ACT No. 2010 - 585

1 HB376

2 116827-2

3 By Representative Ward

4 RFD: Tourism and Travel

5 First Read: 21-JAN-10

RECEIVED
APR 13 2010
GOVERNOR'S
OFFICE

ENROLLED, An Act,

To establish the Alabama Trails Commission within the Department of Economic and Community Affairs; to provide for the duties of the commission; and to provide for an advisory board to advise the commission.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this act, 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 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 act. 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 representing the trail user community.

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

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

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

(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.

(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 to be appointed by the Association of County Commissions of Alabama and the Alabama League of Municipalities. Membership shall

alternate between a county representative and a municipal representative every two years.

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

(c) The term of all appointees shall be for two 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. 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 Alabama Department of Economic and Community Affairs shall provide necessary staff assistance to the commission.

(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 non-profit tax deductible corporation that should be expected to aggressively serve Alabama Trails in enterprises normally beyond the reach of government, such as fund-raising, coordination of local and national institutions similarly intended, and supporting education and civic outreach.

Duties of comm.

(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 council 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 act and to what extent the commission is in compliance with the diversity provisions provided for in this act.

Section 2. (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 act. The advisory board of directors shall be composed of the following:

1 (1) Two Senators appointed by the Lieutenant
2 Governor.
3 (2) Two members of the House of Representatives
4 appointed by the Speaker of the House.
5 (3) Three members of the Alabama Recreational Trails
6 Advisory Board.
7 (4) One member representing a university in this
8 state appointed by the Governor.
9 (5) One member appointed by the State Forestry
10 Commission.
11 (6) One member appointed by the Commissioner of
12 Agriculture and Industries.
13 (7) One member appointed by the State Health
14 Officer.
15 (8) One member appointed by the Executive Director
16 of the Retirement Systems of Alabama.
17 (9) One member appointed by the U.S. Forest Service.
18 (10) One member who shall be a representative of the
19 power industry to be appointed by the Alabama Power Company
20 and the Tennessee Valley Authority. Membership shall alternate
21 between the Alabama Power Company and the Tennessee Valley
22 Authority every two years.
23 (11) One member appointed by the Alabama Farmers
24 Federation.
25 (12) One member appointed by the Army Corps of
26 Engineers.

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

(b) The term of all Alabama Trails Commission Advisory Board appointees shall be for two years unless otherwise specified. The appointees of the Governor, the President of the Senate, and the Speaker of the House of Representatives may be reappointed for no more than two consecutive terms. 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 3. Members of the commission and advisory board may not receive any compensation for their services but are entitled to receive reimbursement for per diem and travel expenses incurred in the performance of their duties.

Section 4. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.

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4 Speaker of the House of Representatives
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6 President and Presiding Officer of the Senate

7 House of Representatives
8 I hereby certify that the within Act originated in
9 and was passed by the House 16-FEB-10.
10
11 Greg Pappas
12 Clerk
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14
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16 Senate 08-APR-10 Passed
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APPROVED April 22, 2010
TIME 8:35 a.m.
GOVERNOR

Alabama Secretary Of State

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Recv'd 04/22/10 12:27pmJJB