

1 HB439
2 115685-3
3 By Representatives Black and Rogers (Constitutional Amendment)
4 RFD: Education Policy
5 First Read: 26-JAN-10

1 members from each congressional district in the state, an
2 additional member from the congressional district which
3 includes the site of the first campus of the university, the
4 superintendent of education, and the governor, who shall be ex
5 officio president of the board. The members of the board of
6 trustees as now constituted shall hold office until their
7 respective terms expire under existing law, and until their
8 successors shall be elected and confirmed as hereinafter
9 required. The additional trustees provided for by this
10 amendment shall be elected by the existing members of the
11 board, and confirmed by the senate in the manner provided
12 below, for initial terms of not more than six years
13 established by the board so that one term shall expire each
14 three years in each congressional district. Successors to the
15 terms of the existing and additional trustees shall hold
16 office for a term of six years, and shall not serve more than
17 three consecutive full six-year terms on the board; provided
18 however that a trustee shall retire from the board and vacate
19 office at the annual meeting of the board following that
20 trustee's ~~seventieth~~ seventy-fifth birthday. The membership of
21 the Board of Trustees shall be inclusive and reflect the
22 racial, gender, geographic, urban/rural, and economic
23 diversity of the State. The Board of Trustees shall annually
24 report to the Legislature by the second legislative day of
25 each regular session the extent to which the board has
26 complied with the diversity provision provided for in this

1 constitutional amendment. Election of additional and successor
2 trustees or of trustees to fill any vacancy created by the
3 expiration of a term or by the death or resignation of any
4 member or from any other cause shall be by the remaining
5 members of the board by secret ballot; provided, that any
6 trustee so elected shall hold office from the date of election
7 until confirmation or rejection by the senate, and, if
8 confirmed, until the expiration of the term for which elected,
9 and until a successor is elected. At every meeting of the
10 legislature the superintendent of education shall certify to
11 the senate the names of all who shall have been so elected
12 since the last session of the legislature, and the senate
13 shall confirm or reject them, as it shall determine is for the
14 best interest of the university. If it rejects the names of
15 any members, it shall thereupon elect trustees in the stead of
16 those rejected. No trustee shall receive any pay or emolument
17 other than his actual expenses incurred in the discharge of
18 his duties as such. Upon the vacation of office by a trustee,
19 the board, if it desires, may bestow upon a trustee the
20 honorary title of trustee emeritus, but such status shall
21 confer no responsibilities, duties, rights, or privileges as
22 such."

23 Section 2. An election upon the proposed amendment
24 shall be held in accordance with Sections 284 and 285 of the
25 Constitution of Alabama of 1901, now appearing as Sections 284
26 and 285 of the Official Recompilation of the Constitution of

1 Alabama of 1901, as amended, and the election laws of this
2 state.

3 Section 3. The appropriate election official shall
4 assign a ballot number for the proposed constitutional
5 amendment on the election ballot and shall set forth the
6 following description of the substance or subject matter of
7 the proposed constitutional amendment:

8 "Proposing an amendment to the Constitution of
9 Alabama of 1901, to increase the age limit for members serving
10 on the University of Alabama Board of Trustees from 70 years
11 to 75 years of age and to provide for diversity of the
12 membership of the board.

13 "Proposed by Act _____."

14 This description shall be followed by the following
15 language:

16 "Yes () No ()."

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Education Policy
..... 26-JAN-10

Read for the second time and placed
on the calendar 04-FEB-10

Read for the third time and passed
as amended 11-FEB-10

Yeas 98, Nays 1, Abstains 1

Greg Pappas
Clerk