



**House State Government Reported Substitute for
HB169**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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9 Relating to the Department of Archives and History; to
10 amend Sections 41-6-3 and 41-6-4, Code of Alabama 1975; to
11 further provide for the composition of the Board of Trustees
12 of the Department of Archives and History; to further provide
13 for the filling of vacancies on the board; and to provide for
14 retroactive effect.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 41-6-3 and 41-6-4, Code of Alabama
17 1975, are amended to read as follows:

18 "§41-6-3

19 (a) The department shall be under the control of the
20 Board of Trustees of the Department of Archives and History,
21 which shall consist of one member from each congressional
22 district ~~and the additional members selected pursuant to~~
23 ~~subsection (b) as the districts existed on January 1, 2025,~~
24 nine at-large members, and the Governor or his or her
25 designee.

26 ~~(b) Two additional at-large members shall be selected~~
27 ~~and an additional member shall be selected from each U.S.~~
28 ~~Congressional District. The additional members shall be~~



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29 ~~selected by the board of trustees and their names shall be~~
30 ~~communicated to the Senate not later than the fifth~~
31 ~~legislative day of the 2004 Regular Session of the~~
32 ~~Legislature. Newly selected members shall be confirmed by the~~
33 ~~Senate in the same manner as vacancies filled pursuant to~~
34 ~~Section 41-6-4. The board of trustees shall select three of~~
35 ~~the new members to serve initial terms of two years, three of~~
36 ~~the new members to serve initial terms of four years, and~~
37 ~~three of the new members to serve initial terms of six years.~~
38 ~~All successor members shall serve terms of six years and shall~~
39 ~~be selected as provided in Section 41-6-4.~~

40 (b) Each vacancy in an appointed board seat, as the
41 vacancy arises, whether by expiration of term of service or by
42 death, resignation, or removal shall be filled as follows:

43 (1) Seat 1, a resident of Congressional District 1, for
44 a six-year term commencing January 1, 2027, and every six
45 years thereafter, appointed by the Governor.

46 (2) Seat 2, a resident of Congressional District 2, for
47 a six-year term commencing January 1, 2029, and every six
48 years thereafter, appointed by the Governor.

49 (3) Seat 3, a resident of Congressional District 3, for
50 a six-year term commencing January 1, 2030, and every six
51 years thereafter, appointed by the Governor.

52 (4) Seat 4, a resident of Congressional District 4, for
53 a six-year term commencing January 1, 2026, and every six
54 years thereafter, appointed by the Governor.

55 (5) Seat 5, a resident of Congressional District 5, for
56 a six-year term commencing January 1, 2028, and every six



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57 years thereafter, appointed by the Governor.

58 (6) Seat 6, a resident of Congressional District 6, for
59 a six-year term commencing January 1, 2028, and every six
60 years thereafter, appointed by the Governor.

61 (7) Seat 7, a resident of Congressional District 7, for
62 a six-year term commencing January 1, 2025, and every six
63 years thereafter, appointed by the Governor.

64 (8) Seat 8, a resident of the state at-large, for a
65 six-year term commencing January 1, 2025, and every six years
66 thereafter, appointed by the Governor.

67 (9) Seat 9, a resident of the state at-large, for a
68 six-year term commencing January 1, 2028, and every six years
69 thereafter, appointed by the Speaker of the House of
70 Representatives from three nominees provided by the Minority
71 Leader of the House of Representatives.

72 (10) Seat 10, a resident of the state at-large, for a
73 six-year term commencing January 1, 2030, and every six years
74 thereafter, appointed by the Speaker of the House of
75 Representatives.

76 (11) Seat 11, a resident of the state at-large, for a
77 six-year term commencing January 1, 2027, and every six years
78 thereafter, appointed by the Speaker of the House of
79 Representatives.

80 (12) Seat 12, a resident of the state at-large, for a
81 six-year term commencing January 1, 2026, and every six years
82 thereafter, appointed by the Speaker of the House of
83 Representatives.

84 (13) Seat 13, a resident of the state at-large, for a



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85 six-year term commencing January 1, 2025, and every six years
 86 thereafter, appointed by the President Pro Tempore of the
 87 Senate.

88 (14) Seat 14, a resident of the state at-large, for a
 89 six-year term commencing January 1, 2027, and every six years
 90 thereafter, appointed by the President Pro Tempore of the
 91 Senate.

92 (15) Seat 15, a resident of the state at-large, for a
 93 six-year term commencing January 1, 2029, and every six years
 94 thereafter, appointed by the President Pro Tempore of the
 95 Senate from three nominees provided by the Minority Leader of
 96 the Senate.

97 (16) Seat 16, a resident of the state at-large, for a
 98 six-year term commencing January 1, 2026, and every six years
 99 thereafter, appointed by the President Pro Tempore of the
 100 Senate.

101 (c) ~~The membership of the board of trustees appointing~~
 102 ~~authorities shall be coordinate their appointments to assure~~
 103 ~~that the membership of the board is inclusive and shall~~
 104 ~~reflect reflects the racial and, gender, geographic, urban,~~
 105 ~~rural, and economic diversity of the state.~~

106 (d) Each appointed member shall serve at the pleasure
 107 of his or her appointing authority."

108 "§41-6-4

109 (a) ~~The board of trustees shall fill all vacancies~~
 110 ~~occurring on the board, whether by expiration of term of~~
 111 ~~service or by death or resignation, but the names of all~~
 112 ~~successor members shall be communicated to the current session~~



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113 ~~or the next ensuing regular session of the state Senate for~~
 114 ~~confirmation. If the Senate rejects any successor trustee, the~~
 115 ~~board shall proceed forthwith to fill the vacancy. All~~
 116 ~~appointments made by the Governor shall be subject to~~
 117 ~~consideration by the Senate Committee on Confirmations as the~~
 118 ~~committee deems necessary. An appointee shall continue to~~
 119 ~~serve his or her term from the date of appointment unless and~~
 120 ~~until the Senate Committee on Confirmations elects to consider~~
 121 ~~the appointment and subsequently rejects the appointment. If~~
 122 ~~the Senate Committee on Confirmations rejects an appointment,~~
 123 ~~the Secretary of the Senate shall forward the rejection to the~~
 124 ~~Governor and request a new individual be appointed.~~

125 (b) ~~A trustee~~ An individual appointed to succeed a
 126 member whose term has expired shall serve for a term of six
 127 years. ~~A person~~ An individual appointed to fill a vacancy
 128 occurring by death~~or~~, resignation, or removal shall only
 129 serve out the unexpired term of his or her predecessor. ~~A~~
 130 ~~person whose appointment to the board has been confirmed by~~
 131 ~~the Senate shall serve beyond his or her expired term until a~~
 132 ~~successor has been confirmed by the Senate.~~

133 (c) The board shall hold at the State Capital at least
 134 one regular meeting during every year~~and as many special~~
 135 ~~meetings as may be necessary, and at any meeting.~~ a ~~A~~ majority
 136 of the ~~trustees~~ board members shall constitute a quorum. The
 137 Governor~~of the state, or his or her designee,~~ shall be a
 138 voting member of the board as authorized by Section 41-6-3,
 139 and he or she~~shall~~, as far as possible, shall lend every
 140 encouragement to the success and ~~upbuilding~~ development of the



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141 department. The director shall be the secretary of the board.

142 ~~The trustees~~ Members of the board shall receive no
143 compensation for their services. Each member of the board ~~or~~
144 ~~trustees~~ shall be reimbursed at the same per diem and travel
145 allowance amounts paid by law to state employees for each day
146 of attendance of the business of the board.

147 (d) The board may do all of the following:

148 (1) Adopt rules for its own government and also for the
149 government of the department.

150 (2) Elect a director and provide for the selection or
151 appointment of other officials or employees as may be
152 authorized.

153 (3) Provide for the publication of historical material
154 pertaining to the state under the supervision of the director.

155 (4) Control and expend ~~such~~ appropriations as may be
156 made for the maintenance of the department.

157 (5) Perform ~~such~~ other acts as may be necessary to
158 carry out the intent and purposes of this article."

159 Section 2. This act shall be retroactive to January 1,
160 2025.

161 Section 3. This act shall become effective immediately.