

1 HB675  
2 169811-3  
3 By Representatives McMillan, Baker, Shiver, Davis, Faust and  
4 Jackson (N & P)  
5 RFD: Baldwin County Legislation  
6 First Read: 19-MAY-15



1 are selected and take office. In the event the four members of  
2 the board cannot agree on a fifth member within 30 days, then  
3 the fifth member shall be selected as follows: The members  
4 appointed by the county commission shall nominate one person  
5 and the members selected by the classified employees shall  
6 nominate one person. From these two nominees, the fifth member  
7 of the board shall be selected by lot.

8 "(c) (1) The personnel department shall notify all  
9 classified employees that nominations for membership on the  
10 board will be accepted for a period of 10 work days from that  
11 date and instructing all interested classified employees to  
12 submit nominations to the Personnel Director of Baldwin County  
13 within that period. Nominations shall be limited to persons  
14 who are classified employees of the county.

15 "(2) The personnel director shall compile a list of  
16 the nominations and cause ballots to be prepared and  
17 distributed to all classified employees and shall instruct all  
18 classified employees of their right to vote for one name  
19 contained on the list of nominees.

20 "(3) The employees shall be instructed to tender  
21 their ballots in sealed envelopes to their supervisors within  
22 five work days for submission to the personnel director who  
23 shall make appropriate arrangements for their tabulation. Upon  
24 tabulation of the ballots, the personnel director shall obtain  
25 written certification executed by all the county employees who  
26 assisted during the counting of the ballots and shall submit  
27 the fully executed written certification to the Baldwin County

1 legislative delegation following each election. The  
2 certification and ballots shall be retained by the personnel  
3 director as public records for 12 months from the date of  
4 certification of the results.

5 "(4) In the event that any one employee received a  
6 majority of all votes cast, he or she shall be deemed elected  
7 to serve on the board. In the event that no employee receives  
8 a majority of all votes cast, then the names of the two  
9 employees receiving the most votes on the initial ballot shall  
10 be placed on a run-off ballot and voted upon by the employees  
11 as set forth above. The employee then receiving the most votes  
12 shall be deemed elected to membership on the board.

13 "(d) No person who holds elected office, is a  
14 candidate for elected office, or receives a salary from the  
15 county, except the classified employee board members, shall  
16 serve on the board. An employee board member's term shall  
17 immediately terminate upon occurrence of any one of the  
18 foregoing conditions. A vacancy shall be filled in the same  
19 manner as the original appointment of a board member as soon  
20 as possible after a vacancy occurs. A board member shall be  
21 eligible for reappointment to successive terms on the board.

22 "(e) Each member shall serve a three-year term with  
23 the exception of the initial members of the board. The initial  
24 members shall draw lots to determine two members who shall  
25 serve a three-year term, two members who shall serve a  
26 two-year term, and one member who shall serve a one-year term.

1           "(f) The board shall follow administrative  
2 procedures adopted by the county commission to implement the  
3 appeals process. The personnel department shall provide all  
4 necessary clerical and administrative support for the board.  
5 The board shall meet as needed. Each year, board members shall  
6 select from among themselves a chairperson and secretary of  
7 the board. Board members may be compensated as established  
8 from time to time by the county commission.

9           "(g) All testimony shall be under oath and the board  
10 has the power to subpoena witnesses and demand production of  
11 relevant documents. The board has the authority to affirm,  
12 revise, or amend any previous personnel decisions after a  
13 hearing.

14           "(h) The board shall hear all appeals from the final  
15 action of the department head with respect to disciplinary  
16 action. From any adverse decision of the county commission,  
17 the employee shall be entitled to, within seven work days,  
18 appeal to the Circuit Court of Baldwin County for a nonjury  
19 trial ~~de novo~~."

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

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Baldwin County  
Legislation..... . . . . 19-MAY-15

Read for the second time and  
placed on the calendar with 1 sub-  
stitute ..... 21-MAY-15

Read for the third time and passed  
as amended..... . . . . 26-MAY-15

Yeas 25, Nays 0, Abstains 60

Jeff Woodard  
Clerk