

1 HB351  
2 157024-1  
3 By Representative Henry  
4 RFD: State Government  
5 First Read: 22-JAN-14

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the membership of the  
9 State Employees' Insurance Board includes two  
10 regular state employees.

11 This bill would provide for the election of  
12 the two state employee representatives by majority  
13 vote of all full-time state employees.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT  
18

19 To amend Section 36-29-2, Code of Alabama 1975,  
20 relating to the State Employees' Insurance Board; to provide  
21 for the election of the state employee members of the board by  
22 majority vote of all full-time state employees.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 36-29-2 of the Code of Alabama  
25 1975, is amended to read as follows:

26 "§36-29-2.

1           "a) The State Employees' Insurance Board shall  
2 consist of the members of the State Personnel Board, together  
3 with the Director of Finance, the Secretary-Treasurer of the  
4 Employees' Retirement System of Alabama, and two members who  
5 are regular employees of the state and two retirees covered  
6 under the State Employees' Health Insurance Plan who are  
7 receiving benefits from the Employees' Retirement System of  
8 Alabama. The present ex officio officers named shall  
9 constitute the membership of the board hereby created, and  
10 their successors in office, by virtue of assuming such office,  
11 shall succeed to membership on the board.

12           "b) The two state employee members of the board  
13 shall be elected ~~at the regular election for officers of the~~  
14 ~~Alabama State Employees' Association as follows:~~

15           ~~"At the expiration of the term of the existing state~~  
16 ~~employee members of the board one state employee member of the~~  
17 ~~board shall be elected for a two-year term and every four~~  
18 ~~years thereafter, and the other state employee member of the~~  
19 ~~board shall be elected for a four-year term, and every four~~  
20 ~~years thereafter. Vacancies of the state employee members of~~  
21 ~~the board shall be filled for the remainder of the term by~~  
22 ~~special election of the Alabama State Employees' Association.~~  
23 by a majority vote of the full-time state employees covered  
24 under the State Employees' Health Insurance Plan. Each member  
25 shall be elected for four-year terms, according to such rules  
26 and regulations as the board shall adopt to govern the  
27 elections. The terms of these members shall begin after they

1 have qualified and taken the oath of office. The elected  
2 members shall be elected in a statewide election conducted by  
3 the board under a third party entity that is not a participant  
4 of or affiliated with the board. All such elections shall be  
5 conducted in accordance with accepted principles of fair  
6 election practices. The third party entity shall be  
7 responsible for the distribution and collection of ballots and  
8 tallying election results. Other aspects of the election shall  
9 be handled pursuant to such rules and regulations as the board  
10 may adopt to assure that members are eligible to vote for each  
11 applicable elected position. The ~~Chairman~~ Chair of the State  
12 Personnel Board shall serve as the ~~Chairman~~ Chair of the State  
13 Employees' Insurance Board.

14 "(c) The retired members shall be elected in a  
15 statewide ballot conducted under the supervision and direction  
16 of the board under such rules and regulations as are necessary  
17 to insure that all eligible retirees are afforded the  
18 opportunity to vote.

19 "(d) The Board of Directors of the Alabama Retired  
20 State Employees' Association shall submit one nomination for  
21 each retired member position. The board shall determine the  
22 procedure for qualification of additional candidates which  
23 shall include but is not limited to the submission of a  
24 petition or petitions which shall include the signature of at  
25 least 50 eligible retirees. With the exception of the initial  
26 election, each position shall be for a term of four years. The  
27 initial terms shall be as follows:

1                   "(1) Retired member Place Number 1 for a period of  
2 two years beginning November 1, 1985.

3                   "(2) Retired member Place Number 2 for a period of  
4 four years beginning November 1, 1985.

5                   "(e) Any vacancy in the office of either retired  
6 positions shall be filled for the remainder of that term by  
7 the board from a list of three eligible retired members  
8 submitted by the Board of Directors of the Alabama Retired  
9 State Employees' Association."

10                   Section 2. This act shall become effective  
11 immediately following its passage and approval by the  
12 Governor, or its otherwise becoming law.