

1 HB631
2 135464-3
3 By Representative Newton (C)
4 RFD: State Government
5 First Read: 03-APR-12

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8 SYNOPSIS: Under existing law, the State Records
9 Commission is charged with determining which state
10 records to permanently preserve and the Local
11 Government Records Commission is responsible for
12 determining which local government records to
13 permanently preserve.

14 This bill would alter the membership and
15 reduce the required number of meeting days for both
16 commissions.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Sections 41-13-20 and 41-13-22 of the Code
23 of Alabama 1975, relating to the management of certain public
24 records by the State Records Commission and the Local
25 Government Commission, so as to provide further for the
26 membership of the commissions and their meetings days.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 41-13-20 and 41-13-22 of the
2 Code of Alabama 1975, are amended to read as follows:

3 "§41-13-20.

4 "There is hereby created a State Records Commission
5 consisting of ~~seven~~ nine members as follows: The Director of
6 the Department of Archives and History, who shall be ~~chairman~~
7 chair of the commission; the Chief Examiner of the Department
8 of Examiners of Public Accounts; the Attorney General; the
9 Secretary of State; the Commissioner of the Department of
10 Revenue; the Director of the Department of Finance; one member
11 from the University of Alabama, to be designated by the head
12 of the ~~department of history and~~ Department of History; one
13 member from Auburn University, to be designated by the head of
14 the ~~department of history~~ Department of History; and one
15 member, an archivist, historian, or librarian, from one of
16 Alabama's Historically Black Colleges and Universities
17 (HBCUs), to be appointed by the Governor. The representatives
18 of the members from the University of Alabama, and Auburn
19 University, and the HBCUs may be removed by the Governor at
20 any time. All ex officio members, except the Director of the
21 Department of Archives and History, may select a designee to
22 represent him or her on the commission. No salary or
23 compensation shall be allowed any member of the commission
24 except expenses incurred in the performance of their duties,
25 which expenses shall be paid pursuant to Article 2 of Chapter
26 7 of Title 36 of this code. The commission shall hold two
27 regular ~~quarterly~~ meetings ~~in January, April, July and October~~

1 of each year and at other times upon the call of the ~~chairman~~
2 chair.

3 "§41-13-22.

4 "There is hereby created a Local Government Records
5 Commission consisting of ~~12~~ 16 members as follows: The
6 Director of the Department of Archives and History, who shall
7 be the ~~chairman~~ chair of the commission; the Chief Examiner of
8 the Department of Examiners of Public Accounts; the Attorney
9 General; the Secretary of State; one member from the
10 University of Alabama, to be designated by the head of the
11 ~~department of history~~ Department of History; one member from
12 Auburn University, to be designated by the head of the
13 ~~department of history~~ Department of History; one member, an
14 archivist, historian, or librarian, from one of Alabama's
15 Historically Black Colleges and Universities (HBCUs), to be
16 appointed by the Governor; and one judge of probate judge who
17 is not ~~chairman~~ also chair of a county commission; ~~two~~
18 ~~chairmen,~~ one chair of a county commissions commission who ~~are~~
19 is not also a judge of probate, one county administrator, one
20 county tax assessor taxation official, one superintendent of a
21 county or municipal school system, one county sheriff, one
22 municipal police chief, and two city clerks, each to be
23 appointed by the Governor. The ~~representatives of~~ members from
24 the University of Alabama ~~and,~~ Auburn University, the HBCUs,
25 the judge of probate judges, the ~~two chairmen of county~~
26 ~~commissions~~ commission chair, the county administrator, the
27 ~~tax assessors~~ county taxation official, the superintendent of

1 a county or municipal school system, the county sheriff, the
2 municipal police chief, and the two city clerks may be removed
3 by the Governor at any time. All ex officio members, except
4 the Director of the Department of Archives and History, may
5 select a designee to represent him or her on the commission.
6 No salary or compensation shall be allowed any member of the
7 commission except expenses incurred in the performance of
8 their duties, which expenses shall be paid pursuant to Article
9 2 of Chapter 7 of Title 36. The commission shall hold ~~regular~~
10 ~~quarterly~~ two meetings ~~in January, April, July and October of~~
11 each year and at other times upon the call of the ~~chairman~~
12 chair. The quorum for the Local Government Records Commission
13 shall be one more than half of the total of ex officio members
14 plus the filled appointed positions."

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