

1 HB767
2 139891-2
3 By Representative Warren (N & P)
4 RFD: Local Legislation
5 First Read: 01-MAY-12

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ENROLLED, An Act,

Relating to Macon County; to amend Section 2 of Act 93-875 of the 1993 First Special Session (Acts 1993 First Special Session, p. 137) as last amended by Act 2010-524 of the 2010 Regular Session (Acts 2010, p. 885), to further provide for the appointment of additional voting members to the board of directors of the Macon County Economic Development Authority, to provide for terms of members appointed by the board of directors and to remove the limitation on consecutive terms; and to amend Section 4 of Act 93-875 of the 1993 First Special Session (Acts 1993 First Special Session, p. 137) as last amended by Act 2008-463 of the 2008 Regular Session (Acts 2008, p. 900), to provide for distribution of funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act 93-875 of the 1993 First Special Session (Acts 1993 First Special Session, p. 137) as last amended by Act 2010-524 of the 2010 Regular Session (Acts 2010, p. 885) is amended to read as follows:

"Section 2. The authority shall be governed by a board of directors consisting of members to be appointed as follows: One member appointed by the Macon County Commission; one member appointed by the member of the Alabama House of Representatives who represents Macon County; one member

1 appointed by the member of the Alabama State Senate who
2 represents Macon County; one member appointed by Tuskegee
3 University; and one member appointed by the governing body of
4 each incorporated municipality in the county. Additional
5 voting members may be appointed to the board of directors by a
6 two-thirds vote of a quorum of the board of directors,
7 provided that the board of directors shall be composed of no
8 more than 13 members. No member of the board of directors
9 shall hold any elected public office. The initial terms of the
10 directors shall be staggered. Two members, the one appointed
11 by the member of the House of Representatives representing
12 Macon County and the one appointed by the member of the
13 Alabama Senate representing Macon County, shall serve for
14 initial terms of one year each. Notwithstanding the foregoing,
15 the initial member added to the board by appointment of a
16 municipality that did not appoint a member prior to the
17 effective date of this act adding this language shall serve a
18 term of four years, the initial member appointed by Tuskegee
19 University shall serve a term of four years, and the members
20 appointed by the board of directors shall serve a term of four
21 years. Any member serving on the effective date of the act
22 adding this language, except the member previously appointed
23 by Tuskegee University, shall serve the remainder of his or
24 her term. Thereafter, all members shall serve for a term of
25 four years. All members shall serve until their successors are

1 appointed and qualified. Upon a vacancy, the successor shall
2 be appointed in the same manner and by the same method as the
3 member whose place is being filled.

4 "Within 30 days after the effective date of this
5 act, the appointing authorities shall submit the names and
6 addresses of the members of the board to the judge of probate
7 and the appointments shall be filed and maintained in the
8 office of the judge of probate. The members shall elect from
9 among themselves a president, vice-president, secretary, and
10 treasurer. Each officer shall serve for a period of one year
11 or until a successor is elected to serve. No officer shall be
12 bonded, except the treasurer, who shall obtain bond as an
13 official.

14 "Ex officio nonvoting members of the board shall
15 consist of: One member from each industrial development board,
16 one member appointed by the Macon County Chamber of Commerce,
17 and one member from the Macon County Board of Education. The
18 board shall meet at least once per month."

19 Section 2. Section 4 of Act 93-875 of the 1993 First
20 Special Session (Acts 1993 First Special Session, p. 137) as
21 last amended by Act 2008-463 of the 2008 Regular Session (Acts
22 2008, p. 900) is amended to read as follows:

23 "Section 4. The authority may employ a qualified
24 executive director who shall have the responsibility of
25 implementing policies and directives of the board of directors

1 and any necessary staff. The executive director shall have a
2 minimum of a bachelor's degree in economic development,
3 business administration, marketing, finance, economics, public
4 administration, or other related field.

5 "The executive director shall serve at the pleasure
6 of the board. The board shall set the annual salary of the
7 executive director. The board shall provide necessary office
8 space for the authority, which shall be maintained in the
9 county seat.

10 "The appointed members of the board may employ
11 consultants, only upon a unanimous vote of all members of the
12 board at a board meeting attended by all members.

13 "The authority may solicit and receive contributions
14 from other governmental entities, corporations, partnerships,
15 or individuals. The authority shall submit to audits by the
16 Examiner of Public Accounts.

17 "All funds received by the county from the severance
18 tax levied pursuant to Article 3 of Chapter 13, Title 40, Code
19 of Alabama 1975, shall be distributed by the Macon County
20 Commission as follows:

21 "(1) Ninety percent to the Macon County Economic
22 Development Authority which shall use the funds for economic
23 development activities.

1 "(2) Ten percent to the Macon County Sheriff's
2 Department which shall use the funds to defray the cost of
3 enforcing this act."

4 Section 3. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 03-MAY-12.

Greg Pappas
Clerk

Senate 10-MAY-12 Passed