

SB77 ENGROSSED



1 SB77
2 7P85EEV-2
3 By Senator Elliott
4 RFD: County and Municipal Government
5 First Read: 07-Feb-24



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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)~~ 18 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~~



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29 ~~selected by the board of trustees and their names shall be~~
30 ~~communicated to the Senate not later than the fifth~~
31 ~~legislative day of the 2004 Regular Session of the~~
32 ~~Legislature.~~ Newly selected members shall be confirmed by the
33 Senate in the same manner as vacancies filled pursuant to
34 Section 41-6-4. ~~The board of trustees shall select three of~~
35 ~~the new members to serve initial terms of two years, three of~~
36 ~~the new members to serve initial terms of four years, and~~
37 ~~three of the new members to serve initial terms of six years.~~
38 ~~All successor members shall serve terms of six years and shall~~
39 ~~be selected as provided in Section 41-6-4.~~

40 (c) The ~~membership of the board of trustees~~ appointing
41 authorities shall ~~be~~ coordinate their appointments to assure
42 the board of trustees is inclusive and ~~shall reflect~~ reflects
43 the racial~~and~~, gender, geographic, urban, rural, and economic
44 diversity of the state.

45 (d) On August 1, 2024, the Speaker of the House of
46 Representatives and the President Pro Tempore of the Senate
47 shall each select one additional new at-large member to serve
48 a term of six years.

49 (e) Beginning January 1, 2024, each board vacancy, as
50 it arises, shall be filled by an at-large member serving a
51 term of six years appointed by the following appointing
52 authorities in the following order:

53 (1) The Lieutenant Governor.

54 (2) The Governor.

55 (3) The Minority Leader of the House of
56 Representatives.



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- 57 (4) The Minority Leader of the Senate.
58 (5) The Speaker of the House of Representatives.
59 (6) The President Pro Tempore of the Senate.
60 (7) The Lieutenant Governor.
61 (8) The Governor.
62 (9) The Speaker of the House of Representatives.
63 (10) The President Pro Tempore of the Senate.
64 (11) The Lieutenant Governor.
65 (12) The Governor.
66 (13) The Speaker of the House of Representatives.
67 (14) The President Pro Tempore of the Senate.
68 (15) The Lieutenant Governor.
69 (16) The Governor.
70 (f) All new and successor members shall serve at the
71 pleasure of their respective appointing authority."

72 "§41-6-4

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

82 (b) A trustee appointed to succeed a member whose term
83 has expired shall serve for a term of six years. ~~A person~~ An
84 individual appointed to fill a vacancy occurring by death or



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85 resignation shall only serve out the unexpired term of his or
86 her predecessor. ~~A person~~ An individual whose appointment to
87 the board has been confirmed by the Senate shall serve beyond
88 his or her expired term until a successor has been confirmed
89 by the Senate.

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

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

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

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

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

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



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

115 Section 2. This act shall become effective on June 1,
116 2024.



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117
118
119 Senate

120 Read for the first time and referred07-Feb-24
121 to the Senate committee on County
122 and Municipal Government

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124 Read for the second time and placed13-Feb-24
125 on the calendar:
126 1 amendment

127
128 Read for the third time and passed14-Feb-24
129 as amended
130 Yeas 28
131 Nays 5
132 Abstains 0

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135 Patrick Harris,
136 Secretary.
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