

1 SB194
2 189603-2
3 By Senators Reed, Waggoner and Allen (Constitutional
4 Amendment)
5 RFD: Judiciary
6 First Read: 18-JAN-18

1 SB194

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4 ENROLLED, An Act,

5 To propose an amendment to Section 264 of the
6 Constitution of Alabama of 1901, as amended by Amendment 399
7 to the Constitution of Alabama of 1901, now appearing as
8 Section 264 of the Official ReCompilation of the Constitution
9 of Alabama of 1901, as amended, relating to the University of
10 Alabama Board of Trustees; to specify that the congressional
11 districts continue to reflect those as constituted on January
12 1, 2018, to remove the State Superintendent of Education from
13 membership, and to delete the requirement that members vacate
14 office at the annual meeting of the board following their
15 seventieth birthday.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

23 PROPOSED AMENDMENT

24 "Section 264.

1 "The state university shall be under the management
2 and control of a board of trustees, which shall consist of two
3 members from each congressional district in the state as
4 constituted on January 1, 2018, an additional member from the
5 congressional district which includes the site of the first
6 campus of the university, ~~the superintendent of education,~~ and
7 the governor, who shall be ex officio president of the board.
8 The members of the board of trustees as now constituted shall
9 hold office until their respective terms expire under existing
10 law, and until their successors shall be elected and confirmed
11 as hereinafter required. The additional trustees provided for
12 by this amendment shall be elected by the existing members of
13 the board, and confirmed by the senate in the manner provided
14 below, for initial terms of not more than six years
15 established by the board so that one term shall expire each
16 three years in each congressional district. Successors to the
17 terms of the existing and additional trustees shall hold
18 office for a term of six years, and shall not serve more than
19 three consecutive full six-year terms on the board; ~~provided~~
20 ~~however that a trustee shall retire from the board and vacate~~
21 ~~office at the annual meeting of the board following that~~
22 ~~trustee's seventieth birthday.~~ Election of additional and
23 successor trustees or of trustees to fill any vacancy created
24 by the expiration of a term or by the death or resignation of
25 any member or from any other cause shall be by the remaining

1 members of the board by secret ballot; provided, that any
2 trustee so elected shall hold office from the date of election
3 until confirmation or rejection by the senate, and, if
4 confirmed, until the expiration of the term for which elected,
5 and until a successor is elected. At every meeting of the
6 legislature the superintendent of education shall certify to
7 the senate the names of all who shall have been so elected
8 since the last session of the legislature, and the senate
9 shall confirm or reject them, as it shall determine is for the
10 best interest of the university. If it rejects the names of
11 any members, it shall thereupon elect trustees in the stead of
12 those rejected. No trustee shall receive any pay or emolument
13 other than his actual expenses incurred in the discharge of
14 his duties as such. Upon the vacation of office by a trustee,
15 the board, if it desires, may bestow upon a trustee the
16 honorary title of trustee emeritus, but such status shall
17 confer no responsibilities, duties, rights, or privileges as
18 such."

19 Section 2. An election upon the proposed amendment
20 shall be held in accordance with Sections 284 and 285 of the
21 Constitution of Alabama of 1901, now appearing as Sections 284
22 and 285 of the Official Recompilation of the Constitution of
23 Alabama of 1901, as amended, and the election laws of this
24 state.

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

6 "Proposing an amendment to the Constitution of
7 Alabama of 1901, relating to the Board of Trustees of the
8 University of Alabama, to specify that the congressional
9 districts from which members are appointed continue to reflect
10 those as constituted on January 1, 2018, to remove the State
11 Superintendent of Education from membership, and to delete the
12 requirement that members vacate office at the annual meeting
13 of the board following their seventieth birthday.

14 "Proposed by Act _____."

15 This description shall be followed by the following
16 language:

17 "Yes () No ()."

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB194

Senate 30-JAN-18

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

Patrick Harris,
Secretary.

House of Representatives
Passed: 22-FEB-18

By: Senator Reed