

1 HB376
2 116827-2
3 By Representative Ward
4 RFD: Tourism and Travel
5 First Read: 21-JAN-10

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ENROLLED, An Act,

To establish the Alabama Trails Commission within the Department of Economic and Community Affairs; to provide for the duties of the commission; and to provide for an advisory board to advise the commission.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this act, the term "trail" means any form of paved or unpaved trail including freshwater and saltwater paddling trails. The term "trail user community" includes, but is not limited to, the following: Paved and unpaved trail users, hikers, off-road bicyclists, users of off-road vehicles, paddlers, equestrians, disabled outdoor recreational users, and commercial recreational interests.

(b) There is created within the Alabama Department of Economic and Community Affairs the Alabama Trails Commission which shall advance development, interconnection, and use of trails in this state and as further provided in this act. The commission shall be composed of the following members:

(1) Two members recognized for expertise in trail development, management, or use, appointed by the Governor representing the trail user community.

1 (2) One member recognized for expertise in trail
2 development, management, or use, appointed by the Lieutenant
3 Governor representing the trail user community.

4 (3) One member recognized for expertise in trail
5 development, management, or use, appointed by the Speaker of
6 the House of Representatives representing the trail user
7 community.

8 (4) One member appointed by the Director of the
9 Alabama Department of Economic and Community Affairs (ADECA).

10 (5) One member appointed by the Director of the
11 state Department of Transportation (ALDOT).

12 (6) One member appointed by the Director of the
13 Department of Tourism.

14 (7) One member appointed by the Commissioner of the
15 Department of Conservation and Natural Resources.

16 (8) One staff member from the Governor's office
17 appointed by the Governor.

18 (9) One member who shall be a representative of the
19 regional planning councils appointed by the Governor.
20 Membership on the council shall rotate among the 12 regional
21 planning councils every two years. The regional planning
22 councils shall determine the order of rotation.

23 (10) One member representing local governments to be
24 appointed by the Association of County Commissions of Alabama
25 and the Alabama League of Municipalities. Membership shall

1 alternate between a county representative and a municipal
2 representative every two years.

3 (11) One member appointed by the Business Council of
4 Alabama.

5 (c) The term of all appointees shall be for two
6 years unless otherwise specified. The appointees of the
7 Governor, the Lieutenant Governor, and the Speaker of the
8 House of Representatives may be reappointed for no more than
9 two consecutive terms. The representatives of the regional
10 planning councils and local governments may be reappointed for
11 no more than two consecutive terms. All other appointees shall
12 serve until a successor is appointed.

13 (d) The membership of the commission shall be
14 inclusive and reflect the racial, gender, geographic,
15 urban/rural, and economic diversity of the state.

16 (e) The Alabama Department of Economic and Community
17 Affairs shall provide necessary staff assistance to the
18 commission.

19 (f) The duties of the commission shall include the
20 following:

21 (1) Develop and support the Alabama Trails System.

22 (2) Facilitate a statewide system of interconnected
23 landscape linkages, conservation corridors, greenbelts,
24 recreational corridors and trails, scenic corridors,
25 utilitarian corridors, reserves, regional parks and preserves,

1 ecological sites, and cultural/historic/recreational sites
2 using land-based trails that connect urban, suburban, and
3 rural areas of the state and facilitate expansion of the
4 statewide system of freshwater and saltwater paddling trails.

5 (3) Recommend priorities for critical links in the
6 Alabama Trails System and coordinate local needs goals and
7 leadership to accomplish this mission.

8 (4) Review designation proposals for inclusion in
9 the Alabama Trails System.

10 (5) Encourage public-private partnerships to develop
11 and manage trails.

12 (6) Review progress toward meeting goals for the
13 establishment and operation of the Alabama Trail System and
14 recommend appropriate action.

15 (7) Make recommendations for updating and revising
16 the implementation plan for the Alabama Trails System.

17 (8) Promote trail support organizations.

18 (9) Support the Alabama Trails System through
19 intergovernmental coordination, advocacy, education,
20 alternative funding sources, and any other appropriate way.

21 (10) Organize and coordinate a non-profit tax
22 deductible corporation that should be expected to aggressively
23 serve Alabama Trails in enterprises normally beyond the reach
24 of government, such as fund-raising, coordination of local and
25 national institutions similarly intended, and supporting
26 education and civic outreach.

1 (g) The commission shall establish procedures for
2 conducting its affairs in execution of the duties and
3 responsibilities stated in this section, which operating
4 procedures shall include determination of a council chair and
5 other appropriate operational guidelines. The commission shall
6 meet at the call of the chair, or at other times as may be
7 prescribed by its operating procedures. The commission may
8 establish committees to conduct the work of the commission and
9 the committees may include nonmembers as appropriate.

10 (h) A vacancy on the commission shall be filled for
11 the remainder of the unexpired term in the same manner as the
12 original appointment. Members whose terms have expired may
13 continue to serve until replaced or reappointed.

14 (i) The commission shall report annually to the
15 Legislature by the second legislative day of each regular
16 session detailing progress, plans, and milestones in its
17 conduct of duties authorized by this act and to what extent
18 the commission is in compliance with the diversity provisions
19 provided for in this act.

20 Section 2. (a) There shall also be created within
21 the Alabama Department of Economic and Community Affairs an
22 Alabama Trails Commission Advisory Board which shall advise
23 the commission in the execution of the Alabama Trails
24 Commission's powers and duties under this act. The advisory
25 board of directors shall be composed of the following:

1 (1) Two Senators appointed by the Lieutenant
2 Governor.

3 (2) Two members of the House of Representatives
4 appointed by the Speaker of the House.

5 (3) Three members of the Alabama Recreational Trails
6 Advisory Board.

7 (4) One member representing a university in this
8 state appointed by the Governor.

9 (5) One member appointed by the State Forestry
10 Commission.

11 (6) One member appointed by the Commissioner of
12 Agriculture and Industries.

13 (7) One member appointed by the State Health
14 Officer.

15 (8) One member appointed by the Executive Director
16 of the Retirement Systems of Alabama.

17 (9) One member appointed by the U.S. Forest Service.

18 (10) One member who shall be a representative of the
19 power industry to be appointed by the Alabama Power Company
20 and the Tennessee Valley Authority. Membership shall alternate
21 between the Alabama Power Company and the Tennessee Valley
22 Authority every two years.

23 (11) One member appointed by the Alabama Farmers
24 Federation.

25 (12) One member appointed by the Army Corps of
26 Engineers.

1 (13) One member appointed by the Natural Resources
2 Conservation Services.

3 (b) The term of all Alabama Trails Commission
4 Advisory Board appointees shall be for two years unless
5 otherwise specified. The appointees of the Governor, the
6 President of the Senate, and the Speaker of the House of
7 Representatives may be reappointed for no more than two
8 consecutive terms. The members of the Alabama Trails
9 Commission Advisory Board shall serve until a successor is
10 appointed.

11 (c) A vacancy on the advisory board shall be filled
12 for the remainder of the unexpired term in the same manner as
13 the original appointment. Members whose terms have expired may
14 continue to serve until replaced or reappointed.

15 Section 3. Members of the commission and advisory
16 board may not receive any compensation for their services but
17 are entitled to receive reimbursement for per diem and travel
18 expenses incurred in the performance of their duties.

19 Section 4. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 16-FEB-10.

Greg Pappas
Clerk

Senate

08-APR-10

Passed