ (10) One retired senior member of the Armed
13 Forces for each of the four major military facilities in
14 Alabama, Redstone Arsenal, Anniston Army Depot, Maxwell Air
15 Force Base including the Gunter Annex, and Fort Rucker, who
16 shall be appointed by the Governor, after consultation with
17 the individual designated in subdivision ~~(9)~~ (11) as the civic
18 leader from the community which the senior member of the
19 military shall represent.

20 "~~(9)~~ (11) One civic leader with significant
21 experience in military relocations from each of the four
22 communities currently impacted most significantly by the
23 presence of military facilities and assigned personnel who
24 shall be appointed by the chair after consultation with the
25 existing organizations described in subsection (h).

26 "(c) Members of the commission shall serve for a
27 term of four years with each appointment, may be reappointed

1 for an unlimited number of terms, and shall serve on the
2 commission until a replacement is appointed.

3 "(d) The members of the Alabama Job Creation and
4 Military Stability Commission created by Act 2011-350, as
5 amended by Act 2013-156, shall be the initial members of the
6 commission created under this section and shall continue to
7 serve on the commission at the pleasure of the appointing
8 authority until the quadrennium commencing in 2019. Persons
9 appointed after the commencement of the quadrennium commencing
10 in 2019 shall serve a term of four years.

11 "(e) The commission shall hold its organizational
12 meeting by August 31, 2017. Thereafter, the commission shall
13 meet at the call of the chair; provided, that the commission
14 shall meet at least once annually.

15 "(f) The commission shall adopt rules for its
16 governance, including, but not limited to, the filling of
17 vacancies, the election of officers, the creation of
18 committees including an executive committee, and the execution
19 of documents. Members of the commission, the executive
20 committee of the commission, or any other committee
21 established by the commission may participate in a meeting of
22 the commission or committee by means of telephone conference,
23 video conference, or using similar communications methods by
24 means of which all individuals participating in the meeting
25 may hear one another. Participation by such means shall
26 constitute presence in person at a meeting for all purposes,
27 including for purposes of establishing a quorum. Notice of

1 meetings must be provided in accordance with the Alabama Open
2 Meetings Act and similar means of communication be allowed to
3 provide for members of the public to listen and observe
4 meetings.

5 "(g) The Secretary of the Senate, the Clerk of the
6 House of Representatives, the Legislative Services Agency,
7 Legal Division, the Legislative Services Agency, Fiscal
8 Division, and the Examiners of Public Accounts shall provide
9 assistance as requested by the commission. Each legislative
10 member of the commission and supporting staff shall be
11 entitled to his or her regular legislative compensation and
12 his or her per diem and travel expenses for each day he or she
13 attends a meeting of the commission which shall be paid out of
14 any funds appropriated for the use of the Legislature, upon
15 warrants drawn on the Comptroller upon requisition signed by
16 the commission's chair; provided, however, that members shall
17 not receive additional legislative compensation or per diem
18 when the Legislature is in session but shall receive his or
19 her travel expenses for all meetings attended.

20 "(h) The commission shall make proactive attempts to
21 ensure the stability of Alabama-assigned Department of Defense
22 resources by the study and evaluation of military
23 organizations, personnel, civilian support personnel,
24 equipment, and infrastructure currently located in the state,
25 and the re-stationing or reorganization of military resources
26 located in, relocating to, or outside of the state using the
27 following items of evaluation:

1 "(1) All Department of Defense personnel, assets,
2 and equipment, including that belonging to the Alabama
3 National Guard and Reserve units or forces.

4 "(2) The economic impact of these resources on
5 surrounding communities.

6 "(3) Current policies, programs, and services that
7 impact Department of Defense resources located in the state.

8 "(4) The impact these Department of Defense assets
9 and resources have on state and local job creation.

10 "(5) The impact of Department of Defense assets and
11 resources on local businesses and industry.

12 "(6) Funding available or required to promote the
13 sustained presence of Department of Defense assets and
14 resources appropriated to the state.

15 "(i) The commission shall not alter the purpose,
16 replace, or change the role of any existing organization, task
17 force, or committee within a military community with the
18 purpose of promoting military growth including Base Closure
19 and Realignment Commission associated actions.

20 "(j) The appointing authorities of the commission
21 shall coordinate their appointments to assure the membership
22 of the Alabama Job Creation and Military Stability Commission
23 is inclusive and reflects the racial, gender, geographic,
24 urban, rural, and economic diversity of the state.

25 "(k) The commission shall make an annual report to
26 members of the Legislature no later than the seventh

1 legislative day of each regular session beginning in 2018
2 detailing all commission activities and recommendations.

3 "(l) The commission may accept gifts, contributions,
4 bequests, grants, and other donations, whether public or
5 private, of money, real property, or personal property and
6 shall expend the same in furtherance of the work of the
7 commission.

8 "(m) The work of the commission shall be supported
9 by the Military Stability Foundation, an Alabama nonprofit
10 corporation incorporated on September 8, 2011, which shall not
11 be considered a government body. Documents produced by or for
12 such foundation shall not be considered public writings, even
13 if viewed by or delivered to the commission, as the disclosure
14 of the documents would be detrimental to the best interest of
15 the public."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.