

1 SB412
2 199474-3
3 By Senator Smitherman
4 RFD: Tourism
5 First Read: 15-MAY-19

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8 SYNOPSIS: Under existing law, the Governor's Office of
9 Minority Affairs was established to advise the
10 Governor on minority issues, and the position of
11 director of the office was created as a cabinet
12 position to serve at the pleasure of the Governor.

13 This bill would rename the Governor's Office
14 of Minority Affairs as the Alabama Office of
15 Minority Affairs, would authorize the office to
16 draft policy recommendations, and would authorize
17 the director to employ staff and provide for the
18 compensation and duties of certain staff members.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 To amend Sections 36-13-50, 36-13-51, 36-13-53, and
25 40-9F-38, Code of Alabama 1975, relating to the Governor's
26 Office of Minority Affairs; to rename the office as the
27 Alabama Office of Minority Affairs; to authorize the office to

1 draft policy recommendations; to authorize the director to
2 employ certain staff members pursuant to the state Merit
3 System; to authorize the director to employ and set the
4 compensation of two non-Merit System staff members; and to
5 make technical corrections to the membership of the Historic
6 Tax Credit Evaluating Committee to reflect the name changes.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Sections 36-13-50, 36-13-51, 36-13-53,
9 and 40-9F-38 of the Code of Alabama 1975, are amended to read
10 as follows:

11 "§36-13-50.

12 "There is established in state government the
13 ~~Governor's~~ Alabama Office of Minority Affairs, to
14 advise the Governor on issues affecting minorities, including
15 women, focusing on the improvement of the overall quality of
16 life of minorities, specifically in the areas of education,
17 health, economics, political participation and empowerment,
18 housing, employment, civil rights, criminal justice, and race
19 relations and to draft policy recommendations for addressing
20 those issues.

21 "§36-13-51.

22 "(a) The office shall be managed by a Director of
23 the ~~Governor's~~ Alabama Office of Minority Affairs, who shall
24 be appointed by and serve at the pleasure of the Governor. The
25 position of director shall be a Governor's cabinet position.

26 "(b) The director may employ and prescribe the
27 duties of employees for the office as he or she deems

1 necessary to carry out the duties and functions of the office.
2 All employees of the Governor who work in the Governor's
3 Office of Minority Affairs on the effective date of the act
4 adding this subsection shall be transferred to the Alabama
5 Office of Minority Affairs with no loss of compensation or
6 benefits. After the effective date of the act adding this
7 subsection, the compensation of those employees shall be
8 established by the director in an amount that does not exceed
9 the amount of compensation paid to comparable Merit System
10 classifications. All other employees of the office shall be
11 employed pursuant to the State Merit System.

12 "(c) The director shall employ individuals in a
13 manner so that the diversity of gender, race, and geographical
14 areas represented by those employees is reflective of the
15 makeup of this state.

16 "§36-13-53.

17 "The Advisory ~~Board~~ Committee on Minority Affairs is
18 created to act as a resource for the director in an advisory
19 capacity. The ~~board~~ committee shall be comprised of
20 representatives from various racial and ethnic communities,
21 female representation, state government officials, and experts
22 in education and work force. The ~~board~~ committee shall be
23 appointed by and serve at the pleasure of the Governor.

24 "§40-9F-38.

25 "(a) There is hereby established the Historic Tax
26 Credit Evaluating Committee, which shall review qualifying
27 projects, approve credits for projects, and rank projects in

1 the order in which the projects should receive tax credit
2 reservations based on criteria established by the commission.
3 The commission shall establish a review cycle for the
4 committee beginning on January 1, 2018, provided that the
5 committee shall meet at least quarterly unless no credits
6 remain to be allocated. The Commissioner of Revenue shall be a
7 non-voting member of the committee and provide advisory and
8 technical support. The committee shall consist of the
9 following:

10 "(1) Director of the ~~Governor's~~ Alabama Office of
11 Minority Affairs.

12 "(2) The Executive Director of the Alabama
13 Historical Commission.

14 "(3) The Finance Director.

15 "(4) The Director of the Alabama Department of
16 Economic and Community Affairs.

17 "(5) The Secretary of Commerce.

18 "(6) Two members of the Alabama House of
19 Representatives, at least one of which shall be a member of
20 the minority party, to be appointed by the Speaker of the
21 House of Representatives.

22 "(7) Two members of the Alabama Senate, at least one
23 of which shall be a member of the minority party, to be
24 appointed by the President Pro Tem of the Senate.

25 "(b) The Alabama Historical Commission shall
26 ~~promulgate~~ adopt rules that shall set forth guidelines to be
27 utilized by the committee in determining the allocation of

1 credits. The guidelines shall set forth factors to be
2 considered by the committee including: relative value of the
3 proposed project to the particular community, including the
4 maintenance of the historic fabric of the community; possible
5 return on investment for the community in which the proposed
6 project is located; the geographic distribution of projects;
7 and strength of local support for the proposed project.
8 Included in the information to be required for the evaluation
9 of any project shall be any additional tax credits or state,
10 federal, or local government grants that the applicant expects
11 to utilize for the construction of the project."

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