

1 HB41
2 179012-1
3 By Representatives Pringle and Sanderford
4 RFD: Boards, Agencies and Commissions
5 First Read: 15-AUG-16

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8 SYNOPSIS: This bill would abolish certain inactive
9 state boards, commissions, committees, authorities,
10 councils, and task forces established by the
11 Legislature.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 Relating to boards and commissions; to amend
18 Sections 22-1-12, 22-23A-3, 24-10-2, 24-10-4, 24-10-5, and
19 41-23-23, Code of Alabama 1975; to repeal Article 1,
20 commencing with Section 2-7-1, of Chapter 7 of Title 2,
21 Chapter 13A, commencing with Section 2-13A-1, of Title 2,
22 Chapter 2A, commencing with Section 4-2A-1, of Title 4,
23 Chapter 6A, commencing with Section 9-6A-1, of Title 9,
24 Sections 9-12-142, 9-13-25, and 14-1-18, Article 2, commencing
25 with Section 16-55-20, of Chapter 55 of Title 16, Section
26 16-25A-13, Article 2, commencing with Section 22-18-20, of
27 Chapter 18 of Title 22, Sections 22-30E-12, 22-50-25, Article

1 12, commencing with Section 29-2-221, of Chapter 2 of Title
2 29, Article 7, commencing with Section 36-21-140, of Chapter
3 21 of Title 36, Section 36-36-10, Chapter 7A, commencing with
4 Section 38-7A-1, of Title 38, Article 7B, commencing with
5 Section 41-9-190, of Chapter 9 of Title 41, Article 18,
6 commencing with Section 41-9-490, of Chapter 9 of Title 41,
7 Article 22, commencing with Section 41-9-570, of Chapter 9 of
8 Title 41, Article 30, commencing with Section 41-9-780, of
9 Chapter 9 of Title 41, Article 32, commencing with Section
10 41-9-830, of Chapter 9 of Title 41, Article 7, commencing with
11 Section 41-10-200, of Chapter 10 of Title 41, Article 15,
12 commencing with Section 41-10-490, of Chapter 10 of Title 41,
13 and Chapter 25, commencing with 41-25-1, of Title 41, Code of
14 Alabama 1975; to repeal Act 1975-1178, Act 1979-43, Act Act
15 1985-138, Act 1985-280, Act 1985-301, Act 1985-811, Act
16 1987-02, Act 1988-213, Act 1991-259, Act 1991-325, Act
17 1992-56, Act 1994-764, Act 1996-289, Act 1997-68, Act
18 1997-818, Act 1998-107, Act 1998-156, Act 2000-8, Act 2001-62,
19 Act 2002-318, Act 2004-421, Act 2004-540, Act 2005-257, Act
20 2006-430, Act 2007-171, Act 2007-421, Act 2007-507, Act
21 2007-565, Act 2007-592, Act 2008-25, Act 2008-121, Act
22 2008-337, Act 2008-386, Act 2009-142, Act 2009-180, Act
23 2009-794, Act 2009-798, Act 2009-806, Act 2010-458, Act
24 2010-638, Act 2011-132, Act 2011-356, Act 2012-25, Act
25 2012-597, and Act 2014-194.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The following provisions of the Code of
2 Alabama 1975, are repealed:

3 (1) Article 1, commencing with Section 2-7-1, of
4 Chapter 7 of Title 2, Code of Alabama 1975, relating to the
5 Agricultural and Industrial Exhibit Commission.

6 (2) Chapter 13A, commencing with Section 2-13A-1, of
7 Title 2, Code of Alabama 1975, relating to the Southern Dairy
8 Compact and the Southern Dairy Compact Commission.

9 (3) Chapter 2A, commencing with Section 4-2A-1, of
10 Title 4, Code of Alabama 1975, relating to the Alabama
11 International Airport Authority.

12 (4) Chapter 6A, commencing with Section 9-6A-1, of
13 Title 9, Code of Alabama 1975, relating to the Synfuels
14 Development Authority.

15 (5) Section 9-12-142, Code of Alabama 1975, relating
16 to the Fishing Reef Ship Commission.

17 (6) Section 9-13-25, Code of Alabama 1975, relating
18 to the Forestry Study Committee.

19 (7) Section 14-1-18, Code of Alabama 1975, relating
20 to the Capital Outlay Oversight Commission.

21 (8) Section 16-25A-13, Code of Alabama 1975,
22 relating to the Public Education Employees' Health Insurance
23 Board Legislative Advisory Committee.

24 (9) Article 2, commencing with Section 16-55-20, of
25 Chapter 55 of Title 16, Code of Alabama 1975, relating to the
26 Alabama High School Legislative Leadership Academy.

1 (10) Article 2, commencing with Section 22-18-20, of
2 Chapter 18, Title 22, Code of Alabama 1975, relating to the
3 Alabama Emergency Medical Services Education Commission.

4 (11) Section 22-30E-12, Code of Alabama 1975,
5 relating to the Alabama Land Recycling and Economic
6 Redevelopment Commission.

7 (12) Section 22-50-25, Code of Alabama 1975,
8 relating to the Mental Health Capital Outlay Oversight
9 Commission.

10 (13) Article 12, commencing with Section 29-2-221,
11 of Chapter 2 of Title 29, Code of Alabama 1975, relating to
12 the Legislative Youth Advisory Council and Commission.

13 (14) Article 7, commencing with Section 36-21-140,
14 of Chapter 21 of Title 36, Code of Alabama 1975, relating to
15 the Alabama Law Enforcement and Firefighter Service Medals
16 Review Committee.

17 (15) Section 36-36-10, Code of Alabama 1975,
18 relating to the Permanent Legislative Oversight Committee on
19 Retirees' Health Care.

20 (16) Chapter 7A, commencing with Section 38-7A-1, of
21 Title 38, Code of Alabama 1975, relating to the Child Care
22 Commission.

23 (17) Article 7B, commencing with Section 41-9-190,
24 of Chapter 9 of Title 41, Code of Alabama 1975, relating to
25 the Recycling Industry and Market Development Council.

1 (18) Article 18, commencing with Section 41-9-490,
2 of Chapter 9 of Title 41, Code of Alabama 1975, relating to
3 the State Beautification Board.

4 (19) Article 22, commencing with Section 41-9-570,
5 of Chapter 9 of Title 41, Code of Alabama 1975, relating to
6 the Criminal Justice Advisory Commission.

7 (20) Article 30, commencing with Section 41-9-780,
8 of Chapter 9 of Title 41, Code of Alabama 1975, relating to
9 the Tennessee Valley Exhibit Commission.

10 (21) Article 32, commencing with Section 41-9-830,
11 of Chapter 9 of Title 41, Code of Alabama 1975, relating to
12 the Alabama Turkey Hunters Hall of Fame Board.

13 (22) Article 7, commencing with Section 41-10-200,
14 of Chapter 10 of Title 41, Code of Alabama 1975, relating to
15 the Alabama Shakespeare Festival Theatre Finance Authority.

16 (23) Article 15, commencing with Section 41-10-490,
17 of Chapter 10 of Title 41, Code of Alabama 1975, relating to
18 the Alabama State Parking Deck Authority.

19 (24) Chapter 25, commencing with 41-25-1, of Title
20 41, Code of Alabama 1975, relating to the Alabama Drug
21 Education and Awareness Oversight Council.

22 Section 2. The following Acts of Alabama are
23 repealed:

24 (1) Act 1975-1178 (HJR430), relating to the Interim
25 Committee to Study the Tax Structure of the State of Alabama
26 and the Distribution of Tax Revenues.

1 (2) Act 1979-43 (HJR19), relating to the Joint Study
2 Committee on Agriculture.

3 (3) Act 1985-138 (SJR42), relating to the Joint
4 Legislative Children and Youth Study Committee.

5 (4) Act 1985-280 (SJR102), relating to the Alabama
6 Legislative Congressional Advisory Committee on Farm Programs.

7 (5) Act 1985-301 (HJR188), relating to the Alabama
8 Legislative Congressional Advisory Committee on the Textile
9 Industry.

10 (6) Act 1985-811 (HJR5), relating to the Interim
11 Committee to Study the Tax Structure of the State of Alabama
12 and the Distribution of Tax Revenues.

13 (7) Act 1987-02 (HJR5), relating to the Legislative
14 Parking Committee.

15 (8) Act 1988-213 (HJR66), relating to the
16 Legislative Commission on AIDS.

17 (9) Act 1991-259 (SJR119), relating to the Alabama
18 Commission on Aerospace Science and Industry.

19 (10) Act 1991-325 (SJR22), relating to the Committee
20 to Study and Provide for the Erection of a Vietnam Veterans
21 Monument on the State Capitol Grounds.

22 (11) Act 1992-56 (HJR29), relating to the
23 International Airport Permanent Legislative Oversight
24 Committee.

25 (12) Act 1994-764 (HJR58), relating to the Permanent
26 Joint Legislative Oversight Committee on Rehabilitation
27 Services.

1 (13) Act 1996-289 (SJR75), relating to the Joint
2 Legislative Committee for the Alabama Agricultural Center.

3 (14) Act 1997-68 (HJR29), relating to the Welfare to
4 Work Task Force to Study ONE STOP Centers.

5 (15) Act 1997-818 (SJR14), relating to the
6 Children's Health Insurance Program Commission.

7 (16) Act 1998-107 (HJR78), relating to the Alabama
8 Forestry Commission, Volunteer Fire Departments and the Rural
9 Community Fire Protection Institute Joint Permanent
10 Legislative Oversight Committee.

11 (17) Act 1998-156 (SJR74), relating to the
12 Children's Health Insurance Program Commission.

13 (18) Act 2000-8 (HJR44), relating to the Blackbelt
14 Infrastructure Legislative Committee.

15 (19) Act 2001-62 (HJR62), relating to the Alabama
16 Public-Private Heart Disease and Stroke Task Force.

17 (20) Act 2002-318 (HJR423), relating to the Alabama
18 Public-Private Heart Disease and Stroke Task Force.

19 (21) Act 2004-421 (SJR82), relating to the Emergency
20 Response Commission.

21 (22) Act 2004-540 (SJR89), relating to the
22 Commission on Government Accountability.

23 (23) Act 2005-257 (HJR40), relating to the
24 Legislative Task Force on Obesity.

25 (24) Act 2006-430 (SJR27), relating to the Emergency
26 Response Commission.

1 (25) Act 2007-171 (HJR176), relating to the Health
2 Information Technology Partnership.

3 (26) Act 2007-421 (HJR19), relating to the Joint
4 Legislative Children and Youth Study Committee.

5 (27) Act 2007-507 (SJR77), relating to the Joint
6 Legislative Committee on the New National Veterans Cemetery.

7 (28) Act 2007-565 (HJR306), relating to the
8 Legislative Task Force on Morbid Obesity.

9 (29) Act 2007-592 (HJR153), relating to the Task
10 Force to Study and Recommend Strategies to Assist Existing
11 Industries in Alabama.

12 (30) Act 2008-25 (SJR13), relating to the Commission
13 to Enhance the Enforcement of Alabama's Litter Laws.

14 (31) Act 2008-121 (SJR121), relating to the Family
15 Law Task Force.

16 (32) Act 2008-337 (HJR640), relating to the Services
17 for Alabama Families Study Commission.

18 (33) Act 2008-386 (HJR656), relating to the Alabama
19 Waterfront Access Study Committee.

20 (34) Act 2009-142 (SJR61), relating to the
21 Commission on Mining Safety Laws.

22 (35) Act 2009-180 (HJR297), relating to the Services
23 for Alabama Families Study Commission.

24 (36) Act 2009-794 (HJR592), relating to the
25 Statewide Public Transit Commission.

26 (37) Act 2009-798 (SJR26), relating to the Alabama
27 Amistad Commission.

1 (38) Act 2009-806 (SJR123), relating to the Equal
2 Pay Commission.

3 (39) Act 2010-458 (HJR840), relating to the Alabama
4 Waterfront Access Study Committee.

5 (40) Act 2010-638 (HJR832), relating to the Alabama
6 Innovation Council Study Commission.

7 (41) Act 2011-132 (SJR63), relating to the Alabama
8 Waterfront Access Study Committee.

9 (42) Act 2011-356 (SJR118), relating to the Alabama
10 Clean Water Task Force.

11 (43) Act 2012-25 (HJR28), relating to the Alabama
12 Task Force on Homeowners Associations.

13 (44) Act 2012-597 (HJR433), relating to the
14 Alzheimer's Disease Task Force.

15 (45) Act 2014-194 (HJR231), relating to the
16 Alzheimer's Disease Task Force.

17 Section 3. Sections 22-1-12, 22-23A-3, 24-10-2,
18 24-10-4, 24-10-5, and 41-23-23, Code of Alabama 1975, are
19 amended to read as follows:

20 "§22-1-12.

21 "(a) The Department of Public Health shall establish
22 a comprehensive cardiac arrest survival plan for the training,
23 credentialing, and certification of primary cardiac care
24 providers in the use of semiautomatic external defibrillators
25 based on national guidelines for life-saving interventions of
26 persons suffering sudden, non-traumatic cardiac arrest

1 promulgated by the National Institutes of Health and the
2 National Heart, Lung, and Blood Institute.

3 "(b) All funds from the appropriation in Act 99-372
4 of the 1999 Regular Session shall be used to assist in the
5 purchase or acquisition of semiautomatic external
6 defibrillators and training for emergency medical care
7 providers. To be eligible for assistance, emergency medical
8 care providers shall meet standards established by the
9 department.

10 ~~"(c) A Cardiac Arrest Survival Commission consisting~~
11 ~~of the State Health Officer, the State Emergency Medical~~
12 ~~Director, three members appointed by the Senate President Pro~~
13 ~~Tempore, three members appointed by the Speaker of the House,~~
14 ~~two members appointed by the Governor, and one member~~
15 ~~appointed by the Alabama Chapter of the American Heart~~
16 ~~Association shall make all awards of assistance by majority~~
17 ~~vote. The State Health Officer shall serve as chair of the~~
18 ~~commission. Assistance may be in the form of equipment awarded~~
19 ~~outright or purchased with matching funds from the provider.~~
20 ~~The commission shall establish by majority vote the~~
21 ~~methodology for making awards to eligible providers.~~

22 "§22-23A-3.

23 "The Governor, the Director of the Department of
24 Economic and Community Affairs, the Director of Finance, one
25 member of the House of Representatives appointed by the
26 Speaker, and one member of the Senate appointed by the
27 Lieutenant Governor may become a public corporation to be

1 known as the Alabama Water System Assistance Authority with
2 the power and authority hereinafter provided, by proceeding
3 according to the provisions of this chapter. ~~Provided,~~
4 ~~however, that actions taken by such authority shall be~~
5 ~~monitored, from time to time, by a special "Water Assistance~~
6 ~~Legislative Oversight Committee" composed of three members of~~
7 ~~the House of Representatives appointed by the Speaker of the~~
8 ~~House and three Senators appointed by the Lieutenant Governor.~~
9 ~~Members of the Legislature serving on this oversight committee~~
10 ~~shall be entitled to their regular legislative per diem and~~
11 ~~travel expenses on such committee's meeting days. The~~
12 ~~Lieutenant Governor shall appoint a chairperson for such~~
13 ~~committee and the Speaker of the House shall appoint the~~
14 ~~vice chairperson. Such committee shall meet, from time to~~
15 ~~time, on request of either the chairperson or the authority.~~
16 ~~The Lieutenant Governor and the Speaker of the House shall~~
17 ~~make the appointments to the authority and the Water~~
18 ~~Assistance Legislative Oversight Committee within 15 days of~~
19 ~~the effective date of this chapter.~~

20 "§24-10-2.

21 "When used in this chapter, the following words
22 shall have the following meanings:

23 "~~(1) ADVISORY COMMITTEE. The Alabama Housing Trust~~
24 ~~Fund Advisory Committee.~~

25 "~~(2)~~ (1) ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY
26 AFFAIRS (ADECA). As established by Section 41-23-1.

1 "~~(3)~~(2) ALABAMA HOUSING TRUST FUND. The trust fund
2 created pursuant to Section 24-10-4.

3 "~~(4)~~(3) SIXTY PERCENT OF MEDIAN FAMILY INCOME. A
4 person or persons living together whose annual income or
5 incomes do not exceed 60 percent of the median family income
6 of a geographic area, as determined by the U.S. Department of
7 Housing and Urban Development, with adjustments for smaller
8 and larger families.

9 "§24-10-4.

10 "The Alabama Affordable Housing Trust Fund is
11 created in the State Treasury for the collection and
12 distribution of designated funds for the purpose of increasing
13 the production of housing units, rehabilitating existing
14 housing units, and maintaining such housing so that it can be
15 made affordable to individuals and families whose incomes are
16 at or below 60 percent of the median family income. The
17 Alabama Housing Trust Fund shall be administered by ADECA
18 ~~which shall appoint an advisory committee as prescribed in~~
19 ~~Section 24-10-8 to advise the Director of ADECA as to program~~
20 ~~components and operations.~~

21 "§24-10-5.

22 "(a) The Alabama Housing Trust Fund shall be
23 maintained and administered by ADECA. ADECA is authorized and
24 directed to do all the following:

25 "(1) Invest and reinvest all money held in the trust
26 fund in investments under ADECA's investment policies, pending
27 its use for the purposes described in Section 24-10-6.

1 "(2) Keep books and records relating to the
2 investment, interest earnings, and uses of monies deposited
3 into the trust fund.

4 "(3) Establish procedures for the withdrawal,
5 allocation, and use of the monies held in the trust fund for
6 the purposes described in Section 24-10-6.

7 "(4) Publish, on an annual basis, criteria for
8 determining the distribution of funds.

9 "(5) Conduct an annual independent audit of the
10 trust fund.

11 "(6) Prepare, in collaboration with the advisory
12 committee, an annual performance report, which shall be
13 provided to the Governor, Speaker of the House of
14 Representatives, and the President Pro Tempore of the Senate,
15 outlining the use of the trust fund monies, including, but not
16 limited to, the trust fund's success in meeting its intended
17 purposes.

18 "(7) Conduct, or hire an outside entity to conduct a
19 statewide housing needs assessment, once every five years to
20 inform ADECA, its director, and the advisory committee of the
21 affordable housing needs in Alabama. The assessment should
22 include the housing needs for individuals with disabilities,
23 those living with HIV/AIDS, intellectual disability,
24 individuals experiencing homelessness, victims of domestic
25 violence, veterans, and the elderly.

26 "(8) Enter into contracts and agreements in
27 connection with the operation of the trust fund, including

1 contracts and agreements with federal agencies, local
2 governmental entities, community developers, and other
3 not-for-profit groups. This provision shall not authorize
4 contracts and agreements with for-profit entities.

5 "(9) Engage in ongoing efforts to increase funding
6 sources for the trust fund, including any additional ongoing
7 state-dedicated funding source.

8 "~~(b) ADECA shall seek the input of the Alabama~~
9 ~~Housing Trust Fund Advisory Committee, outlined in Section~~
10 ~~24-10-8, but the~~ The Director of ADECA has final
11 decision-making authority on all matters relating to the trust
12 fund and the programs administered under Section 24-10-4.

13 "(c) ADECA shall be periodically paid a reasonable
14 fee from amounts deposited to the trust fund to reimburse
15 ADECA for its services in administering the trust fund. On an
16 annual basis, ADECA shall not be paid in excess of 10 percent
17 of the total annual deposits to the trust fund.

18 "§41-23-23.

19 "Selection of zones and the general guidelines for
20 implementation of the provisions of this article shall be as
21 follows:

22 "(1) The Alabama Department of Economic and
23 Community Affairs shall see that all applications are
24 processed as follows:

25 "a. The state or any governmental entity in the
26 proposed area may submit an application for zone designation.

1 "b. Each application should provide a statement of
2 incentives being offered by the governmental entities, such
3 as:

4 "1. Regulatory relief or waiver;

5 "2. Services provided;

6 "3. Tax incentives;

7 "4. Other nontax incentives.

8 "c. It is contemplated that state, county and/or
9 municipal governments may devise an innovative package of
10 local incentives in their respective jurisdictions and
11 aggressively pursue zone designation.

12 "(2) Zones shall be selected by the department, with
13 input from the advisory council, which shall have the
14 responsibility for the general implementation of the law.

15 "(3) An Enterprise Zone Advisory Council consisting
16 of members of the Alabama Department of Commerce, Southern
17 Development Council, Department of Labor, Department of
18 Education, State Department of Transportation, Department of
19 Environmental Management, Department of Agriculture and
20 Industries, Department of Revenue and other qualified
21 individuals or organizations shall be appointed by the
22 Governor with provisions to insure geographic representation
23 of rural and urban areas. This council shall be limited to 11
24 representatives and shall serve at the pleasure of the
25 Governor.

26 ~~"(4) A legislative oversight committee shall be~~
27 ~~appointed by the Lieutenant Governor and the Speaker. Such~~

1 ~~committee shall consist of three members from the House of~~
2 ~~Representatives and three members from the Senate appointed by~~
3 ~~the respective officers of each body."~~

4 Section 4. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.