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[HB144](#) By Representatives Collins, Chesteen and Williams (JD) RFD Boards, Agencies and Commissions Rd  
1 05-MAR-15

SYNOPSIS: Under existing law, the Alabama Trails Commission is a state commission within the Department of Economic and Community Affairs. In addition, an advisory board has been established to advise the commission. Members of the commission and advisory board serve for two-year terms.

This bill would further provide for the membership of the Trails Commission and the advisory board, provide that terms would be four years, and would authorize the commission with approval of another state agency or department to be transferred for administrative and staff purposes to the other state agency or department.

A BILL TO BE ENTITLED AN ACT

Relating to the Alabama Trails Commission; to amend Sections 41-23-140 and 41-23-141, Code of Alabama 1975, to further provide for the membership of the commission and the advisory board; to provide for terms; and to provide that the commission may be transferred for administrative and staff purposes to another state agency or department.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:Section 1. Sections 41-23-140 and 41-23-141, Code of Alabama 1975, are amended to read as follows:

Â§41-23-140.

"(a) For the purposes of this article, the term trail means any form of paved or unpaved trail including freshwater and saltwater paddling trails. The term trail user community includes, but is not limited to, the following: Paved and unpaved trail users, hikers, off-road bicyclists, users of off-road off-highway vehicles, paddlers, equestrians, disabled outdoor recreational users, and commercial recreational interests.

"(b) There is created within the Alabama Department of Economic and Community Affairs, the Alabama Trails Commission which shall advance development, interconnection, and use of trails in this state and as further provided in this article. The commission shall be composed of the following members:

"(1) Two members recognized for expertise in trail development, management, or use, appointed by the Governor and representing the trail user community.

"(2) One member recognized for expertise in trail development, management, or use, appointed by the Lieutenant Governor and representing the trail user community.

"(3) One member recognized for expertise in trail development, management, or use, appointed by the Speaker of the House of Representatives and representing the trail user community.

"(4) One member appointed by the Director of the Alabama Department of Economic and Community Affairs.

"(5) One member appointed by the Director of the state Department of Transportation.

"(6) One member appointed by the Director of the Department of Tourism.

"(7) One member appointed by the Commissioner of the Department of Conservation and Natural Resources. The Director of State Parks.

"(8) One staff member from the Governor's office appointed by the Governor.

"(9) One member who shall be a representative of the regional planning councils appointed by the Governor. Membership on the council shall rotate among the 12 regional planning councils every two years. The regional planning councils shall determine the order of rotation.

"(10) One member representing local governments counties appointed by the Association of County Commissions of Alabama and

"(11) One member representing municipalities appointed by the Alabama League of Municipalities. Membership shall alternate between a county representative and a municipal representative every two years.

"(11)(12) One member appointed by the Business Council of Alabama.

"(c) The term of all appointees appointed after the effective date of the act adding this language shall be for two four years unless otherwise specified. The appointees of the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives may be reappointed for no not more than two consecutive terms by the same appointing authority. The representatives of the regional planning councils and local governments may be reappointed for no more than two consecutive terms. All other appointees shall serve until a successor is appointed.

"(d) The membership of the commission shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.

"(e) The commission shall be located for administrative purposes within the Alabama Department of Economic and Community Affairs and the department shall provide necessary staff assistance to the commission. Notwithstanding the foregoing, the commission may be transferred for administrative and staff assistance purposes to another state agency or department upon approval by a three-fourths vote of the commission and the approval of the Director of the Department of Economic and Community Affairs and the director of the state agency or department accepting the transfer.

"(f) The duties of the commission shall include the following:

"(1) Develop and support the Alabama Trails System.

"(2) Facilitate a statewide system of interconnected landscape linkages, conservation corridors, greenbelts, recreational corridors and trails, scenic corridors, utilitarian corridors, reserves, regional parks and preserves, ecological sites, and cultural/historic/recreational sites using land-based trails that connect urban, suburban, and rural areas of the state and facilitate expansion of the statewide system of freshwater and saltwater paddling trails.

"(3) Recommend priorities for critical links in the Alabama Trails System and coordinate local needs goals and leadership to accomplish this mission.

"(4) Review designation proposals for inclusion in the Alabama Trails System.

"(5) Encourage public-private partnerships to develop and manage trails.

"(6) Review progress toward meeting goals for the establishment and operation of the Alabama Trail System and recommend appropriate action.

"(7) Make recommendations for updating and revising the implementation plan for the Alabama Trails System.

"(8) Promote trail support organizations.

"(9) Support the Alabama Trails System through intergovernmental coordination, advocacy, education, alternative funding sources, and any other appropriate way.

"(10) Organize and coordinate a nonprofit tax deductible corporation that should be expected to aggressively serve Alabama trails in enterprises normally beyond the reach of government, such as fundraising, coordination of local and national institutions similarly intended, and supporting education and civic outreach.

"(g) The commission shall establish procedures for conducting its affairs in execution of the duties and responsibilities stated in this section, which operating procedures shall include determination of a commission chair and other appropriate operational guidelines. The commission shall meet at the call of the chair, or at other times as may be prescribed by its operating procedures. The commission may establish committees to conduct the work of the commission and the committees may include nonmembers as appropriate.

"(h) A vacancy on the commission shall be filled for the remainder of the unexpired term in the same manner as the original appointment. Members whose terms have expired may continue to serve until replaced or reappointed.

"(i) The commission shall report annually to the Legislature, by the second legislative day of each regular session, detailing progress, plans, and milestones in its conduct of duties authorized by this article and to what extent the commission is in compliance with the diversity provisions provided for in this article.

Â§41-23-141.

"(a) There shall also be created within the Alabama Department of Economic and Community Affairs an Alabama Trails Commission Advisory Board which shall advise the commission in the execution of the Alabama Trails Commission's powers and duties under this article. The advisory board of directors shall be composed of the following:

"(1) Two Senators appointed by the Lieutenant Governor.

"(2) Two members of the House of Representatives appointed by the Speaker of the House.

"(3) Three members of the Alabama Recreational Trails Advisory Board.

"(4) One member representing a university in this state appointed by the Governor.

"(5) One member appointed by the State Forestry Commission.

"(6) One member appointed by the Commissioner of Agriculture and Industries.

"(7) One member appointed by the State Health Officer.

"(8) One member appointed by the Executive Director of the Retirement Systems of Alabama.

"(9) One member appointed by the U.S. Forest Service.

"(10) One member who shall be a representative of the power industry appointed by the Alabama Power Company and

"(11) One member shall be a representative of the Tennessee Valley Authority. Membership shall alternate between the Alabama Power Company and the Tennessee Valley Authority every two years.

"(12) One member shall be a representative of Power South.

"(11)(13) One member appointed by the Alabama Farmers Federation.

"(12)(14) One member appointed by the Army Corps of Engineers.

"(13)(15) One member appointed by the Natural Resources Conservation Services.

"(16) One member shall be a representative of the State Lands Division appointed by the Commissioner of the Department of Conservation and Natural Resources.

"(17) One member who shall be a representative of a land trust headquartered in this state to be appointed by the Governor. This position shall rotate between land trusts every four years.

"(18) One member appointed by Blue Cross and Blue Shield.

"(19) Two members from under-represented user groups appointed by the Trails Commission.

"(20) One member from an under-represented federal agency appointed by the Trails Commission.

"(21) One member appointed by the Alabama Association of Resource Conservation and Development Council.

"(b) The term of all Alabama Trails Commission Advisory Board appointees appointed after the effective date of the act adding this language shall be for two four years unless otherwise specified. The appointees of the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives may be reappointed for no more than two consecutive terms by the same appointing authority. The members of the Alabama Trails Commission Advisory Board shall serve until a successor is appointed.

"(c) A vacancy on the advisory board shall be filled for the remainder of the unexpired term in the same manner as the original appointment. Members whose terms have expired may continue to serve until replaced or reappointed."

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

Recreation

Tourism

Trails Commission

State Agencies