

1 HB194
2 156126-3
3 By Representatives Gaston, Ison, Buskey, Fincher, Clarke,
4 McMillan, Chesteen, Davis, Beech, Faust, Baker, Shiver and
5 Bracy
6 RFD: Education Policy
7 First Read: 14-JAN-14

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8 SYNOPSIS: Under existing law, trustees appointed to
9 serve on the Board of Trustees of the University of
10 South Alabama serve for 12-year terms and special
11 meetings of the board are required to be called by
12 the Governor.

13 This bill would revise the membership of the
14 board to include five members from the state at
15 large, include two members from the United States
16 at large, delete the State Superintendent of
17 Education as a member, and realign the state
18 senatorial districts from which members are
19 appointed.

20 This bill would decrease the term for
21 members of the board from 12 to six years.

22 This bill would also authorize the chair pro
23 tempore of the board to call special meetings of
24 the board in the same manner as may be called by
25 the Governor.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

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4 To amend Sections 16-55-2, 16-55-5, and 16-55-6,
5 Code of Alabama 1975, relating to the Board of Trustees of the
6 University of South Alabama; to revise the membership of the
7 board to include two additional members from the state at
8 large, include five members from the United States at large,
9 delete the State Superintendent of Education as a member, and
10 realign the state senatorial districts from which members are
11 appointed; to decrease terms of office from 12 to six years;
12 and to authorize the chair pro tempore of the board to call
13 special meetings of the board.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Sections 16-55-2, 16-55-5, and 16-55-6 of
16 the Code of Alabama 1975, are amended to read as follows:

17 "§16-55-2.

18 "The board of trustees shall consist of three
19 members from Mobile County, ~~three~~ five members from the state
20 at large, two members from the United States at large ~~the~~
21 ~~State Superintendent of Education~~, the Governor, who shall be
22 ex officio president of the board, and one each from each of
23 the following state senatorial districts, or combinations
24 thereof, as those districts existed in 1963: Sixteenth and
25 Seventeenth Districts comprising Monroe and Wilcox Counties
26 and Butler, Conecuh, and Covington Counties, respectively;
27 Nineteenth and Twentieth Districts comprising Choctaw, Clarke,

1 and Washington Counties and Marengo and Sumter Counties,
2 respectively; Twenty-first District comprising Baldwin and
3 Escambia Counties, ~~Nineteenth District comprising Choctaw,~~
4 ~~Clarke and Washington Counties,~~ Twentieth District comprising
5 Marengo and Sumter Counties, ~~Sixteenth District comprising~~
6 ~~Monroe and Wilcox Counties,~~ Thirtieth District comprising
7 Dallas and Lowndes Counties, ~~Seventeenth District comprising~~
8 ~~Butler, Conecuh and Covington Counties,~~ Twenty-fifth District
9 comprising Coffee and Crenshaw Counties, ~~Twenty-third District~~
10 ~~comprising Dale and Geneva Counties;~~ Twenty-third,
11 Twenty-fifth, and Thirtieth Districts comprising Dale and
12 Geneva Counties, Coffee and Crenshaw Counties, and Dallas and
13 Lowndes Counties, respectively; and the Thirty-fifth District
14 comprising Henry and Houston Counties. The trustees shall be
15 appointed by the Governor, by and with the advice and consent
16 of the State Senate, and all appointees appointed on and after
17 the effective date of the act adding this amendatory language
18 shall hold office for a term of ~~12~~ six years, and until their
19 successors shall be appointed and qualified. Any trustee
20 appointed to serve a 12-year term before the effective date of
21 the act adding this amendatory language, shall continue to
22 serve for the remainder of that term. As terms expire after
23 that date, appointments to fill positions on the board shall
24 be for six-year terms. The board shall be divided into three
25 classes, as nearly equal as may be, so that one third may be
26 chosen ~~quadrennially,~~ as provided in Section 16-55-5.
27 Vacancies occurring in the office of trustee from death or

1 resignation, and the vacancies regularly occurring by
2 expiration of the term shall be filled by the Governor, and
3 the appointee shall hold office until the next meeting of the
4 Legislature. Successors to those trustees whose terms expire
5 during an interim shall hold office for the full term unless
6 they are rejected by the Senate. No trustee shall receive any
7 pay or emolument other than his or her actual expenses
8 incurred in the discharge of his or her duties as a trustee.

9 "§16-55-5.

10 "The trustees of the University of South Alabama,
11 other than the ex officio members of the board, shall be
12 grouped into three classes as provided in Section 16-55-2. The
13 members constituting the first class shall first be appointed
14 for terms expiring September 30, 1965; the members of the
15 second class shall be first appointed for terms expiring
16 September 30, 1969; and the members of the third class shall
17 be first appointed for terms expiring September 30, 1973.
18 Their successors shall initially be appointed for terms of 12
19 years each. Commencing on the effective date of the act adding
20 this amendatory language, successors shall be appointed for
21 terms of six years each.

22 "§16-55-6.

23 "Seven members of the board of trustees shall
24 constitute a quorum, but a smaller number may adjourn from day
25 to day until a quorum is present. The board shall hold a
26 regular annual meeting each year at the university on the
27 first Monday in June, unless the board ~~shall~~, in regular

1 session, shall determine to hold its meeting at some other
2 time and place. Special meetings of the board may be assembled
3 by either one of the two methods outlined as follows: Special
4 meetings may be called by the chair pro tempore of the board
5 or the Governor by written notice mailed to each trustee at
6 least 10 days in advance of the date of the meeting; a special
7 meeting shall be called by the chair pro tempore or the
8 Governor upon application in writing of any three or more
9 members of the board. No special meeting shall be held on a
10 date less than 10 days subsequent to the date of the chair pro
11 tempore's or the Governor's notice of the meeting, except in
12 case of emergency, which the chair pro tempore or the Governor
13 shall specify in his or her notice to the trustees."

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