

1 SB336
2 218237-3
3 By Senators Albritton and Elliott (N & P)
4 RFD: Local Legislation
5 First Read: 30-MAR-22

1 SB336

2
3
4 With Notice and Proof

5
6 ENROLLED, An Act,

7 Relating to Baldwin County; to establish the South
8 Baldwin Regional Workforce Development Authority; to provide
9 for the composition, powers, duties, and meetings of the board
10 of directors of the authority.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. There is created in Baldwin County the
13 South Baldwin Regional Workforce Development Authority for the
14 public purpose of fostering workforce development, community
15 betterment, entrepreneurship, advocacy, and business
16 innovation through collaboration between businesses,
17 educational organizations, and local municipalities. The area
18 of operation of the authority shall be in the portion of the
19 county south of or adjacent to the road designated as Baldwin
20 County Road 32 on the effective date of this act.

21 Section 2. (a) All powers of the authority shall be
22 exercised by a board of directors, which shall consist of all
23 the following:

1 (1) The chief executive officers of the South
2 Alabama Chamber of Commerce and the Alabama Coastal Business
3 Chamber, *ex officio*, each of whom shall be a voting member.

4 (2) Three business members of the South Alabama
5 Chamber of Commerce selected by the Chief Executive Officer of
6 that chamber, each of whom shall be a voting member.

7 (3) Three business members of the Alabama Coastal
8 Business Chamber selected by the Chief Executive Officer of
9 that chamber, each of whom shall be a voting member.

10 (4) The mayors of the cities of Gulf Shores, Orange
11 Beach, and Foley, *ex officio*, each of whom shall be non-voting
12 members.

13 (5) Up to three additional members appointed by
14 majority vote of the board, who shall be voting members.

15 (b) The appointing authorities shall coordinate
16 their appointments to ensure the membership of the board of
17 directors is inclusive and reflects the racial, gender,
18 geographic, urban, rural, and economic diversity of the state.

19 (c) The appointing authorities shall make their
20 first appointments under subdivision (2) and (3) of subsection
21 (a) no later than 30 days following the effective date of this
22 act. Upon the final appointment under subdivisions (2) and (3)
23 of subsection (a) or upon the conclusion of the 30-day period,
24 whichever is sooner, the initial terms of those appointed
25 members of the board of directors shall commence. The board

1 may not take any action until the initial terms of those
2 appointed members of the board of directors commence pursuant
3 to this subdivision.

4 (d) (1) Members appointed under subdivisions (2) and
5 (3) of subsection (a) shall each serve a term of three years,
6 except that the appointing powers shall designate that one of
7 their first appointees shall serve an initial term of one
8 year, one shall serve an initial term of two years, and one
9 for a term of three years, so that the terms are staggered.

10 (2) Members appointed under subdivision (5) of
11 subsection (a) shall serve for a term of one year from date of
12 their appointment.

13 (e) In the event of any vacancy in any seat that is
14 filled by appointment, a successor shall be appointed in the
15 same manner as the seat was previously filled, and the
16 appointee shall serve for the remainder of the term for the
17 seat that was vacated.

18 Section 3. (a) The board shall hold an
19 organizational meeting within 30 days following the
20 commencement of the terms of the appointed members pursuant to
21 subsection (c) of Section 2.

22 (b) (1) At the organizational meeting, the board
23 shall adopt bylaws and procedures not in conflict with this
24 act or state law, to govern the conduct of the business and
25 the affairs of the corporation and the selection of officers.

1 (2) Upon adoption, the bylaws may only be amended by
2 majority vote of the board of directors.

3 (c) Prior to the conclusion of the organizational
4 meeting, the board shall select a chairperson, a secretary,
5 and any other officers deemed necessary within the bylaws, to
6 each serve a term of one year. The terms of these officers
7 shall commence upon adjournment of the organizational meeting.

8 Section 4. (a) (1) The board of directors may
9 exercise power of the authority by majority vote, and only
10 upon establishment of a quorum.

11 (2) For purposes of this act, a quorum shall be
12 defined as two-thirds of the voting members of the board.

13 (b) The chairperson shall preside over meetings of
14 the board.

15 (c) (1) The board shall meet to conduct the business
16 of the authority on a monthly basis at a date to be set by the
17 board, unless otherwise scheduled by the chairperson.

18 (2) Any change of date, time, or place of the
19 meetings of the board may occur only upon approval of the
20 chairperson, and shall be communicated by the chairperson to
21 all board members not less than 48 hours before the meeting.

22 Section 5. (a) The authority may employ an executive
23 director, who shall be its chief executive officer and,
24 subject to the control of the board, shall have supervision

1 over the business and affairs of the corporation. The
2 executive director shall serve at the pleasure of the board.

3 (b) The executive director shall have all powers and
4 duties usually incidental to the office of chief executive
5 officer, except as specifically limited or expanded by the
6 bylaws or a resolution adopted by the board.

7 (c) The executive director shall be an ex officio
8 member of any standing committee of the authority.

9 (d) The executive director, from time to time and
10 additionally upon request by a majority of the board, shall
11 report to the board regarding all matters within his or her
12 knowledge that should be brought to the board for the best
13 interest of the authority.

14 Section 6. The authority shall have the power to do
15 all of the following as they relate to the purpose of the
16 authority:

17 (1) Acquire by purchase, rent, lease agreement,
18 gift, or otherwise, necessary facilities and properties and to
19 provide those facilities and properties with necessary
20 equipment, furnishings, landscaping, and related facilities,
21 including parking areas and ramps, roadways, sewers, curbs,
22 and gutters.

23 (2) Finance, by loan, grant, lease, or otherwise,
24 construct, erect, assemble, purchase, acquire, own, repair,
25 remodel, renovate, rehabilitate, modify, maintain, extend,

1 improve, install, sell, equip, expand, add to, operate, or
2 manage property, and to pay the cost of any such project from
3 the funds of the authority, or from any contributions by
4 persons, corporations, limited or general partnerships, or
5 other public or private entities, all of which the authority
6 is authorized to receive and accept and use.

7 (3) Execute and deliver mortgages and deeds of trust
8 and trust indentures, or either.

9 (4) Enter into contracts and cooperative agreements
10 with and accept grants from local, state, or federal
11 governments, agencies of the government, private individuals,
12 corporations, associations, and other organizations as the
13 authority deems necessary or convenient to carry out the
14 public purposes of the authority.

15 (5) Accept public or private gifts, grants, and
16 donations.

17 (6) Sell, convey, transfer, lease, or donate any
18 property, franchise, grant, easement, license, or lease or
19 interest therein which it may own, and to transfer, assign,
20 sell, convey, or donate any right, title, or interest which it
21 may have in any lease, contract, agreement, license, or
22 property.

23 (7) Employ personnel as may be necessary or
24 convenient to accomplish the public purposes of this act. Any
25 personnel employed by the authority shall serve at the

1 pleasure of the board of directors. The board of directors
2 shall fix the compensation of the personnel and the
3 compensation shall be paid from any funds of the authority.
4 The board of directors shall designate the duties of the
5 personnel.

6 (8) Perform other acts necessary or incidental to
7 the accomplishment of the public purposes of the authority,
8 including, but not limited to, the employment of legal and
9 accounting assistance, whether or not the acts are
10 specifically authorized by this act.

11 Section 7. The authority, its property, real and
12 personal, any income produced and all conveyances, deeds,
13 leases, mortgages, and deeds of trust, shall be exempt from
14 all taxation by the State of Alabama or any political or
15 administrative subdivision thereof, including, but not limited
16 to, all income, ad valorem, sales, excise, license, and
17 privilege taxes and fees, the levy or collection of which is
18 established by local law. This section shall not be construed
19 to alter the implementation or construction of any general
20 law.

21 Section 8. This act shall become effective
22 immediately following its passage and approval by the
23 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

SB336

Senate 05-APR-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 07-APR-22

By: Senator Albritton