

HB130 ENGROSSED



1 HB130
2 1NU83ZZ-2
3 By Representatives Rafferty, Wilcox
4 RFD: Boards, Agencies and Commissions
5 First Read: 04-Feb-25
6 PFD: 03-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama Board of Licensure for Professional Geologists until October 1, 2027, with certain modifications; to amend Sections 34-41-4, Code of Alabama 1975, to require that a board member resides in and be appointed from each congressional district in this state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama Board of Licensure for Professional Geologists until October 1, 2027, with additional recommendation for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama Board of Licensure for Professional Geologists, created and functioning pursuant to Sections 34-41-1 to 34-41-24, inclusive, Code of Alabama 1975, is continued until October 1, 2027, and those code sections are expressly preserved.

Section 3. Section 34-41-4, Code of Alabama 1975, is



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29 amended to read as follows:

30 "§34-41-4

31 (a) There is created the Alabama Board of Licensure for
32 Professional Geologists which shall administer and enforce
33 this chapter.

34 (b) The board shall consist of seven members appointed
35 by the Governor from a list of nominees submitted by the
36 board, or any entity designated by the board. Members of the
37 board, except for the initial board, shall be licensed
38 professional geologists. Whenever possible the membership of
39 the board shall be inclusive and reflect the racial, gender,
40 geographic, ~~urban/rural~~ urban, rural, and economic diversity
41 of the state. Commencing on June 1, 2025, as the terms of the
42 members serving on the board expire, the membership of the
43 board shall be appointed so that one member resides in and is
44 appointed from each congressional district in this state.

45 (c) Each member of the board shall be a citizen of the
46 United States, a resident of ~~the State of Alabama~~ this state
47 for at least five years immediately preceding appointment,
48 reside in ~~the~~ this state during the term of office, and be at
49 least 25 years of age.

50 (d) All members of the initial board shall be appointed
51 by the Governor from a list of nominees who shall at the time
52 of their appointment qualify for licensing under this chapter
53 and become duly licensed during their term. Membership of the
54 board shall include at least one representative member from
55 each of the following professional subgroups of geologists:
56 Faculty of the departments of geology at colleges and



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57 universities ~~in the State of Alabama~~ this state that grant
58 degrees in the geological sciences; governmental agencies
59 employing geologists; businesses, exclusive of those exempted
60 herein; mining industry; petroleum industry; geotechnical
61 engineering firms; ~~and/or~~ environmental engineering firms; and
62 independent geological consultants.

63 (e) After the establishment of the initial board, all
64 members of the board shall be licensed under this chapter. The
65 term of office of each member of the board shall be three
66 years. Notwithstanding the foregoing, of the first members
67 appointed, two shall be appointed for a term of one year, two
68 for terms of two years, and three for terms of three years. No
69 member shall serve more than two consecutive three-year terms,
70 without interruption in service of at least three years.

71 (f) Each term on the board shall expire on September 30
72 of the year in which the term expires. When the term of a
73 member expires, the Governor shall appoint a new member or
74 reappoint the current member for a full term under subsections
75 (d) and (e). If a vacancy occurs, within 90 days of the
76 vacancy the Governor shall appoint a replacement to fill the
77 vacancy for the remainder of the unexpired term. Except for
78 the members of the initial board, all appointments and
79 reappointments to the board shall be made by the Governor from
80 a list of nominees submitted by the board, or any entity
81 designated by the board. In appointing members to the board,
82 the Governor shall strive to achieve diversity in race,
83 gender, geography, residence, and economic condition.

84 (g) The Governor may remove a member of the board only



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85 for neglect of duty, an unexcused failure to attend more than
86 one of the regularly scheduled meetings held in a calendar
87 year during the term in office of the member, malfeasance,
88 violation of this chapter, or conviction of a felony or other
89 crime of moral turpitude.

90 (h) Members of the board shall receive reimbursement
91 for expenses incurred in the performance of duties of one
92 hundred dollars (\$100) per day plus mileage payable at the
93 same rate as paid for state officers and employees for each
94 day of actual attendance at a regular or special meeting of
95 the board.

96 (i) The board may employ the necessary personnel for
97 performance of its functions and fix their compensation. The
98 board may appoint committees to aid in the performance of its
99 functions."

100 Section 4. The Legislature concurs in the
101 recommendation of the Sunset Committee as provided in Sections
102 1, 2, and 3.

103 Section 5. This act shall become effective on June 1,
104 2025.



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House of Representatives

108 Read for the first time and referred04-Feb-25
109 to the House of Representatives
110 committee on Boards, Agencies and
111 Commissions
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113 Read for the second time and placed05-Feb-25
114 on the calendar:
115 0 amendments
116
117 Read for the third time and passed06-Feb-25
118 as amended
119 Yeas 104
120 Nays 0
121 Abstains 0
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123

John Treadwell
Clerk

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