

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

1 SB291

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4 ENROLLED, An Act,

5 To amend Sections 16-51-3 and 16-51-4, Code of
6 Alabama 1975, relating to the Board of Trustees of the
7 University of North Alabama (UNA); to provide further for the
8 terms of office for board members of UNA, emergency meetings
9 of the board, and meetings of the board by teleconferencing.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 "§16-51-3.

14 "There is hereby created a Board of Trustees for the
15 University of North Alabama, the state educational institution
16 at Florence, Alabama. The board of trustees shall consist of
17 six members who are residents of the seventh and eighth
18 congressional districts, at least two of whom shall be
19 residents of the county in which the institution is located,
20 and three members from the state at large, the State
21 Superintendent of Education and the Governor, who shall be ex
22 officio president of the board. The trustees shall be
23 appointed by the Governor, by and with the advice and consent
24 of the Senate and, except for the first trustees appointed,
25 shall hold office for a term of 12 years, until 2015, and

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

21 "§16-51-4.

22 "(a) The Board of Trustees of the University of
23 North Alabama shall hold its regular annual meeting each year
24 at the university on the first Monday in June, unless the
25 board shall, in regular session, determine to hold its

1 meetings at some other time and place. The board may establish
2 a schedule of meetings at such intervals as it deems
3 appropriate and may amend the schedule at any duly called
4 meeting. Special meetings of the board may be assembled by
5 either one of the two methods outlined as follows:

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

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

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

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB291

Senate 07-APR-15

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 14-MAY-15

By: Senator Stutts