SB77

7P85EEV-1

By Senator Elliott

RFD: County and Municipal Government

First Read: 07-Feb-24

SYNOPSIS:

Under existing law, the Board of Trustees of the Department of Archives and History is composed of two members from each congressional district and two at-large members.

This bill would revise the composition of the board to the Governor and eight at-large members appointed by the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Speaker Pro Tempore of the Senate.

Under existing law, vacancies on the board are filled by the board.

This bill would authorize the respective appointing authorities to fill vacancies on the board.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL

TO BE ENTITLED

AN ACT

Relating to the Department of Archives and History; to amend Sections 41-6-3 and 41-6-4, Code of Alabama 1975; to

further provide for the composition of the Board of Trustees of the Department of Archives and History; to further provide for the filling of vacancies on the board; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 41-6-3 and 41-6-4, Code of Alabama 1975, are amended to read as follows:

"§41-6-3

(a) The department shall be under the control of the Board of Trustees of the Department of Archives and History, which shall consist of ~~one member from each congressional district and the additional members selected pursuant to subsection (b)~~eight at-large members and the Governor or his or her designee.

(b) ~~Two additional at-large members shall be selected and an additional member shall be selected from each U.S. Congressional District. The additional members shall be selected by the board of trustees and their names shall be communicated to the Senate not later than the fifth legislative day of the 2004 Regular Session of the Legislature.~~ On June 1, 2024, all individuals then serving on the board shall be removed and replaced with new members. The Governor, Lieutenant Governor, Speaker of the House of Representatives, and Speaker Pro Tempore of the Senate shall each select one member to serve an initial term of two years and one member to serve an additional term of four years. Newly selected members shall be confirmed by the Senate in the

same manner as vacancies filled pursuant to Section 41-6-4. ~~The board of trustees shall select three of the new members to serve initial terms of two years, three of the new members to serve initial terms of four years, and three of the new members to serve initial terms of six years. All successor members shall serve terms of six years and shall be selected as provided in Section 41-6-4.~~

(c) The membership of the board of trustees shall be inclusive and shall reflect the racial ~~and~~, gender, geographic, urban, rural, and economic diversity of the state.

(d) All new and successor members shall serve at the pleasure of their respective appointing authority."

"§41-6-4

(a) The ~~board of trustees~~ respective appointing authorities described in Section 41-6-3(b) shall fill all vacancies occurring on the board, whether by expiration of term of service or by death or resignation, but the names of all successor members shall be communicated to the current session or the next ensuing regular session of the state Senate for confirmation. If the Senate rejects any successor trustee, the ~~board~~ respective appointing authority shall proceed forthwith to fill the vacancy.

(b) A trustee appointed to succeed a member whose term has expired shall serve for a term of six years. ~~A person~~ An individual appointed to fill a vacancy occurring by death or resignation shall only serve out the unexpired term of his or her predecessor. ~~A person~~ An individual whose appointment to the board has been confirmed by the Senate shall serve beyond

his or her expired term until a successor has been confirmed by the Senate.

(c) The board shall hold at the State Capital at least one regular meeting during every year and as many special meetings as may be necessary, and at any meeting a majority of the trustees shall constitute a quorum. The Governor ~~of the state~~ shall be a voting member of the board as authorized by Section 41-6-3, and he or she ~~shall~~, as far as possible, shall lend every encouragement to the success and ~~upbuilding~~ development of the department. The director shall be the secretary of the board. The trustees shall receive no compensation for their services. Each member of the board of trustees shall be reimbursed at the same per diem and travel allowance amounts paid by law to state employees for each day of attendance of the business of the board.

(d) The board may do all of the following:

(1) Adopt rules for its own government and also for the government of the department.

(2) Elect a director and provide for the selection or appointment of other officials or employees as may be authorized.

(3) Provide for the publication of historical material pertaining to the state under the supervision of the director.

(4) Control and expend such appropriations as may be made for the maintenance of the department.

(5) Perform such other acts as may be necessary to carry out the intent and purposes of this article."

Section 2. This act shall become effective on June 1,

2024.