



**House Boards, Agencies and Commissions Reported
Substitute for SB77**

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A BILL
TO BE ENTITLED
AN ACT

Relating to the Department of Archives and History; to amend Sections 41-6-3 and 41-6-4, Code of Alabama 1975; to further provide for the composition of the Board of Trustees of the Department of Archives and History; to further provide for the filling of vacancies on the board; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§41-6-3

(a) The department shall be under the control of the Board of Trustees of the Department of Archives and History, which shall consist of ~~one member from each congressional district and the additional members selected pursuant to subsection (b)~~ two members from each congressional district appointed by the Governor, two at-large members appointed by the Speaker of the House of Representatives, one at-large member appointed by the Minority Leader of the House of Representatives, two at-large members appointed by the



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29 President Pro Tempore of the Senate, one at-large member
30 appointed by the Minority Leader of the Senate, and the
31 Governor or his or her designee.

32 ~~(b) Two additional at-large members shall be selected~~
33 ~~and an additional member shall be selected from each U.S.~~
34 ~~Congressional District. The additional members shall be~~
35 ~~selected by the board of trustees and their names shall be~~
36 ~~communicated to the Senate not later than the fifth~~
37 ~~legislative day of the 2004 Regular Session of the~~
38 ~~Legislature. Newly selected members shall be confirmed by the~~
39 ~~Senate in the same manner as vacancies filled pursuant to~~
40 ~~Section 41-6-4. The board of trustees shall select three of~~
41 ~~the new members to serve initial terms of two years, three of~~
42 ~~the new members to serve initial terms of four years, and~~
43 ~~three of the new members to serve initial terms of six years.~~
44 ~~All successor members shall serve terms of six years and shall~~
45 ~~be selected as provided in Section 41-6-4.~~

46 ~~(c) (b)~~ The membership of the board of trustees
47 appointing authorities shall be coordinate their appointments
48 to assure the board of trustees is inclusive and shall reflect
49 reflects the racial-and, gender, geographic, urban, rural, and
50 economic diversity of the state.

51 (c) Upon the expiration of each term of an existing
52 member representing a congressional district, the Governor
53 shall select a new member to serve a term of six years.

54 (d) Upon the expiration of the term of the existing
55 at-large member expiring on December 31, 2025, the Speaker of
56 the House of Representatives shall select a new member to



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57 serve a term of six years.

58 (e) Upon the expiration of the term of the existing
59 at-large member expiring on December 31, 2027, the Minority
60 Leader of the House of Representatives shall select a new
61 member to serve a term of six years.

62 (f) On January 1, 2025, the Speaker of the House of
63 Representatives shall select one additional at-large member to
64 serve a term of six years, the President Pro Tempore of the
65 Senate shall select two additional at-large members to serve
66 terms of six years, and the Minority Leader of the Senate
67 shall select one additional at-large member to serve a term of
68 six years."

69 "§41-6-4

70 (a) The ~~board of trustees~~ respective appointing
71 authorities described in Section 41-6-3 shall fill all
72 vacancies occurring on the board, whether by expiration of
73 term of service or by death or resignation, but the names of
74 all successor members shall be communicated to the current
75 session or the next ensuing regular session of the state
76 Senate for confirmation. If the Senate rejects any successor
77 trustee, the ~~board~~ respective appointing authority shall
78 proceed forthwith to fill the vacancy.

79 (b) A trustee appointed to succeed a member whose term
80 has expired shall serve for a term of six years. ~~A person~~ An
81 individual appointed to fill a vacancy occurring by death or
82 resignation shall only serve out the unexpired term of his or
83 her predecessor. ~~A person~~ An individual whose appointment to
84 the board has been confirmed by the Senate shall serve beyond



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85 his or her expired term until a successor has been confirmed
86 by the Senate.

87 (c) A member may be removed by his or her respective
88 appointing authority for just cause.

89 ~~(e)~~ (d) The board shall hold at the State Capital at
90 least one regular meeting during every year and as many
91 special meetings as may be necessary, and at any meeting a
92 majority of the trustees shall constitute a quorum. The
93 Governor ~~of the state~~ shall be a voting member of the board as
94 authorized by Section 41-6-3, and he or she ~~shall~~, as far as
95 possible, shall lend every encouragement to the success and
96 ~~upbuilding~~ development of the department. The director shall
97 be the secretary of the board. The trustees shall receive no
98 compensation for their services. Each member of the board of
99 trustees shall be reimbursed at the same per diem and travel
100 allowance amounts paid by law to state employees for each day
101 of attendance of the business of the board.

102 ~~(d)~~ (e) The board may do all of the following:

103 (1) Adopt rules for its own government and also for the
104 government of the department.

105 (2) Elect a director and provide for the selection or
106 appointment of other officials or employees as may be
107 authorized.

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

110 (4) Control and expend such appropriations as may be
111 made for the maintenance of the department.

112 (5) Perform such other acts as may be necessary to



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113 carry out the intent and purposes of this article."

114 Section 2. This act shall become effective on June 1,

115 2024.