

1 SB291
2 166432-4
3 By Senators Stutts and Melson
4 RFD: Education and Youth Affairs
5 First Read: 19-MAR-15

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Sections 16-51-3 and 16-51-4, Code of
12 Alabama 1975, relating to the Board of Trustees of the
13 University of North Alabama (UNA); to provide further for the
14 terms of office for board members of UNA, emergency meetings
15 of the board, and meetings of the board by teleconferencing.
16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Sections 16-51-3 and 16-51-4, Code of
18 Alabama 1975, is hereby amended to read as follows:

19 "§16-51-3.

20 "There is hereby created a Board of Trustees for the
21 University of North Alabama, the state educational institution
22 at Florence, Alabama. The board of trustees shall consist of
23 six members who are residents of the seventh and eighth
24 congressional districts, at least two of whom shall be
25 residents of the county in which the institution is located,
26 and three members from the state at large, the State
27 Superintendent of Education and the Governor, who shall be ex

1 officio president of the board. The trustees shall be
2 appointed by the Governor, by and with the advice and consent
3 of the Senate and, except for the first trustees appointed,
4 shall hold office for a term of 12 years, until 2015, and
5 until their successors shall be appointed and qualified. The
6 Governor shall coordinate his or her appointments so that
7 diversity of gender, race, and geographical areas is
8 reflective of the makeup of this state. ~~The board shall be~~
9 ~~divided into three classes, as nearly equal as may be, so that~~
10 ~~one third may be chosen quadrennially. Of the first members~~
11 ~~appointed to the board, one third shall be appointed for terms~~
12 ~~of four years, one third for terms of eight years and one~~
13 ~~third for terms of 12 years.~~ Beginning in 2015, the board
14 shall be divided into three groups, so that reappointments may
15 be made each two years. In 2015, three members shall be
16 appointed for terms of two years, and three members shall be
17 appointed for terms of four years, and three members shall be
18 appointed for terms of six years. Thereafter, all successor
19 members shall be appointed for six-year terms. A trustee may
20 be reappointed to additional terms. No trustee shall receive
21 any pay or emolument other than his actual expenses incurred
22 in the discharge of his duties as such. No employee of the
23 university shall be eligible to serve on its board of
24 trustees.

25 "§16-51-4.

26 "(a) The Board of Trustees of the University of
27 North Alabama shall hold its regular annual meeting each year

1 at the university on the first Monday in June, unless the
2 board shall, in regular session, determine to hold its
3 meetings at some other time and place. The board may establish
4 a schedule of meetings at such intervals as it deems
5 appropriate and may amend the schedule at any duly called
6 meeting. Special meetings of the board may be assembled by
7 either one of the two methods outlined as follows:

8 "(1) Special meetings of the board may be called by
9 the Governor. In calling such special meetings the Governor
10 shall mail a written notice to each trustee at least 10 days
11 in advance of the date of such meetings.

12 "(2) Upon the application in writing of any three
13 members of the board, the Governor shall call a special
14 meeting, naming the time and place thereof and causing notices
15 to be issued in writing to the several members of the board.
16 Such meetings shall not be held on a date less than 10 days
17 subsequent to the notice from the Governor.

18 "(3) An emergency meeting of the board may be called
19 when circumstances exist that are deemed by the Governor or by
20 the president pro tempore or by three members of the board to
21 present a risk to personal health, safety, or property or to
22 the operation of the university. The three board members must
23 communicate their request for an emergency meeting to the
24 Governor or to the president pro tempore by the most expedient
25 means available to them. Notice of an emergency meeting should
26 be given at least 72 hours prior to the time it is to commence

1 unless the circumstances of the emergency are such that the
2 meeting must convene sooner.

3 "(b) Members of the Board of Trustees of the
4 University of North Alabama may participate in a meeting of
5 the board or any committee by means of telephone conference,
6 video conference, or similar communications equipment by means
7 of which all persons participating in the meeting may hear
8 each other at the same time. Participation by such means shall
9 constitute presence in person at a meeting for all purposes.
10 However, a majority of a quorum of the members of the board of
11 trustees, or, in the event of a meeting of only the executive
12 committee, a majority of a quorum of the executive committee
13 of the board of trustees must be physically present at the
14 location noticed and called for the meeting in order to
15 conduct any business or deliberation. Members of the board of
16 trustees and any committees of the board of trustees may not
17 utilize electronic communications except as in compliance with
18 the Alabama Open Meetings Act. Except for emergency meetings,
19 notice of board meetings shall be provided in accordance with
20 the Alabama Open Meetings Act and telephone or video
21 conference or similar communications equipment shall also
22 allow members of the public the opportunity to simultaneously
23 listen to or observe such meetings."

24 Section 2. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Education and Youth Affairs 19-MAR-15

Read for the second time and placed on the calen-
dar..... 02-APR-15

Read for the third time and passed as amended 07-APR-15

Yeas 27
Nays 0

Patrick Harris
Secretary