

SB5 INTRODUCED



1 SB5
2 STUF555-1
3 By Senator Elliott
4 RFD: County and Municipal Government
5 First Read: 04-Feb-25
6 PFD: 24-Jul-24



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SYNOPSIS:

Under existing law, the Board of Trustees of the Department of Archives and History is composed of two members from each congressional district and two at-large members.

This bill would increase the composition of the board to 19 members and revise the manner in which members are appointed.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Department of Archives and History; to amend Sections 41-6-3 and 41-6-4, Code of Alabama 1975; to further provide for the composition of the Board of Trustees of the Department of Archives and History; to further provide for the filling of vacancies on the board; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



SB5 INTRODUCED

29 Section 1. Sections 41-6-3 and 41-6-4, Code of Alabama
30 1975, are amended to read as follows:

31 "§41-6-3

32 (a) (1) The department shall be under the control of the
33 Board of Trustees of the Department of Archives and History,
34 ~~which.~~ Effective until June 1, 2025, the board shall consist
35 of ~~one member~~ two members from each congressional district and
36 ~~the additional members selected pursuant to subsection (b)~~ two
37 at-large members.

38 (2) Beginning on June 1, 2025, the membership of the
39 board shall be increased to 19 members to include the
40 Governor, or his or her designee, as a voting member and two
41 additional at-large members to be appointed by the Speaker of
42 the House of Representatives and the President Pro Tempore of
43 the Senate.

44 (3) When any vacancy occurs, the vacancy shall be
45 filled pursuant to the process established in subsection (d).

46 (b) ~~Two additional at-large members shall be selected~~
47 ~~and an additional member shall be selected from each U.S.~~
48 ~~Congressional District. The additional members shall be~~
49 ~~selected by the board of trustees and their names shall be~~
50 ~~communicated to the Senate not later than the fifth~~
51 ~~legislative day of the 2004 Regular Session of the~~
52 ~~Legislature.~~ Newly selected members shall be confirmed by the
53 Senate in the same manner as vacancies filled pursuant to
54 Section 41-6-4. ~~The board of trustees shall select three of~~
55 ~~the new members to serve initial terms of two years, three of~~
56 ~~the new members to serve initial terms of four years, and~~



SB5 INTRODUCED

57 ~~three of the new members to serve initial terms of six years.~~
58 ~~All successor members shall serve terms of six years and shall~~
59 ~~be selected as provided in Section 41-6-4.~~

60 (c) The ~~membership of the board of trustees~~ appointing
61 authorities shall ~~be~~ coordinate their appointments to assure
62 that the membership of the board is inclusive and ~~shall~~
63 ~~reflect~~ reflects the racial ~~and,~~ gender, geographic, urban,
64 rural, and economic diversity of the state.

65 (d) Each board vacancy, as it arises, shall be filled
66 by an at-large member serving a term of six years appointed by
67 the following authorities in the following order:

68 (1) The Lieutenant Governor.

69 (2) The Governor.

70 (3) The Minority Leader of the House of
71 Representatives.

72 (4) The Minority Leader of the Senate.

73 (5) The Speaker of the House of Representatives.

74 (6) The President Pro Tempore of the Senate.

75 (7) The Lieutenant Governor.

76 (8) The Governor.

77 (9) The Speaker of the House of Representatives.

78 (10) The President Pro Tempore of the Senate.

79 (11) The Lieutenant Governor.

80 (12) The Governor.

81 (13) The Speaker of the House of Representatives.

82 (14) The President Pro Tempore of the Senate.

83 (15) The Lieutenant Governor.

84 (16) The Governor.



SB5 INTRODUCED

85 (e) Members of the board shall serve at the pleasure of
86 their respective appointing authority."

87 "§41-6-4

88 (a) The ~~board of trustees~~ respective appointing
89 authorities described in Section 41-6-3 shall fill all
90 vacancies occurring on the board, whether by expiration of
91 term of service or by death or resignation, ~~but the names of~~
92 ~~all successor members shall be communicated to the current~~
93 ~~session or the next ensuing regular session of the state~~
94 ~~Senate for confirmation. If the Senate rejects any successor~~
95 ~~trustee, the board shall proceed forthwith to fill the~~
96 ~~vacancy~~ pursuant to the process established in Section 41-6-3,
97 subject to confirmation by the Senate.

98 (b) A ~~trustee~~ board member appointed to succeed a
99 member whose term has expired shall serve for a term of six
100 years. ~~A person~~ An individual appointed to fill a vacancy
101 occurring by death or resignation shall only serve out the
102 unexpired term of his or her predecessor. ~~A person~~ An
103 individual whose appointment to the board has been confirmed
104 by the Senate shall serve beyond his or her expired term until
105 a successor has been confirmed by the Senate.

106 (c) The board shall hold at the State Capital at least
107 one regular meeting during every year and as many special
108 meetings as may be necessary, ~~and at any meeting a~~ A majority
109 of the ~~trustees~~ board shall constitute a quorum. The Governor
110 ~~of the state~~ shall be a voting member of the board as
111 authorized by Section 41-6-3, and he or she ~~shall~~, as far as
112 possible, shall lend every encouragement to the success and



SB5 INTRODUCED

113 ~~upbuilding~~ development of the department. The director shall
114 be the secretary of the board. ~~The trustees~~ Members of the
115 board shall receive no compensation for their services. Each
116 member of the board ~~of trustees~~ shall be reimbursed at the
117 same per diem and travel allowance amounts paid by law to
118 state employees for each day of attendance of the business of
119 the board.

120 (d) The board may do all of the following:

121 (1) Adopt rules for its own government and also for the
122 government of the department.

123 (2) Elect a director and provide for the selection or
124 appointment of other officials or employees as may be
125 authorized.

126 (3) Provide for the publication of historical material
127 pertaining to the state under the supervision of the director.

128 (4) Control and expend such appropriations as may be
129 made for the maintenance of the department.

130 (5) Perform such other acts as may be necessary to
131 carry out the intent and purposes of this article."

132 Section 2. This act shall become effective on June 1,
133 2025.