

1 HB434  
2 206323-1  
3 By Representatives Moore (M) and Rogers (N & P)  
4 RFD: Jefferson County Legislation  
5 First Read: 23-FEB-21

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8       SYNOPSIS:               Under existing law, a public transit  
9                               authority has been incorporated as a public  
10                              corporation to operate a transit authority in a  
11                              county having not less than 600,000 in population  
12                              when incorporated. The board of directors is  
13                              composed of nine directors. One director is elected  
14                              by governing body of the authorizing county; five  
15                              directors are elected by the governing body of the  
16                              principal municipality in the county; and three  
17                              directors are elected by the largest participating  
18                              municipalities in the transit system in the county.

19                              This bill would provide for the election of  
20                              three additional directors. Two of the directors  
21                              would be residents of the authorizing county and  
22                              regular riders on the transit system, one of whom  
23                              would be elected by the Alabama House of  
24                              Representatives members representing the  
25                              authorizing county and one of whom would be elected  
26                              by the Alabama Senate members representing the  
27                              authorizing county. The third additional director

1 would be a full-time employee of the transit system  
2 elected by the executive committee of labor union  
3 representing the employees of the transit system.  
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5 A BILL  
6 TO BE ENTITLED  
7 AN ACT  
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9 Relating to public transit authorities incorporated  
10 in counties having a population of not less than 600,000 when  
11 incorporated; to amend Section 11-32-6 of the Code of Alabama  
12 1975, to increase the membership of the board of directors.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 11-32-6 of the Code of Alabama  
15 1975, is amended to read as follows:

16 "§11-32-6.

17 "(a) Each authority shall be governed by a board.  
18 All powers of the authority shall be exercised by or under the  
19 authority of, and the business and affairs of the authority  
20 shall be managed under the direction of, the board or pursuant  
21 to its authorization. In making appointments to the board,  
22 best efforts should be used to reflect the racial, gender, and  
23 economic diversity within the county.

24 "(b) (1) The board shall consist of ~~nine~~ the  
25 directors as provided in this subsection. One director shall  
26 be elected by the governing body of the authorizing county.  
27 Five of the directors shall be elected by the governing body

1 of the principal municipality. One of the directors shall be  
2 elected by the governing bodies of each of the three  
3 participating municipalities having the largest population  
4 according to the last or any subsequent federal decennial  
5 census. If there are not three participating municipalities,  
6 the governing body of the authorizing county and the governing  
7 body of the principal municipality shall jointly elect a  
8 director that would otherwise be elected by the participating  
9 municipality. The term of office of each person who is a  
10 director on May 24, 2013, shall not be changed by this  
11 chapter.

12 "(2) Three additional directors shall be elected as  
13 provided in this subdivision. Two additional directors shall  
14 be elected who are residents and registered voters of the  
15 authorizing county and who are regular riders on the transit  
16 system. One of these directors shall be elected by the Alabama  
17 House of Representatives delegation representing the  
18 authorizing county and one of the directors shall be elected  
19 by the Alabama Senate delegation representing the authorizing  
20 county. One additional director shall be a full-time regular  
21 employee of the transit system and shall be elected by the  
22 executive committee of the labor union representing employees  
23 of the transit system.

24 "(c) Notwithstanding the provisions of subsection  
25 (b), the terms of this subsection shall apply after January 1,  
26 2014. Every appointment of a director for a new term shall be  
27 for a four-year term, and no one person shall serve more than

1 two consecutive four-year terms unless such person is a  
2 director of the authority on May 24, 2013. The principal  
3 municipality may vary the term of office of any director it  
4 appoints as to cause its appointments to be evenly spaced over  
5 any four-year period. The participating municipalities and the  
6 authorizing county shall, following consultations with each  
7 other, exercise a similar power.

8 "(d) Whenever there is a vacancy on the board, a  
9 successor director to serve for the unexpired term applicable  
10 to the vacancy shall be elected by the public entity that  
11 elected the director whose unexpired term the successor is to  
12 fill. A municipality may not have any continuing or vested  
13 right to elect a director and the power of the governing body  
14 of any municipality to elect or to participate in the election  
15 of a director, whether for a full term or to complete an  
16 unexpired term, shall be determined in accordance with the  
17 most recent federal decennial census.

18 "(e) An officer of the state or of any county or  
19 municipality may not, during his or her tenure as an officer,  
20 be eligible to serve as a director. Each director shall be a  
21 duly qualified elector of the authorizing county. Each  
22 director shall be reimbursed for expenses actually incurred by  
23 him or her in and about the performance of his or her duties.  
24 Each director, except the chair of the board, shall be  
25 compensated in an additional amount not to exceed ten dollars  
26 (\$10) per meeting attended but not to exceed two hundred fifty  
27 dollars (\$250) per year; the chair shall be compensated in an

1 additional amount not to exceed five hundred dollars (\$500)  
2 per year; and the term "meeting" shall have the meaning given  
3 in Section 36-25A-2. A director may be impeached and removed  
4 from office in the same manner and on the same grounds  
5 provided by Section 175 of the Official Recompilation of the  
6 Constitution of Alabama of 1901, as amended, and the general  
7 laws of the state for impeachment and removal of the officers  
8 mentioned in Section 175.

9           "(f) The dollar amounts specified in subsection (e)  
10 shall be adjusted according to the increase in the Consumer  
11 Price Index published by the Bureau of Labor Statistics of the  
12 United States Department of Labor for all Urban Consumers, US  
13 City Average, All Items, Not Seasonally Adjusted, Base Period  
14 1982-84=100 (the "Index"). Adjustments shall occur at the  
15 start of each fiscal year of the authority, and shall be  
16 determined by dividing the most recent information available  
17 for the Index at the start of each fiscal year, by the most  
18 recent information available for the Index upon May 24, 2013,  
19 and multiplying the resultant amount by the subject number in  
20 subsection (e). Any increase or decrease shall be rounded to  
21 the nearest whole dollar."

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