

1 HB460
2 167165-1
3 By Representatives Williams (JD), Garrett, Rogers, Alexander,
4 Whorton (R), Ainsworth, Forte, Moore (M), Grimsley, Fincher,
5 Williams (JW), Holmes (M), Faust, Brown, Martin, Fridy,
6 Mooney, Ingram, Sells, Coleman-Evans, Polizos, Nordgren,
7 Daniels, Butler, Farley, Ledbetter, Ball, Rowe, Pettus,
8 Whorton (I), Givan, Scott, Moore (B), Drummond, Warren,
9 Standridge, Beech and Jackson (Constitutional Amendment)
10 RFD: Education Policy
11 First Read: 09-APR-15

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8 SYNOPSIS: Under existing law, the Board of Trustees of
9 the University of Alabama is responsible for the
10 management and control of all campuses of the
11 University of Alabama System. The board is composed
12 of two members from each congressional district in
13 the state, an additional member from the
14 congressional district which includes the site of
15 the first campus of the university, the State
16 Superintendent of Education, and the Governor.

17 This bill would propose an amendment to the
18 Constitution of Alabama of 1901, as amended, to
19 provide for the appointment by the Governor of four
20 additional trustees to the Board of Trustees of the
21 University of Alabama.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 To propose an amendment to Section 264 of the
2 Constitution of Alabama of 1901, as amended by Amendment 399
3 to the Constitution of Alabama of 1901, now appearing as
4 Section 264 of the Official Recompilation of the Constitution
5 of Alabama of 1901, as amended, relating to the University of
6 Alabama Board of Trustees; to provide for the appointment by
7 the Governor of four additional trustees to the Board of
8 Trustees of the University of Alabama

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. The following amendment to the
11 Constitution of Alabama of 1901, as amended, is proposed and
12 shall become valid as a part thereof when approved by a
13 majority of the qualified electors voting thereon and in
14 accordance with Sections 284, 285, and 287 of the Constitution
15 of Alabama of 1901, as amended:

16 PROPOSED AMENDMENT

17 "Section 264

18 "(a) The state university shall be under the
19 management and control of a board of trustees, which shall
20 consist of two members from each congressional district in the
21 state an additional member from the congressional district
22 which includes the site of the first campus of the university,
23 the superintendent of education, and the governor, who shall
24 be ex officio president of the board. The members of the board
25 of trustees as now constituted shall hold office until their
26 respective terms expire under existing law, and until their
27 successors shall be elected and confirmed as hereinafter

1 required. The additional trustees provided for by this
2 amendment shall be elected by the existing members of the
3 board, and confirmed by the senate in the manner provided
4 below, for initial terms of not more than six years
5 established by the board so that one term shall expire each
6 three years in each congressional district. Successors to the
7 terms of the existing and additional trustees shall hold
8 office for a term of six years, and shall not serve more than
9 three consecutive full six-year terms on the board; provided
10 however that a trustee shall retire from the board and vacate
11 office at the annual meeting of the board following that
12 trustee's seventieth birthday. Election of additional and
13 successor trustees or of trustees to fill any vacancy created
14 by the expiration of a term or by the death or resignation of
15 any member or from any other cause shall be by the remaining
16 members of the board by secret ballot; provided, that any
17 trustee so elected shall hold office from the date of election
18 until confirmation or rejection by the senate, and, if
19 confirmed, until the expiration of the term for which elected,
20 and until a successor is elected. At every meeting of the
21 legislature the superintendent of education shall certify to
22 the senate the names of all who shall have been so elected
23 since the last session of the legislature, and the senate
24 shall confirm or reject them, as it shall determine is for the
25 best interest of the university. If it rejects the names of
26 any members, it shall thereupon elect trustees in the stead of
27 those rejected. No trustee shall receive any pay or emolument

1 other than his actual expenses incurred in the discharge of
2 his duties as such. Upon the vacation of office by a trustee,
3 the board, if it desires, may bestow upon a trustee the
4 honorary title of trustee emeritus, but such status shall
5 confer no responsibilities, duties, rights, or privileges as
6 such.

7 "(b) In addition to the trustees provided in
8 subsection (a), four additional trustees shall be added to the
9 Board of Trustees of the University of Alabama as follows:

10 "(1) Four persons shall be nominated for appointment
11 to the Governor by the Executive Committee of the Board of
12 Directors of the National Alumni Association of the University
13 of Alabama at Birmingham and the Governor shall appoint two
14 persons from the four nominees to the board of trustees.

15 "(2) Four persons shall be nominated for appointment
16 to the Governor by the Board of Directors of the University of
17 Alabama at Huntsville Alumni Association and the Governor
18 shall appoint two persons from the four nominees to the board
19 of trustees.

20 All persons appointed by the Governor pursuant to
21 this subsection shall be subject to confirmation by the Senate
22 and shall begin service upon confirmation.

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 Section 264, as amended
9 by Amendment 399, of the Constitution of Alabama of 1901,
10 relating to the Board of Trustees of the University of
11 Alabama; to provide that the Board of Trustees of the
12 University of Alabama to provide for the appointment by the
13 Governor of four additional trustees to the Board of Trustees
14 of the University of Alabama.

15 "Proposed by Act _____."

16 This description shall be followed by the following
17 language:

18 "Yes () No ()."