

1 SB40  
2 155480-2  
3 By Senator Allen  
4 RFD: Governmental Affairs  
5 First Read: 14-JAN-14  
6 PFD: 11/15/2013

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3  
4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 To amend Sections 34-11-1, 34-11-4, 34-11-6,  
12 34-11-30, and 34-11-34, Code of Alabama 1975, relating to the  
13 practice of engineering and land surveying; to require that  
14 certain applicants for licensure pass a board approved  
15 examination in lieu of an eight-hour written examination; to  
16 authorize the board to contract with an independent testing  
17 agency; to provide that two members of the board be nominated  
18 by the Alabama Society of Professional Land Surveyors for  
19 appointment by the Governor; and to provide that a simple  
20 majority of board members is a quorum.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Sections 34-11-1, 34-11-4, 34-11-6,  
23 34-11-30, and 34-11-34 of the Code of Alabama 1975, are  
24 amended to read as follows:

25 "§34-11-1.

1           "For the purposes of this chapter, the following  
2 words and phrases shall have the respective meanings ascribed  
3 by this section:

4           "(1) BOARD. The State Board of Licensure for  
5 Professional Engineers and Land Surveyors, provided for by  
6 Section 34-11-30.

7           "(2) ENGINEER INTERN. A person who has qualified  
8 under subdivision (2) of Section 34-11-4, and who, in  
9 addition, has successfully passed ~~an eight-hour written~~ a  
10 board approved examination in the fundamental engineering  
11 subjects as provided in Section 34-11-6, and who has been  
12 certified by the board as an engineer intern.

13           "(3) ENGINEER or PROFESSIONAL ENGINEER. A person  
14 who, by reason of his or her special knowledge of the  
15 mathematical and physical sciences and the principles and  
16 methods of engineering analysis and design, acquired by  
17 engineering education and engineering experience, is qualified  
18 to practice engineering as hereinafter defined and has been  
19 licensed by the board as a professional engineer.

20           "(4) LAND SURVEYOR INTERN. A person who has  
21 qualified under subdivision (4) of Section 34-11-4, has passed  
22 ~~an~~ a board approved examination in the fundamental land  
23 ~~surveyor intern~~ surveying subjects, pursuant to this chapter,  
24 and who has been certified by the board as a land surveyor  
25 intern.

26           "(5) LAND SURVEYOR or PROFESSIONAL LAND SURVEYOR. A  
27 person who has been duly licensed as a professional land

1 surveyor by the board established under this chapter, and who  
2 is a professional specialist in the technique of measuring  
3 land, is educated in the principles of mathematics, the  
4 related physical and applied sciences, the relevant  
5 requirements of law for adequate evidence and all requisites  
6 for surveying of real property, and is qualified to practice  
7 land surveying as defined in subdivision (8).

8 "(6) PRACTICE and OFFER TO PRACTICE. Any person  
9 shall be construed to practice or offer to practice  
10 engineering or land surveying, within the meaning and intent  
11 of this chapter, who offers to or does as a profession  
12 practice any branch of engineering or land surveying; or who  
13 by verbal claim, sign, advertisement, letterhead, card, or in  
14 any other way represents himself or herself to be a  
15 professional engineer or a professional land surveyor, or  
16 through the use of some other title implies that he or she is  
17 a professional engineer or a professional land surveyor; or  
18 who represents himself or herself as able to perform or who  
19 does perform any engineering or land surveying service or work  
20 or any other service designated by the practitioner which is  
21 recognized as engineering or land surveying.

22 "(7) PRACTICE OF ENGINEERING. Any professional  
23 service or creative work, the adequate performance of which  
24 requires engineering education, training, and experience in  
25 the application of special knowledge of the mathematical,  
26 physical, and engineering sciences to such services or  
27 creative work as consultation, investigation, evaluation,

1 planning, design and design coordination of engineering works  
2 and systems, planning the use of land and water, performing  
3 engineering surveys and studies, and the review of  
4 construction or other design products for the purpose of  
5 monitoring compliance with drawings and specifications; any of  
6 which embraces such services or work, either public or  
7 private, in connection with any utilities, structures,  
8 buildings, machines, equipment, processes, work systems,  
9 projects, and industrial or consumer products; equipment of a  
10 control, communications, computer, mechanical, electrical,  
11 hydraulic, pneumatic, or thermal nature, insofar as they  
12 involve safeguarding life, health, or property; and including  
13 other professional services necessary to the planning,  
14 progress, and completion of any engineering services.

15 "Notwithstanding any other provision of this  
16 chapter, in qualifying a witness to offer expert testimony on  
17 the practice of engineering, the court shall consider as  
18 evidence of his or her expertise whether the proposed witness  
19 holds a valid Alabama license for the practice of engineering.  
20 Provided, however, such qualification by the court shall not  
21 be withheld from an otherwise qualified witness solely on the  
22 basis of the failure of the proposed witness to hold such  
23 valid Alabama license.

24 "a. Design coordination includes the review and  
25 coordination of those technical submissions prepared by  
26 others, including, as appropriate and without limitations,  
27 consulting engineers, architects, landscape architects, land

1 surveyors, and other professionals working under the direction  
2 of the engineer.

3 "b. Engineering surveys include all survey  
4 activities required to support the sound conception, planning,  
5 design, construction, maintenance and operation of engineered  
6 projects, rights-of-way, and easement acquisitions relative to  
7 the centerline of the project. Engineering surveys may be used  
8 to locate, relocate, establish, reestablish, layout, or  
9 retrace any road, right-of-way, easement, or alignment  
10 relative to the centerline of the project. Additionally,  
11 engineering surveys may be performed to determine areas,  
12 volumes, or physical features of the earth, elevation of all  
13 real property, improvements on the earth, and the  
14 configuration or contour of the surface of the earth or the  
15 position of fixed objects thereon by measuring lines and  
16 angles and applying the principles of mathematics. All  
17 engineering surveys shall exclude the surveying of real  
18 property for the establishment of any property line or land  
19 boundaries, setting of corners or monuments, and the dependent  
20 or independent surveys or resurveys of the public land survey  
21 system.

22 "c. The term shall not include the practice of  
23 architecture except such architectural work as is incidental  
24 to the practice of professional engineering; nor shall the  
25 term include work ordinarily performed by persons who operate  
26 or maintain machinery or equipment.

1           "d. The practice of engineering shall include the  
2 offering of expert opinion in any legal proceeding in Alabama  
3 regarding work legally required to be performed under an  
4 Alabama engineer's license number or seal, which opinion may  
5 be given by an engineer licensed in any jurisdiction.

6           "(8) PRACTICE OF LAND SURVEYING. Professional  
7 services, including, but not limited to, consultation, project  
8 coordination, investigation, testimony, evaluation, planning,  
9 mapping, assembling, and interpreting reliable scientific  
10 measurements and information relative to the location, size,  
11 shape, areas, volumes, or physical features of the earth,  
12 improvements on the earth, the space above the earth, or any  
13 part of the earth, and the utilization and development of  
14 these acts and interpretation into an orderly survey map,  
15 plan, report, description, or project. Project coordination  
16 shall include the coordination of those technical submissions  
17 as prepared by others. Notwithstanding the provisions of this  
18 subdivision, the practice of land surveying shall exclude  
19 functions unique to engineering as specified by rules of the  
20 board. The practice of land surveying shall include, but is  
21 not limited to, any one or more of the following:

22           "a. Locates, relocates, establishes, reestablishes,  
23 lays out, or retraces any property line or boundary of any  
24 tract of land or any road, right-of-way, easement, alignment,  
25 or elevation of all real property whether or not fixed works  
26 are sited or proposed to be sited on the property.

1                    "b. Makes any survey for the subdivision of any  
2 tract of land or for condominiums.

3                    "c. Determines, by the use of the principles of land  
4 surveying, the position for any survey, monument, or reference  
5 point; or sets, resets, or replaces any such monument or  
6 reference point.

7                    "d. Determines the configuration or contour of the  
8 surface of the earth or the position of fixed objects thereon  
9 by measuring lines and angles and applying the principles of  
10 mathematics or photogrammetry.

11                   "e. Geodetic surveying which includes surveying for  
12 determination of the size and shape of the earth both  
13 horizontally and vertically and the precise positioning of  
14 points on the earth utilizing angular and linear measurements  
15 through spatially oriented spherical geometry.

16                   "f. Creates, prepares, or modifies electronic or  
17 computerized data, including land information systems and  
18 geographic land information systems, relative to the  
19 performance of the activities in paragraphs a. to e.,  
20 inclusive.

21                   "(9) RESPONSIBLE CHARGE. Direct control and personal  
22 supervision of engineering work or land surveying work.

23                   "§34-11-4.

24                   "The board may approve engineering, land surveying,  
25 and related science programs which shall be accepted under the  
26 following criteria:



1                   "(1) PROFESSIONAL ENGINEER. The following shall be  
2 considered as minimum evidence satisfactory to the board that  
3 the applicant is qualified for licensure as a professional  
4 engineer:

5                   "a. Graduation and experience plus examination.

6                   "1. Graduation in an approved engineering curriculum  
7 plus four years experience. A graduate of an approved  
8 engineering curriculum of four years or more from a school or  
9 college approved by the board who has successfully passed ~~the~~  
10 ~~eight-hour written~~ a board approved examination in the  
11 fundamental engineering subjects and who has a specific record  
12 of an additional four years or more of progressive experience  
13 in engineering work of a grade and character satisfactory to  
14 the board shall be admitted to ~~an eight-hour written~~ a board  
15 approved examination in the principles and practice of  
16 engineering. Upon passing this examination, the applicant  
17 shall be granted a certificate of licensure to practice  
18 engineering in this state, provided the applicant is otherwise  
19 qualified.

20                   "2. Graduation in an unapproved engineering  
21 curriculum plus six years experience. A graduate of an  
22 unapproved engineering curriculum of four years or more who  
23 has successfully passed ~~the eight-hour written~~ a board  
24 approved examination in the fundamental engineering subjects  
25 and who has a specific record of an additional six years or  
26 more of progressive experience in engineering work of a grade  
27 and character satisfactory to the board shall be admitted to

1 ~~an eight-hour written~~ a board approved examination in the  
2 principles and practice of engineering. Upon passing this  
3 examination, the applicant shall be granted a certificate of  
4 licensure to practice engineering in this state, provided the  
5 applicant is otherwise qualified.

6 "b. Comity. The board may, upon application, issue a  
7 certificate of licensure as a professional engineer to any  
8 person who holds a valid professional engineering certificate  
9 issued by any jurisdiction of the United States or of any  
10 country; provided, that the education, experience, and  
11 examination qualifications of the applicant are, in the  
12 judgment of the board, of a standard not lower than that  
13 specified in the applicable licensure act in effect in Alabama  
14 at the time such certificate was issued. The board may  
15 authorize an applicant to practice engineering on a temporary  
16 basis upon issuance of an interim permit which shall remain in  
17 effect until the board acts upon the application. The interim  
18 permit may be issued upon submission of documentation and a  
19 fee which shall be established by the board, not to exceed  
20 fifty dollars (\$50).

21 "(2) ENGINEER INTERN. The following shall be  
22 considered as minimum evidence satisfactory to the board that  
23 the applicant is qualified for certification as an engineer  
24 intern:

25 "a. Graduation and examination. A graduate of an  
26 approved engineering curriculum of four years or more from a  
27 school or college approved by the board who has successfully

1 passed ~~an eight-hour written~~ a board approved examination in  
2 the fundamental engineering subjects shall be certified as an  
3 engineer intern, if otherwise qualified.

4 "b. Graduation and examination plus experience.  
5 Graduation in an unapproved engineering curriculum plus two  
6 years experience. A graduate of an unapproved engineering  
7 curriculum of four years or more who has successfully passed  
8 ~~an eight-hour written~~ a board approved examination in the  
9 fundamental engineering subjects and who has a specific record  
10 of two years or more of progressive experience in engineering  
11 work of a grade and character satisfactory to the board shall  
12 be certified as an engineer intern, if otherwise qualified.

13 "c. Comity. The education, experience, and  
14 examination qualifications of the applicant are, in the  
15 judgment of the board, of a standard not lower than that  
16 specified in the applicable licensure act in effect in Alabama  
17 at the time such certificate was issued. Fundamentals of  
18 engineering examinations of comparable character taken and  
19 passed in another jurisdiction may be accepted by the board.

20 "(3) PROFESSIONAL LAND SURVEYOR. The following shall  
21 be considered as minimum evidence satisfactory to the board  
22 that the applicant is qualified for licensure as a  
23 professional land surveyor.

24 "a. Graduation and experience plus examination.

25 "1. Graduation in an approved land surveying  
26 curriculum plus four years experience. A graduate of an  
27 approved land surveying curriculum of four years or more

1 including a minimum of 30 semester hours or 45 quarter hours  
2 of surveying courses from a school or college approved by the  
3 board who has successfully passed ~~an eight-hour written a~~  
4 board approved examination in the fundamental land surveying  
5 subjects and who has a specific record of an additional four  
6 years or more of combined office and field experience in land  
7 surveying work of a grade and character satisfactory to the  
8 board shall be admitted to a ~~six-hour written~~ board approved  
9 examination in the principles and practice of land surveying  
10 and a ~~two-hour written~~ board approved examination on laws,  
11 procedures, and practices pertaining to land surveying in  
12 ~~Alabama~~ this state. Upon passing these examinations, the  
13 applicant shall be granted a certificate of licensure to  
14 practice land surveying in this state, provided the applicant  
15 is otherwise qualified.

16 "2. Graduation in an approved curriculum related to  
17 surveying plus six years experience. A graduate of a  
18 curriculum related to surveying of four years or more  
19 including a minimum of 15 semester hours or 22.5 quarter hours  
20 of surveying courses from a school or college approved by the  
21 board and who has successfully passed ~~the eight-hour written a~~  
22 board approved examination in the fundamental land surveying  
23 subjects and who has a specific record of an additional six  
24 years or more of progressive office and field experience in  
25 land surveying work of a grade and character satisfactory to  
26 the board shall be admitted to a ~~six-hour~~ board approved  
27 examination in the principles and practice of land surveying

1 and a ~~two-hour written~~ board approved examination of laws,  
2 procedures, and practices pertaining to land surveying in  
3 ~~Alabama~~ this state. Upon passing these examinations, the  
4 applicant shall be granted a certificate of licensure to  
5 practice land surveying in this state, provided the applicant  
6 is otherwise qualified.

7 "3. Graduation in a related science curriculum plus  
8 eight years experience. A graduate of a related science  
9 curriculum of four years or more from a school or college  
10 approved by the board who has successfully passed ~~the~~  
11 ~~eight-hour written~~ a board approved examination in the  
12 fundamental land surveying subjects and who has a specific  
13 record of an additional eight years or more of progressive  
14 combined office and field experience in land surveying work of  
15 a grade and character satisfactory to the board shall be  
16 admitted to a ~~six-hour~~ board approved examination in the  
17 principles and practice of land surveying and a ~~two-hour~~  
18 ~~written~~ board approved examination of laws, procedures, and  
19 practices pertaining to land surveying in ~~Alabama~~ this state.  
20 Upon passing these examinations, the applicant shall be  
21 granted a certificate of licensure to practice land surveying  
22 in this state, provided the applicant is otherwise qualified.

23 ~~"b. Experience plus examination. Before December 31,~~  
24 ~~2007, an applicant who has a specific record of eight years or~~  
25 ~~more of combined office and field experience in land surveying~~  
26 ~~work of a grade and character satisfactory to the board shall~~  
27 ~~be admitted to an eight-hour written examination in the~~

1 ~~fundamentals of land surveying, and after passing the~~  
2 ~~fundamentals examination shall be admitted to a six-hour~~  
3 ~~written examination in the principles and practice of land~~  
4 ~~surveying and a two-hour written examination on laws,~~  
5 ~~procedures, and practices pertaining to land surveying in~~  
6 ~~Alabama. Upon passing these examinations, the applicant shall~~  
7 ~~be granted a certificate of licensure to practice land~~  
8 ~~surveying in this state, provided the applicant is otherwise~~  
9 ~~qualified.~~

10 "cb. Comity. The board ~~may~~, upon application, may  
11 grant to any person who holds a valid professional land  
12 surveying certificate issued by any jurisdiction of the United  
13 States or of any country, admission into a ~~two-hour written~~  
14 board approved examination of laws, procedures, and practices  
15 pertaining to land surveying in ~~Alabama~~ this state, provided  
16 that the education, experience, and examination qualifications  
17 of the applicant are, in the judgment of the board, of a  
18 standard not lower than that specified in the applicable  
19 licensure act in effect in ~~Alabama~~ this state at the time such  
20 certificate was issued. Upon passing the examination, the  
21 applicant shall be granted a certificate of licensure to  
22 practice land surveying in this state, provided the applicant  
23 is otherwise qualified.

24 "(4) LAND SURVEYOR INTERN. The following shall be  
25 considered as minimum evidence satisfactory to the board that  
26 the applicant is qualified for certification as a land  
27 surveyor intern:

1            "a. Graduation plus examination. Graduation in an  
2 approved land surveying curriculum. A graduate of a land  
3 surveying curriculum of four years or more including a minimum  
4 of 30 semester hours or 45 quarter hours of surveying courses  
5 from a school or college approved by the board who has  
6 successfully passed ~~an eight-hour written~~ board approved  
7 examination in the fundamentals of land surveying shall be  
8 certified as a land surveyor intern, if otherwise qualified.

9            "b. Graduation and examination plus experience.

10           "1. Graduation in an approved curriculum related to  
11 surveying plus two years experience. A graduate of a  
12 curriculum related to surveying of four years or more  
13 including a minimum of 15 semester hours or 22.5 quarter hours  
14 of surveying courses from a school or college approved by the  
15 board who has successfully passed ~~an eight-hour written~~ board  
16 approved examination in the fundamentals of land surveying and  
17 who has a specific record of an additional two years or more  
18 of combined office and field experience in land surveying work  
19 of a grade and character satisfactory to the board shall be  
20 certified as a land surveyor intern, if otherwise qualified.

21           "2. Graduation in a related science curriculum plus  
22 four years experience. A graduate of a related science  
23 curriculum of four years or more who has successfully passed  
24 ~~an eight-hour written~~ a board approved examination in the  
25 fundamentals of land surveying and who has a specific record  
26 of an additional four years or more of combined office and  
27 field experience in land surveying work of a grade and

1 character satisfactory to the board shall be certified as a  
2 land surveyor intern, if otherwise qualified.

3 "c. Comity. The education, experience, and  
4 examination qualifications of the applicant are, in the  
5 judgment of the board, of a standard not lower than that  
6 specified in the applicable licensure act in effect in Alabama  
7 at the time such certificate was issued. The board may accept  
8 fundamentals of land surveying examinations of comparable  
9 character taken and passed in another jurisdiction.

10 "(5) CHARACTER. No person shall be eligible for  
11 licensure as a professional engineer, certification as an  
12 engineer intern, licensure as a professional land surveyor, or  
13 certification as a land surveyor intern who is not of good  
14 character and reputation.

15 "(6) TEACHING CREDITS. In considering the  
16 qualifications of applicants, teaching in an engineering  
17 curriculum approved by the board may be considered as  
18 engineering experience. Teaching land surveying subjects in a  
19 land surveying curriculum approved by the board may be  
20 considered as land surveying experience.

21 "(7) GRADUATE STUDY. In counting years of experience  
22 for professional engineer licensure, the board may give  
23 credit, not in excess of one year, for successful completion  
24 of graduate study leading to a master's degree in engineering.  
25 If a Ph.D. in engineering is completed, a total of two year's  
26 experience may be credited. The two-year credit shall include  
27 one year for the master's degree. If the Ph.D. is obtained



1 without the master's degree, the credit for experience shall  
2 be two years. In counting years of experience for professional  
3 land surveyor licensure, the board may give credit, not in  
4 excess of one year, for successful completion of graduate  
5 study leading to a master's degree in land surveying. If a  
6 Ph.D. in land surveying is completed, a total of two years'  
7 experience may be credited. The credit of two years shall  
8 include one year for the master's degree. If the Ph.D. is  
9 obtained without the master's degree, the credit for  
10 experience shall be two years.

11 "(8) NONPRACTICING APPLICANTS. Any person having the  
12 necessary qualifications prescribed in this chapter to entitle  
13 the applicant to licensure shall be eligible for licensure  
14 although the applicant may not be practicing engineering or  
15 land surveying at the time of making application.

16 "(9) RECOGNITION OF PREVIOUSLY TAKEN EXAMINATIONS.  
17 The board may accept fundamentals and principles and practice  
18 examinations of comparable character taken and passed in  
19 another jurisdiction.

20 "§34-11-6.

21 "(a) Examinations shall be held at such times and  
22 places as the board determines and upon payment of an  
23 examination fee.

24 "(b) When examinations are required on fundamental  
25 subjects, the applicant shall be permitted to take this part  
26 of the professional examination as specified by rules of the

1 board. A candidate failing an examination may apply for  
2 reexamination under guidelines established by the board.

3 "(c) When examinations are required on applied  
4 subjects, the applicant shall be permitted to take this part  
5 of the professional examination as specified by guidelines  
6 established by the board. The scope of the examination and the  
7 methods of procedure shall be prescribed by the board with  
8 special reference to the applicant's ability to design and  
9 supervise engineering or land surveying works so as to protect  
10 the safety of life, health, and property. Examinations shall  
11 be given for the purpose of determining the qualifications of  
12 applicants for licensure separately in engineering and in land  
13 surveying. A candidate failing an examination may apply for  
14 reexamination under guidelines established by the board.

15 "(d) The fees for examination, ~~and reexamination,~~  
16 and administration of the examination on the laws, procedures,  
17 and practices pertaining to land surveying in this state shall  
18 be set by the board ~~and shall not exceed three hundred dollars~~  
19 ~~(\$300).~~

20 "(e) The board may contract with an independent  
21 testing agency to prepare, grade, or conduct the required  
22 examinations. For those examinations so designated by the  
23 board, the applicant shall pay the examination fees directly  
24 to the board authorized testing agency. The examination fee  
25 for the examination on Alabama land surveying laws,  
26 procedures, and practices shall be paid directly to the board.

27 "§34-11-30.

1           "(a) A State Board of Licensure for Professional  
2 Engineers and Land Surveyors is created. It shall be the duty  
3 of the board to administer this chapter. The board shall  
4 consist of five professional engineers and two professional  
5 land surveyors, ~~each of whom.~~ Commencing on the effective date  
6 of the act amending this section, the five professional  
7 engineers shall be appointed by the Governor from a list of  
8 three persons nominated for each appointment by a committee  
9 and the two land surveyors shall be appointed by the Governor  
10 from a list of three persons nominated for each appointment by  
11 the Alabama Society of Professional Land Surveyors.  
12 Nominations shall be made to the Governor by the committee or  
13 the Alabama Society of Professional Land Surveyors,  
14 respectively, as vacancies on the board occur, whether by the  
15 expiration of a term or otherwise, in a position filled by a  
16 professional engineer or land surveyor, respectively. To the  
17 extent possible, the nominating committee, the Alabama Society  
18 of Professional Land Surveyors, and the Governor shall select  
19 those persons whose appointments ensure that the membership of  
20 the board is inclusive and reflects the racial, gender,  
21 geographic, urban/rural, and economic diversity of the state.

22           "(b) the nominating committee shall consist of one  
23 professional engineer ~~or professional land surveyor,~~  
24 ~~respectively,~~ appointed or elected by each of the professional  
25 organizations as outlined in the rules of the board. Any other  
26 organization in the state having membership qualifications  
27 comparable to those professional organizations outlined in the

1 rules of the board may petition the board for membership on  
2 the committee. The board, by rule, may establish nominating  
3 committee operating guidelines and, by rule, may establish  
4 procedures for the removal of nonparticipating members of the  
5 nominating committee. Nominees shall have the qualifications  
6 required by Section 34-11-31. Nominations shall be made by a  
7 majority vote of the committee present at the same time at a  
8 meeting called by the executive director of the board, who  
9 shall advise the above named societies of the meeting at least  
10 30 days before the meeting is held.

11 "(c) Each member of the board, before beginning his  
12 or her term of office, shall file with the Secretary of State  
13 his or her written oath or affirmation for the faithful  
14 discharge of his or her official duties. The members of the  
15 board shall continue to serve under this chapter until their  
16 respective terms expire. On the expiration of the term of each  
17 member, the Governor shall in the manner provided in this  
18 section appoint for a term of five years a professional  
19 engineer or professional land surveyor having the  
20 qualifications required by Section 34-11-31 to take the place  
21 of the member whose term on the board is about to expire.  
22 Vacancies occurring during a term shall be filled by  
23 appointment by the Governor, in the manner provided in this  
24 section, for the unexpired term. Each member shall hold office  
25 until the expiration of the term for which the member is  
26 appointed or until a successor is duly appointed and  
27 qualified.

1                   "§34-11-34.

2                   "The board shall hold at least two regular meetings  
3 each year. The two regular meetings of the board shall be held  
4 in the City of Montgomery, Alabama. The legal office of the  
5 board shall be located in the City of Montgomery. Special  
6 meetings shall be held at the time and place as the rules of  
7 the board may provide. Notice of all meetings shall be given  
8 as the rules provide. The board shall elect or appoint  
9 annually the following officers: A chair, a vice chair, and a  
10 secretary. A quorum of the board shall consist of ~~not less~~  
11 ~~than three members~~ a simple majority of the board membership."

12                   Section 2. This act shall become effective on the  
13 first day of the third month following its passage and  
14 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Governmental Affairs..... 14-JAN-14

Read for the second time and placed on the calen-  
dar 1 amendment..... 21-JAN-14

Read for the third time and passed as amended .... 06-FEB-14

Yeas 26  
Nays 1

Patrick Harris  
Secretary