

SB27 INTRODUCED



- 1 ARFCQS-1
- 2 By Senator Melson
- 3 RFD: Agriculture, Conservation, and Forestry
- 4 First Read: 07-Mar-23
- 5 PFD: 01-Mar-23



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SYNOPSIS:

Under existing law, a county may establish an agriculture authority to construct and operate facilities to promote agriculture businesses, operations, commodities, workforce development, and economic development in the county.

This bill would authorize the board of directors of an authority to appoint former members of the board as directors emeritus to serve as goodwill ambassadors of the authority.

A BILL
TO BE ENACTED
AN ACT

Relating to agriculture authorities; to amend Section 11-20-71, Code of Alabama 1975, to authorize the board of directors of an authority to appoint former members of the board as directors emeritus to serve as goodwill ambassadors of the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 11-20-71, Code of Alabama 1975, is amended to read as follows:

"§11-20-71

(a) The board of directors of an agriculture authority



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29 shall be as specified in the articles and in accordance with
30 Section 11-20-70.

31 (b) Each agriculture authority shall have a chair, vice
32 chair, secretary, and treasurer to be elected by the board of
33 directors. The offices of secretary and treasurer may, but
34 need not, be held by the same person. A majority of the
35 directors shall constitute a quorum for the transaction of
36 business. The officers and directors shall serve for the terms
37 provided for in the articles. A director may not draw any
38 salary for any service rendered or for any duty performed as
39 director. The duties of the chair, vice chair, secretary, and
40 treasurer shall be those as are customarily performed by such
41 officers and as may be prescribed by the board of directors
42 from time to time.

43 (c) All directors shall serve until their successors
44 are duly appointed or until they cease to be qualified.
45 Vacancies on the board shall be filled as provided for in the
46 articles, but any individual appointed to fill a vacancy shall
47 serve only for the unexpired portion of the term. In the event
48 any uncertainty arises as to the terms of office of the
49 directors, the county commission or individual authorized to
50 appoint the directors may clarify the term by adoption of an
51 appropriate resolution or by execution of an appropriate
52 certificate, and the term of office shall be as so clarified.

53 (d) All proceedings of the board of directors of an
54 agriculture authority shall be reduced to writing by the
55 secretary of the authority and shall be signed by at least two
56 directors present at the proceedings. Copies of the



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57 proceedings, when certified by the secretary under the seal of
58 the agriculture authority, shall be received in all courts as
59 prima facie evidence of the matters and things therein
60 certified.

61 (e) Directors of an agriculture authority must be
62 residents and qualified electors of the county within the
63 authorized operational area of the authority. If any director
64 ceases to be a resident of the county, he or she shall cease
65 to be a director, and the position shall remain vacant until a
66 successor is appointed in accordance with the articles and
67 this article.

68 (f) A director of an agriculture authority may not have
69 an interest, directly or indirectly, in any contract of work,
70 material, or services, or the profits therefrom, to be
71 furnished or performed for the authority under this article if
72 the director has, directly or indirectly, more than a 10
73 percent interest in any business, firm, or corporation, or
74 profits thereof, furnishing or providing work, materials, or
75 services.

76 (g) The board of directors may appoint former members
77 of the board to serve as directors emeritus. Directors
78 emeritus shall not have voting rights on the board or
79 otherwise directly participate in meetings of the board.
80 Directors emeritus shall receive no compensation for their
81 service, but may be granted benefits and may attend events of
82 the authority as guests of the authority at the discretion of
83 the board. The directors emeritus shall serve as goodwill
84 ambassadors for the authority and may perform duties at the



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85 request of the authority. Directors emeritus shall be subject
86 to subsections (e) and (f)."

87 Section 2. This act shall become effective immediately
88 following its passage and approval by the Governor, or its
89 otherwise becoming law.