SB194

189603-1

By Senators Reed, Waggoner and Allen (Constitutional Amendment)

RFD: Judiciary

First Read: 18-JAN-18
SYNOPSIS: Under existing law, the membership of the Board of Trustees of the University of Alabama consists of 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 State Superintendent of Education, and the Governor, as ex officio president of the board.

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 specify that the congressional districts continue to reflect those as constituted on January 1, 2018, to remove the State Superintendent of Education from membership, and to delete the requirement that members vacate office at the annual meeting of the board following their seventieth birthday.
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 specify that the congressional districts continue to reflect those as constituted on January 1, 2018, to remove the State Superintendent of Education from membership, and to delete the requirement that members vacate office at the annual meeting of the board following their seventieth birthday.

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.

"The state university shall be under the management and control of a board of trustees, which shall consist of two
members from each congressional district in the state as constituted on January 1, 2018, 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, who shall be ex officio president of the board. The members of the board of trustees as now constituted shall hold office until their respective terms expire under existing law, and until their successors shall be elected and confirmed as hereinafter required. 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, for initial terms of not more than six years established by the board so that one term shall expire each three years in each congressional district. 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. No trustee shall receive any pay or emolument other than his 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."

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 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

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 specify that the congressional
districts from which members are appointed continue to reflect
those as constituted on January 1, 2018, to remove the State
Superintendent of Education from membership, and to delete the
requirement that members vacate office at the annual meeting
of the board following their seventieth birthday.

"Proposed by Act ________." 

This description shall be followed by the following
language:

"Yes ( ) No ( )."