

1 SB412
2 199474-5
3 By Senator Smitherman
4 RFD: Tourism
5 First Read: 15-MAY-19

1 SB412

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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 36-13-50, 36-13-51, 36-13-53, and
12 40-9F-38, Code of Alabama 1975, relating to the Governor's
13 Office of Minority Affairs; to rename the office as the
14 Alabama Office of Minority Affairs; to authorize the office to
15 draft policy recommendations; to authorize the director to
16 employ certain staff members pursuant to the state Merit
17 System; to authorize the director to employ and set the
18 compensation of two non-Merit System staff members; and to
19 make technical corrections to the membership of the Historic
20 Tax Credit Evaluating Committee to reflect the name changes.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Sections 36-13-50, 36-13-51, 36-13-53,
23 and 40-9F-38 of the Code of Alabama 1975, are amended to read
24 as follows:

25 "§36-13-50.

26 "There is established in state government the
27 ~~Governor's~~ agency, the Alabama Office of Minority Affairs, to

1 advise the Governor on issues affecting minorities, including
2 women, focusing on the improvement of the overall quality of
3 life of minorities, specifically in the areas of education,
4 health, economics, political participation and empowerment,
5 housing, employment, civil rights, criminal justice, and race
6 relations and to draft policy recommendations for addressing
7 those issues.

8 "§36-13-51.

9 "(a) The office shall be managed by a Director of
10 the ~~Governor's~~ Alabama Office of Minority Affairs, who shall
11 be appointed by and serve at the pleasure of the Governor. The
12 position of director shall be a Governor's cabinet position.

13 "(b) The director may employ and prescribe the
14 duties of employees for the office as he or she deems
15 necessary to carry out the duties and functions of the office.
16 All employees of the Governor who work in the Governor's
17 Office of Minority Affairs on the effective date of the act
18 adding this subsection shall be transferred to the Alabama
19 Office of Minority Affairs with no loss of compensation or
20 benefits. After the effective date of the act adding this
21 subsection, the compensation of those employees shall be
22 established by the director in an amount that does not exceed
23 the amount of compensation paid to comparable Merit System
24 classifications. All other employees of the office shall be
25 employed pursuant to the State Merit System.

26 "(c) The director shall employ individuals in a
27 manner so that the diversity of gender, race, and geographical

1 areas represented by those employees is reflective of the
2 makeup of this state.

3 "§36-13-53.

4 "The Advisory ~~Board~~ Committee on Minority Affairs is
5 created to act as a resource for the director in an advisory
6 capacity. The ~~board~~ committee shall be comprised of
7 representatives from various racial and ethnic communities,
8 female representation, state government officials, and experts
9 in education and work force. The ~~board~~ committee shall be
10 appointed by and serve at the pleasure of the Governor.

11 "§40-9F-38.

12 "(a) There is hereby established the Historic Tax
13 Credit Evaluating Committee, which shall review qualifying
14 projects, approve credits for projects, and rank projects in
15 the order in which the projects should receive tax credit
16 reservations based on criteria established by the commission.
17 The commission shall establish a review cycle for the
18 committee beginning on January 1, 2018, provided that the
19 committee shall meet at least quarterly unless no credits
20 remain to be allocated. The Commissioner of Revenue shall be a
21 non-voting member of the committee and provide advisory and
22 technical support. The committee shall consist of the
23 following:

24 "(1) Director of the ~~Governor's~~ Alabama Office of
25 Minority Affairs.

26 "(2) The Executive Director of the Alabama
27 Historical Commission.

1 "(3) The Finance Director.

2 "(4) The Director of the Alabama Department of
3 Economic and Community Affairs.

4 "(5) The Secretary of Commerce.

5 "(6) Two members of the Alabama House of
6 Representatives, at least one of which shall be a member of
7 the minority party, to be appointed by the Speaker of the
8 House of Representatives.

9 "(7) Two members of the Alabama Senate, at least one
10 of which shall be a member of the minority party, to be
11 appointed by the President Pro Tem of the Senate.

12 "(b) The Alabama Historical Commission shall
13 ~~promulgate~~ adopt rules that shall set forth guidelines to be
14 utilized by the committee in determining the allocation of
15 credits. The guidelines shall set forth factors to be
16 considered by the committee including: relative value of the
17 proposed project to the particular community, including the
18 maintenance of the historic fabric of the community; possible
19 return on investment for the community in which the proposed
20 project is located; the geographic distribution of projects;
21 and strength of local support for the proposed project.
22 Included in the information to be required for the evaluation
23 of any project shall be any additional tax credits or state,
24 federal, or local government grants that the applicant expects
25 to utilize for the construction of the project."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Tourism..... 15-MAY-19

Read for the second time and placed on the calen-
dar 1 amendment..... 21-MAY-19

Read for the third time and passed as amended 23-MAY-19

Yeas 30
Nays 0

Patrick Harris,
Secretary.