

1 SB84  
2 205844-2  
3 By Senator Smitherman  
4 RFD: Veterans and Military Affairs  
5 First Read: 02-FEB-21  
6 PFD: 01/27/2021

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 and one representative appointed to the commission by the Lieutenant Governor from the minority caucus.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Alabama Job Creation and Military Stability Commission; to amend Section 31-14-3, Code of

1 Alabama 1975, as last amended by act 2019-380, 2019 Regular  
2 Session, to include one senator and one representative  
3 appointed to the commission by the Lieutenant Governor from  
4 the minority caucus.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

8 "§31-14-3.

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

17 "(b) The commission shall also consist of the  
18 following members:

19 "(1) Two members of the House of Representatives  
20 appointed by the Speaker of the House of Representatives.

21 "(2) Two members of the Senate appointed by the  
22 President Pro Tempore of the Senate.

23 "(3) The Adjutant General of the Alabama National  
24 Guard.

25 "(4) The Secretary of the Alabama State Law  
26 Enforcement Agency.

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

1           "(6) The Director of the Alabama Department of  
2 Economic and Community Affairs.

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

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

7           "(9) One representative from the minority caucus  
8 appointed by the Speaker of the House of Representatives.

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

17           "~~(9)~~ (11) One civic leader with significant  
18 experience in military relocations from each of the four  
19 communities currently impacted most significantly by the  
20 presence of military facilities and assigned personnel who  
21 shall be appointed by the chair after consultation with the  
22 existing organizations described in subsection (h).

23           "(c) Members of the commission shall serve for a  
24 term of four years with each appointment, may be reappointed  
25 for an unlimited number of terms, and shall serve on the  
26 commission until a replacement is appointed.

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

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

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

1 provide for members of the public to listen and observe  
2 meetings.

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

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