HB340
164638-2

By Representatives Williams (JD), Garrett, Martin, Holmes (M), Fincher, Moore (B), Howard, Shiver, Polizos, Coleman-Evans, Forte, Williams (JW), Boyd, Grimsley, Melton, Lawrence, Beech, Alexander, Standridge, Rogers, Moore (M), Hurst, Whorton (I), Nordgren, Hanes, Givan, Scott, Williams (P), Butler, Treadaway, Farley, Daniels, Ledbetter, Whorton (R), Ball, Pettus, Fridy, Rowe, Johnson (K), Wood, Faust, Greer and Mooney (Constitutional Amendment)

RFD: Education Policy

First Read: 19-MAR-15
SYNOPSIS: This bill would propose an amendment to Section 264 of the Constitution of Alabama of 1901, as amended by Amendment 399 to the Constitution of Alabama of 1901, now appearing as Section 264 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to rename the Board of Trustees of the University of Alabama as the Board of Trustees of the University of Alabama System and to revise the makeup of the board to include additional members from areas of the state in which a campus of the university system is located, to decrease the number of consecutive six-year terms of office a member may serve from three to two, and to specify where the office for the system and the chancellor of the system may be located.

A BILL
TO BE ENTITLED
AN ACT
To propose an amendment to Section 264 of the Constitution of Alabama of 1901, as amended by Amendment 399 to the Constitution of Alabama of 1901, now appearing as Section 264 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to the University of Alabama Board of Trustees; to rename the board as the Board of Trustees of the University of Alabama System; to revise the makeup of the board to include additional members from areas of the state in which a campus of the university system is located; to decrease the number of consecutive six-year terms of office a member may serve from three to two; and to specify where the office for the system and the chancellor of the system may be located.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

"Section 264.

"(a) The University of Alabama System shall constitute a public corporation and instrumentality of the state. The University of Alabama System shall be under the management and control of a board of trustees which shall consist of_
"(b) The University of Alabama System Board of Trustees shall be comprised of all of the following members:

"(1) Two members from each congressional district in the state, an additional member from the congressional district which includes the site of the first campus of the university, the superintendent of education, and the governor.

"(2) One member from each congressional district in the state in which a campus of the university system is located.

"(3) One member who is appointed by majority vote of the governing body of any municipality in which a campus of the university system is located.

"(4) One member who is appointed by majority vote of the governing body of any county in which a campus of the university system is located.

"(5) One member representing the alumni of each campus of the university system who is appointed by the Governor from a list of five names submitted by each of the respective campus alumni associations.

"(6) One member from the state at-large who is appointed by the Lieutenant Governor.

"(7) One member from the state at-large who is appointed by the Speaker of the House of Representatives.

"(8) One member from the state at-large who is appointed by the President Pro Tempore of the Senate.

"(9) The State Superintendent of Education."
"(10) The Governor, who shall be ex officio president of the board.

"(c) The members of the board of trustees as now constituted on the ratification date of this amendment shall hold office until their respective terms expire under existing law, and until their successors shall be elected and confirmed as hereinafter required.

"(d) The members of the board of trustees appointed pursuant to subdivisions (1), (2), and (5) of subsection (b) shall be subject to confirmation by the Senate.

"(e) The additional trustees provided for by this amendment shall be elected by the existing members of the board, and confirmed by the senate in the manner provided below, appointed for initial terms of not more than that are staggered to expire over the course of six years established by the board so that one term shall expire each three years in each congressional district.

"(f) Successors to the terms of the existing and additional trustees shall hold office for a term of six years, and shall not serve more than three consecutive full six-year terms on the board. provided however that a trustee shall retire from the board and vacate office at the annual meeting of the board following that trustee's seventieth birthday. Election of additional and successor trustees or of trustees to fill any vacancy created by the expiration of a term or by the death or resignation of any member or from any other cause shall be by the remaining members of the board by
secret ballot; provided, that any trustee so elected shall hold office from the date of election until confirmation or rejection by the senate, and, if confirmed, until the expiration of the term for which elected, and until a successor is elected. At every meeting of the legislature the superintendent of education shall certify to the senate the names of all who shall have been so elected since the last session of the legislature, and the senate shall confirm or reject them, as it shall determine is for the best interest of the university. If it rejects the names of any members, it shall thereupon elect trustees in the stead of those rejected.

"(g)(1) A board of trustees appointing committee is established composed of the following members:

"a. The president pro tem of the board of trustees.

"b. One member of each alumni association of the system selected by the board of trustees of each alumni association.

"c. The Governor, or a designee of the Governor, who is not a current employee of the University of Alabama System or any of the institutions therein.

"(2) The Governor, or the designee of the Governor, shall serve as chair of the appointing committee. If the chair fails to call a meeting within 90 days before the expiration of the term of a sitting board member or within 30 days after the creation of a vacancy by death, resignation, or other cause, a majority of the committee, in writing, may call a meeting giving at least 10 days' notice. In the absence of the
chair or another member designated by the chair to preside, a
majority of the committee shall choose its own chair.

"(3) When appropriate, the appointing committee
shall meet to address the appointment of any vacancy of a
trustee serving pursuant to subdivision (1) or subdivision (2)
of subsection (b).

"(4) The appointing committee, by majority vote,
shall appoint an individual to fill the respective position on
the board of trustees. The committee shall ensure that
appointments are solicited from all constituencies, are
inclusive, and reflect the racial, gender, and economic
diversity of the state.

"(h) No trustee shall receive any pay or emolument
other than his or her actual expenses incurred in the
discharge of his duties as such. Upon the vacation of office
by a trustee, the board, if it desires, may bestow upon a
trustee the honorary title of trustee emeritus, but such
status shall confer no responsibilities, duties, rights, or
privileges as such.

"(i) The office of the University of Alabama System
and that of the Chancellor of the University of Alabama
System, should a chancellor be employed, shall be located in
the largest municipality within a county in which a campus of
the university system is located."

Section 2. An election upon the proposed amendment
shall be held in accordance with Sections 284 and 285 of the
Constitution of Alabama of 1901, now appearing as Sections 284

Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment:

"Proposing an amendment to the Constitution of Alabama of 1901, relating to the Board of Trustees of the University of Alabama; to rename the board as the Board of Trustees of the University of Alabama System; to revise the makeup of the board to include additional members from areas of the state in which a campus of the university system is located; to decrease the number of consecutive six-year terms of office a member may serve from three to two; and to specify where the office for the system and the chancellor of the system may be located.

"Proposed by Act ________." This description shall be followed by the following language:

"Yes ( ) No ( )."