

1 SB147
2 115257-1
3 By Senators Dixon, Barron, Little (T) and Figures
4 RFD: Governmental Affairs
5 First Read: 12-JAN-10

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8 SYNOPSIS: Under existing law, termination dates are
9 established for enumerated state agencies. The
10 agencies are periodically reviewed by the Alabama
11 Sunset Committee. After the review process is
12 completed, the committee prepares its
13 recommendations for the agencies to the Legislature
14 in the form of sunset bills which either continue,
15 terminate, or continue with modification each
16 agency reviewed.

17 This bill would provide for the continuance
18 of the Alabama Board of Court Reporting until
19 October 1, 2012, with the following change: To
20 delete reference to the Alabama Judicial Conference
21 and to provide for the appointment of a board
22 member by the Chief Justice from a list of nominees
23 provided by the Administrative Office of Courts.

24
25 A BILL
26 TO BE ENTITLED
27 AN ACT

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Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama Board of Court Reporting until October 1, 2012, with certain modifications; to amend Section 34-8B-4, Code of Alabama 1975, so as to delete reference to the Alabama Judicial Conference and to provide for the appointment of a board member by the Chief Justice from a list of nominees provided by the Administrative Office of Courts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama Board of Court Reporting until October 1, 2012, with the additional recommendations for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama Board of Court Reporting, created and functioning pursuant to Sections 34-8B-1 to 34-8B-18, inclusive, Code of Alabama 1975, is continued until October 1, 2012, and those code sections are expressly preserved.

Section 3. Section 34-8B-4 of the Code of Alabama 1975, is amended to read as follows:

"§34-8B-4.

"(a) There is created the Alabama Board of Court Reporting. The board shall be operative within 60 days of June 1, 2006. ACRA shall provide administrative support to the

1 board until such time as the board employs sufficient
2 employees to implement and administer this chapter.

3 "(b) The board shall consist of seven members as
4 follows:

5 "(1) Four court reporters certified at a
6 professional level by NCRA or NVRA, two of whom shall be
7 employed in official capacities and two of whom shall be
8 employed in a freelance setting.

9 "(2) Two members in good standing with the Alabama
10 State Bar Association.

11 "(3) One additional member ~~in good standing with the~~
12 ~~Alabama Judicial Conference.~~

13 "(c) Appointments to the board shall be made as
14 follows:

15 "(1) The Governor shall appoint one official court
16 reporter, one freelance court reporter, and one member of the
17 Alabama State Bar Association. ACRA, NCRA, NVRA, and the
18 Alabama State Bar Association shall respectively submit a list
19 of three names for each appointment to the Governor for
20 consideration.

21 "(2) The Lieutenant Governor shall appoint one
22 member of the Alabama State Bar Association from a list of
23 three names submitted by the Alabama State Bar Association.

24 "(3) The President Pro Tempore of the Senate shall
25 appoint one member who is an official court reporter from a
26 list of three names submitted by ACRA.

1 "(4) The Speaker of the House of Representatives
2 shall appoint one member who is a freelance court reporter
3 from a list of three names submitted by ACRA.

4 "(5) The Chief Justice of the Alabama Supreme Court
5 shall appoint one member ~~who is a member of the Alabama~~
6 ~~Judicial Conference~~ from a list of three names submitted by
7 the ~~Alabama Judicial Conference~~ Administrative Office of
8 Courts.

9 "(d) All members of the board shall be citizens of
10 the United States and the State of Alabama. The lists of names
11 shall be submitted by the designated organizations on or
12 before June 1, 2006. The initial terms shall begin January 1,
13 2007, and all appointments shall be made prior to January 1 of
14 every year.

15 "(e) The initial members shall serve the following
16 terms as designated by the Governor:

17 "(1) Three members shall serve for two years.

18 "(2) Two members shall serve for three years.

19 "(3) Two members shall serve for four years.

20 "(f) Subsequent terms of office shall be for four
21 years. No member shall serve more than two consecutive terms.
22 In the event of a vacancy, the appointing authority for the
23 position shall fill the vacancy. Each member shall serve until
24 his or her successor is duly appointed and qualified.

25 "(g) The membership of the board shall be inclusive
26 and reflect the racial, gender, geographic, urban/rural, and
27 economic diversity of the state. The board shall annually

1 report to the Legislature by the second legislative day of
2 each regular session to what extent the board has complied
3 with the diversity provisions provided for in this subsection.

4 "(h) At its first meeting each calendar year, the
5 board shall elect a chair, vice chair, and secretary from its
6 membership. No member shall be elected to serve more than two
7 consecutive years in the same office.

8 "(i) After the initial appointments have been made,
9 the board shall meet by January 2007, for the purpose of
10 organizing and transacting business. Thereafter, the board
11 shall meet not less than twice annually and as frequently as
12 deemed necessary by the chair or a majority of the members.
13 The board shall meet at such time and place as designated by
14 the board. A quorum shall consist of four members.

15 "(j) Board members shall receive the same travel
16 expenses and per diem as state employees pursuant to Article
17 2, commencing with Section 36-7-20, Chapter 7, Title 36. The
18 compensation and expenses shall be paid out of the funds of
19 the board. Reimbursement shall not be made if funds are
20 insufficient."

21 Section 4. The Legislature concurs in the
22 recommendations of the Sunset Committee as provided in
23 Sections 1, 2, and 3.

24 Section 5. This act shall become effective
25 immediately upon its passage and approval by the Governor, or
26 its otherwise becoming law.