

1 SB84  
2 205844-4  
3 By Senators Smitherman and Butler  
4 RFD: Veterans and Military Affairs  
5 First Read: 02-FEB-21  
6 PFD: 01/27/2021

1 SB84

2  
3  
4 ENROLLED, An Act,

5 Relating to the Alabama Job Creation and Military  
6 Stability Commission; to amend Section 31-14-3, Code of  
7 Alabama 1975, as last amended by act 2019-380, 2019 Regular  
8 Session, to include one senator and one representative  
9 appointed to the commission by the Lieutenant Governor from  
10 the minority caucus.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 31-14-3, Code of Alabama 1975, is  
13 amended to read as follows:

14 "§31-14-3.

15 "(a) There is created the Alabama Job Creation and  
16 Military Stability Commission. Members of the commission shall  
17 include a chair and two vice chairs. The chair shall be the  
18 Lieutenant Governor, or in the absence of a Lieutenant  
19 Governor, the chair shall be the Governor, or his or her  
20 designee. The vice chairs shall be the President Pro Tempore  
21 of the Senate, or his or her designee, and the Speaker of the  
22 House of Representatives, or his or her designee.

23 "(b) The commission shall also consist of the  
24 following members:

1           "(1) Two members of the House of Representatives  
2 appointed by the Speaker of the House of Representatives.

3           "(2) Two members of the Senate appointed by the  
4 President Pro Tempore of the Senate.

5           "(3) The Adjutant General of the Alabama National  
6 Guard.

7           "(4) The Secretary of the Alabama State Law  
8 Enforcement Agency.

9           "(5) The Secretary of the Department of Commerce.

10          "(6) The Director of the Alabama Department of  
11 Economic and Community Affairs.

12          "(7) The Commissioner of the Alabama Department of  
13 Veterans Affairs.

14          "(8) One senator from the minority caucus appointed  
15 by the Lieutenant Governor.

16          "(9) One representative from the minority caucus  
17 appointed by the Speaker of the House of Representatives.

18          "~~(8)~~ (10) One retired senior member of the Armed  
19 Forces for each of the four major military facilities in  
20 Alabama, Redstone Arsenal, Anniston Army Depot, Maxwell Air  
21 Force Base including the Gunter Annex, and Fort Rucker, who  
22 shall be appointed by the Governor, after consultation with  
23 the individual designated in subdivision ~~(9)~~ (11) as the civic  
24 leader from the community which the senior member of the  
25 military shall represent.

1           "~~(9)~~ (11) One civic leader with significant  
2 experience in military relocations from each of the four  
3 communities currently impacted most significantly by the  
4 presence of military facilities and assigned personnel who  
5 shall be appointed by the chair after consultation with the  
6 existing organizations described in subsection (h).

7           "(c) Members of the commission shall serve for a  
8 term of four years with each appointment, may be reappointed  
9 for an unlimited number of terms, and shall serve on the  
10 commission until a replacement is appointed.

11           "(d) The members of the Alabama Job Creation and  
12 Military Stability Commission created by Act 2011-350, as  
13 amended by Act 2013-156, shall be the initial members of the  
14 commission created under this section and shall continue to  
15 serve on the commission at the pleasure of the appointing  
16 authority until the quadrennium commencing in 2019. Persons  
17 appointed after the commencement of the quadrennium commencing  
18 in 2019 shall serve a term of four years.

19           "(e) The commission shall hold its organizational  
20 meeting by August 31, 2017. Thereafter, the commission shall  
21 meet at the call of the chair; provided, that the commission  
22 shall meet at least once annually.

23           "(f) The commission shall adopt rules for its  
24 governance, including, but not limited to, the filling of  
25 vacancies, the election of officers, the creation of

1 committees including an executive committee, and the execution  
2 of documents. Members of the commission, the executive  
3 committee of the commission, or any other committee  
4 established by the commission may participate in a meeting of  
5 the commission or committee by means of telephone conference,  
6 video conference, or using similar communications methods by  
7 means of which all individuals participating in the meeting  
8 may hear one another. Participation by such means shall  
9 constitute presence in person at a meeting for all purposes,  
10 including for purposes of establishing a quorum. Notice of  
11 meetings must be provided in accordance with the Alabama Open  
12 Meetings Act and similar means of communication be allowed to  
13 provide for members of the public to listen and observe  
14 meetings.

15 "(g) The Secretary of the Senate, the Clerk of the  
16 House of Representatives, the Legislative Services Agency,  
17 Legal Division, the Legislative Services Agency, Fiscal  
18 Division, and the Examiners of Public Accounts shall provide  
19 assistance as requested by the commission. Each legislative  
20 member of the commission and supporting staff shall be  
21 entitled to his or her regular legislative compensation and  
22 his or her per diem and travel expenses for each day he or she  
23 attends a meeting of the commission which shall be paid out of  
24 any funds appropriated for the use of the Legislature, upon  
25 warrants drawn on the Comptroller upon requisition signed by

1 the commission's chair; provided, however, that members shall  
2 not receive additional legislative compensation or per diem  
3 when the Legislature is in session but shall receive his or  
4 her travel expenses for all meetings attended.

5 "(h) The commission shall make proactive attempts to  
6 ensure the stability of Alabama-assigned Department of Defense  
7 resources by the study and evaluation of military  
8 organizations, personnel, civilian support personnel,  
9 equipment, and infrastructure currently located in the state,  
10 and the re-stationing or reorganization of military resources  
11 located in, relocating to, or outside of the state using the  
12 following items of evaluation:

13 "(1) All Department of Defense personnel, assets,  
14 and equipment, including that belonging to the Alabama  
15 National Guard and Reserve units or forces.

16 "(2) The economic impact of these resources on  
17 surrounding communities.

18 "(3) Current policies, programs, and services that  
19 impact Department of Defense resources located in the state.

20 "(4) The impact these Department of Defense assets  
21 and resources have on state and local job creation.

22 "(5) The impact of Department of Defense assets and  
23 resources on local businesses and industry.

1           "(6) Funding available or required to promote the  
2 sustained presence of Department of Defense assets and  
3 resources appropriated to the state.

4           "(i) The commission shall not alter the purpose,  
5 replace, or change the role of any existing organization, task  
6 force, or committee within a military community with the  
7 purpose of promoting military growth including Base Closure  
8 and Realignment Commission associated actions.

9           "(j) The appointing authorities of the commission  
10 shall coordinate their appointments to assure the membership  
11 of the Alabama Job Creation and Military Stability Commission  
12 is inclusive and reflects the racial, gender, geographic,  
13 urban, rural, and economic diversity of the state.

14           "(k) The commission shall make an annual report to  
15 members of the Legislature no later than the seventh  
16 legislative day of each regular session beginning in 2018  
17 detailing all commission activities and recommendations.

18           "(l) The commission may accept gifts, contributions,  
19 bequests, grants, and other donations, whether public or  
20 private, of money, real property, or personal property and  
21 shall expend the same in furtherance of the work of the  
22 commission.

23           "(m) The work of the commission shall be supported  
24 by the Military Stability Foundation, an Alabama nonprofit  
25 corporation incorporated on September 8, 2011, which shall not

1 be considered a government body. Documents produced by or for  
2 such foundation shall not be considered public writings, even  
3 if viewed by or delivered to the commission, as the disclosure  
4 of the documents would be detrimental to the best interest of  
5 the public."

6 Section 2. This act shall become effective on the  
7 first day of the third month following its passage and  
8 approval by the Governor, or its otherwise becoming law.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

---

President and Presiding Officer of the Senate

---

Speaker of the House of Representatives

SB84  
Senate 04-FEB-21  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

---

House of Representatives  
Passed: 04-MAR-21

---

By: Senator Smitherman