

1 HB211  
2 163725-8  
3 By Representative Ball  
4 RFD: Internal Affairs  
5 First Read: 10-MAR-15

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8 SYNOPSIS: Under existing law, the House members of the  
9 Legislative Council, the members of the Senate  
10 elected to the Legislative Council, the Joint  
11 Fiscal Committee, and the Legislative Building  
12 Authority have statutorily imposed functions with  
13 regard to supervising certain staff services and  
14 performing specified legislative functions. This  
15 bill would abolish those entities and transfer  
16 their responsibilities to a newly reconstructed  
17 Legislative Council and a newly created Senate  
18 Legislative Council and House Legislative Council.

19 The bill, among other things, would provide  
20 for the membership of the respective councils;  
21 would assign the Legislative Council the  
22 responsibility for recommending persons working  
23 with the Legislative Reference Service, Legislative  
24 Fiscal Office, the Alabama Law Institute, the  
25 Speaker of the House, and the President Pro Tempore  
26 of the Senate, for establishing their salary  
27 schedules and other issues related to compensation,

1 for budgeting, accounting, and general  
2 administrative functions for all entities in the  
3 Legislative Department, and for maintaining a  
4 website listing legislative expenditures that  
5 includes the names and salaries of and any expenses  
6 paid to members, officers, and employees in the  
7 Legislative Department and any contracts into which  
8 the council enters on behalf of any entity in the  
9 Legislative Department; would assign the Senate  
10 Legislative Council and House Legislative Council  
11 responsibilities with regard to employees of the  
12 Senate and House respectively, and their  
13 compensation and benefits; and would revise the  
14 procedure for the appointment and tenure of the  
15 Secretary of the Senate and the Clerk of the House.

16 Existing law also provides for additional  
17 funding for the Legislature when available funds  
18 are less than a specified amount. This bill would  
19 repeal that provision.

20 Under existing law, the Alabama Law  
21 Institute has such members, officers, and  
22 committees as determined by the Board of  
23 Commissioners of the Alabama State Bar. The  
24 institute also has a governing council consisting  
25 of ex officio, appointed, and elected positions.

26 This bill would specify that the institute  
27 is a part of the Legislative Department, would

1 transfer powers previously granted to the Alabama  
2 State Bar to the council, would revise the  
3 membership of the council, would specify the  
4 director would be appointed by the Legislative  
5 Council upon the recommendation of the Alabama Law  
6 Institute Council, and would authorize the director  
7 to employ the staff for the institute.

8 This bill would also provide for the  
9 continuation of the office of the President Pro  
10 Tempore of the Senate and would revise the  
11 membership of the Alabama Commission on Uniform  
12 State Laws.

13  
14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 Relating to the Legislative Department, to  
19 reconstitute the Legislative Council and create the Senate  
20 Legislative Council and the House Legislative Council; to  
21 transfer to the councils functions from the House Legislative  
22 Council, the entity consisting of the Senate members elected  
23 to the Legislative Council, the Joint Fiscal Committee, and  
24 the Legislative Building Authority, and abolish those  
25 entities; to assign additional administrative functions to the  
26 council; to delete a provision for an automatic appropriation  
27 to the Legislature; to revise the procedure for the

1 appointment and tenure of the Secretary of the Senate and  
2 Clerk of the House; to specify the Alabama Law Institute is  
3 part of the Legislative Department, revise the membership of  
4 the governing council of the institute, and grant additional  
5 authority to the council and the president and director of the  
6 institute; to restructure the Commission on Uniform State  
7 Laws; to provide for the continuation of the office of the  
8 President Pro Tempore of the Senate; and to amend Sections  
9 29-2-52, 29-2-200, 29-2-201, 29-4-20, 29-4-22, 29-4-25,  
10 29-4-30, 29-4-32, 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3,  
11 29-5-4, 29-5-13, 29-6-1, 29-6-2, 29-6-3, 29-6-4, 29-6-7,  
12 29-7-4, 29-8-1, 29-8-2, 29-8-3, 29-8-4, 29-8-5, 41-9-370,  
13 41-9-374, 41-19-3, and 41-19-3.1 of, and to repeal Sections  
14 29-1-22, 29-4-41, and 29-7-5 of, the Code of Alabama 1975.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 29-1-10, 29-2-52, 29-2-200,  
17 29-2-201, 29-4-20, 29-4-22, 29-4-25, 29-4-30, 29-4-32,  
18 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3, 29-5-4, 29-5-13,  
19 29-6-1, 29-6-2, 29-6-3, 29-6-4, and 29-6-7 of Code of Alabama  
20 1975, are amended to read as follow:

21 "§29-1-10.

22 "(a) There shall be appropriated ~~out of~~ from the  
23 General Fund ~~to the Treasury of the State of Alabama~~ to the  
24 Legislature the sum of ~~\$100,000~~ one hundred thousand dollars  
25 (\$100,000), or so much thereof as may be necessary, for the  
26 expenses of the Legislature in its ~~10-day or organization~~

1 organizational session and for the expense of such legislative  
2 interim committees as may be created by ~~said~~ the Legislature.

3 "(b) There shall be appropriated from the General  
4 Fund to the Legislature funds sufficient for the additional  
5 expenses incurred and payable to the members of the  
6 Legislature and for the operations of the Legislature during  
7 any special session called by the Governor, as certified by  
8 the Legislative Council.

9 "§29-2-52.

10 "(a) The committee shall make a continuous study of  
11 the reapportionment problems in Alabama seeking solutions  
12 thereto, and shall seek expertise, when deemed necessary, from  
13 among knowledgeable state officials and employees, academic  
14 personnel and others involved in demographic studies and other  
15 census matters.

16 "(b) The committee shall make such reports of its  
17 investigations, findings and recommendations to the  
18 Legislature at any time, during any regular or special session  
19 of the Legislature, as it may deem necessary.

20 "(c) The committee shall engage in such activities  
21 as it deems necessary for the preparation and formulation of a  
22 reapportionment plan for the next ensuing reapportionment and  
23 each reapportionment thereafter, and readjustment or  
24 alteration of Senate and House districts and of congressional  
25 districts of the state.

26 "(d) The committee, ~~shall have authority to~~ subject  
27 to the approval of the Legislative Council, may employ

1 consultants, technicians, attorneys, and any other experts  
2 needed to prepare maps and make professional appearances to  
3 support any plan of reapportionment adopted by the  
4 Legislature. Such expenses of the committee shall be paid out  
5 of any funds appropriated by the Legislature for the use of  
6 the committee.

7 "(e) The committee ~~is hereby authorized and~~  
8 ~~empowered to~~ may make and sign any agreements and to do and  
9 perform any acts that may be necessary, desirable, or proper  
10 to carry out the purposes and objectives of the provisions  
11 herein set forth.

12 "(f) The committee may complete any contract  
13 executed and conduct any business undertaken or commenced by  
14 the Legislature pertaining to or connected with the  
15 reapportionment and readjustment or alteration of Senate and  
16 House and congressional districts prior to the enactment of  
17 this article, and the same shall be completed and conducted in  
18 the same manner and under the same terms and conditions and  
19 with the same effect as if completed and conducted by the  
20 Legislature.

21 "(g) The committee may meet within and without the  
22 state, hold public hearings, and otherwise have all of the  
23 powers of a legislative committee under the legislative law.

24 "(h) The committee may request and receive from any  
25 court, department, division, board or bureau, commission, or  
26 agency of the state or any political subdivision thereof such

1 assistance and data as will enable it to properly carry out  
2 its powers and duties hereunder.

3 "§29-2-200.

4 "(a) The Legislative Council succeeds to the powers  
5 and duties of the Legislative Building Authority is created as  
6 a continuing permanent committee of the Legislature.

7 "~~(b) The authority shall consist of three members of~~  
8 ~~the Senate appointed by the President Pro Tempore of the~~  
9 ~~Senate and three members of the House of Representatives~~  
10 ~~appointed by the Speaker of the House of Representatives.~~

11 "~~(c) The membership of the authority shall be~~  
12 ~~inclusive and reflect the racial, gender, geographic, urban~~  
13 ~~and rural, and economic diversity of the state.~~

14 "~~(d) Initial members of the authority shall be~~  
15 ~~appointed after June 14, 2007. Thereafter members of the~~  
16 ~~authority shall be appointed by the incoming President Pro~~  
17 ~~Tempore of the Senate and the incoming Speaker of the House of~~  
18 ~~Representatives after the election of such officers for each~~  
19 ~~legislative term. Members shall serve a term concurrent with~~  
20 ~~the legislative term of office.~~

21 "~~(e) Members of the authority may serve on the~~  
22 ~~authority during the term in which appointed, and if reelected~~  
23 ~~to the same house without a break in service to that house,~~  
24 ~~during the succeeding legislative term until a successor on~~  
25 ~~the authority is appointed.~~



1           ~~"(f) Vacancies shall be filled by the appointing~~  
2           ~~authority who appointed the vacating member for the remainder~~  
3           ~~of the vacated term.~~

4           ~~"(g) The initial meeting of the authority for each~~  
5           ~~legislative term shall be called by either the President Pro~~  
6           ~~Tempore of the Senate or the Speaker of the House of~~  
7           ~~Representatives. The authority shall elect a chair and a vice~~  
8           ~~chair at such initial meeting and adopt appropriate~~  
9           ~~procedures.~~

10           ~~"(h) Each member of the authority shall be entitled~~  
11           ~~to his or her regular legislative compensation, his or her per~~  
12           ~~diem, and travel expenses for each day he or she attends a~~  
13           ~~meeting of the authority. Upon requisitions signed by the~~  
14           ~~chair of the authority, these payments shall be paid out of~~  
15           ~~any funds appropriated to the use of the Legislature by means~~  
16           ~~of warrants drawn by the state Comptroller on the State~~  
17           ~~Treasury. Notwithstanding the foregoing, no member shall~~  
18           ~~receive additional legislative compensation or per diem when~~  
19           ~~the Legislature is in session or if a member is being paid any~~  
20           ~~other payments on the same dates for attendance on other state~~  
21           ~~business.~~

22           ~~"(i) (b) The powers and duties of the authority~~  
23           ~~Legislative Council shall include all of the following:~~

24           ~~"(1) Accept Accepting title to State House property.~~

25           ~~"(2) Provide Except as otherwise provided by law,~~  
26           ~~providing for the management and supervision, administration,~~

1 improvement, ~~equipping,~~ operation, and maintenance of such  
2 State House property.

3 "(3) ~~Take~~ Taking any other action considered  
4 necessary by the ~~authority~~ Legislative Council to ensure  
5 sufficient space and facilities for the functions of the  
6 Legislative Department.

7 "§29-2-201.

8 "(a) (1) For purposes of this article, State House  
9 property means the real property bordered by Union Street,  
10 McDowell Lee Lane, Ripley Street, and Washington Avenue and  
11 the building, parking deck, and improvements located thereon.

12 "(2) The Alabama Building Renovation Finance  
13 Authority, hereafter referred to as ABRFA, created pursuant to  
14 Article 14 (commencing with Section 41-10-450) of Chapter 10  
15 of Title 41, shall execute and deliver on June 14, 2007, an  
16 appropriate deed or deeds and accompanying documents conveying  
17 State House property in fee simple absolute to the Legislative  
18 Building Authority.

19 "(3) Upon delivery of the deed and documents, the  
20 Legislative Building Authority shall be invested with all  
21 rights and title to the State House property.

22 "(4) The consideration for the conveyance shall be  
23 the amounts appropriated in Section 29-2-202. This  
24 consideration is conclusively determined to be valuable,  
25 adequate, and fair.

26 "(b) The right of reverter created in Section  
27 41-10-470, in relation to the land upon which the Alabama

1 State House is situated is abolished on the date of the  
2 conveyance.

3 "(c) Any statutory lien created under Section  
4 41-10-472, in relation to the land upon which the Alabama  
5 State House is situated is abolished on the date of the  
6 conveyance.

7 "(d) The Legislative Building Authority shall be  
8 vested with absolute title and control of the State House  
9 property.

10 "(e) Commencing October 1, 2015, absolute title and  
11 control of the State House property shall transfer to the  
12 Legislative Council by operation of law.

13 "§29-4-20.

14 "(a) The subordinate officers of the Senate consist  
15 of the Secretary of the Senate and an Assistant Secretary of  
16 the Senate. The Secretary of the Senate shall be a full-time  
17 employee, elected as provided by law, and compensated as  
18 provided in this chapter.

19 "~~(b) The Secretary of the Senate, after serving in~~  
20 ~~that capacity for nine successive years, shall attain~~  
21 ~~continuing service status and may be removed only for cause by~~  
22 ~~a vote of a majority of the members elected to the Senate~~  
23 ~~after 10 days' notice of the intention to vote thereon~~  
24 ~~together with a written notice of the cause for such removal.~~  
25 ~~The service herein provided shall begin on the date of the~~  
26 ~~original election to such office, whether such original~~  
27 ~~election occurred prior to May 1, 1973, or otherwise. The~~

1 Secretary of the Senate, ~~after attaining continuing service~~  
2 ~~status,~~ shall not participate in political activities such as  
3 are prohibited by the Merit System Act in Section 36-26-38.

4 "~~(c) The Assistant Secretary of the Senate shall~~  
5 ~~serve only while the Legislature is in session.~~ The Assistant  
6 Secretary of the Senate shall be elected by a majority vote of  
7 the Senate. The Assistant Secretary of the Senate shall be  
8 paid from funds appropriated to the Legislature an amount  
9 fixed by the Senate Legislative Council.

10 "~~(d) Nothing herein shall prohibit the Assistant~~  
11 ~~Secretary of the Senate from being employed as a legislative~~  
12 ~~employee when the Legislature is not in session, but in no~~  
13 ~~event shall he or she be paid or receive compensation for more~~  
14 ~~than one employment at any one time.~~

15 "~~(e) (d)~~ The Secretary of the Senate may appoint an  
16 administrative assistant. The administrative assistant to the  
17 Secretary shall serve at the pleasure of the Secretary and  
18 shall be paid from funds appropriated to the Legislature an  
19 amount fixed by the ~~Secretary~~ Senate Legislative Council in  
20 accordance with that of comparable positions established under  
21 the State Merit System pay plan.

22 "~~(f) (e)~~ The Secretary of the Senate may employ a  
23 chief clerk who shall be a full-time employee. The chief clerk  
24 shall serve at the pleasure of the Secretary of the Senate and  
25 shall be paid from funds appropriated to the Legislature an  
26 amount fixed by the ~~Secretary~~ Senate Legislative Council in

1 accordance with that of comparable positions established under  
2 the State Merit System pay plan.

3 "§29-4-22.

4 "(a) The Secretary of the Senate shall be elected at  
5 the beginning of the quadrennium, and receive an annual salary  
6 of such amount as ~~has heretofore or as may hereafter be fixed~~  
7 ~~by law, payable as the salaries of other state officers or~~  
8 ~~employees are paid~~ provided by the Senate Legislative Council.

9 "(b) ~~The compensation of the Assistant Secretary of~~  
10 ~~the Senate shall be fixed by the Secretary of the Senate. The~~  
11 Senate Legislative Council shall conduct an annual in person  
12 evaluation of the performance of the Secretary of the Senate  
13 and the Assistant Secretary of the Senate.

14 "§29-4-25.

15 "(a) ~~The elected members of the Legislative Council~~  
16 ~~of the Senate of the State of Alabama shall regulate, with the~~  
17 ~~advice of the Secretary of the Senate, the employees of the~~  
18 ~~Senate, except pages, and fix the exact number and~~  
19 ~~compensation of employees who may be employed by the Senate in~~  
20 ~~each category of employment and the exact amount of each~~  
21 ~~legislative employee classification compensation. Following~~  
22 ~~their employment by the elected members of the Legislative~~  
23 ~~Council of the Senate of the State of Alabama, all Senate~~  
24 ~~employees shall be under the control and supervision of the~~  
25 ~~Secretary of the Senate. The Senate Legislative Council,~~  
26 after considering in a timely manner persons recommended by  
27 the Secretary of the Senate, shall hire the employees of the

1 Senate. Once hired, all Senate employees are at will employees  
2 and shall be under the control and supervision of the  
3 Secretary of the Senate. The Secretary of the Senate has the  
4 authority to discipline and terminate employees.

5 "(b) The Senate Legislative Council or the Secretary  
6 of the Senate, as appropriate, shall utilize the services of  
7 the Director of Human Resources, including providing lists of  
8 applicants for open positions and the written application for  
9 employment for each, providing assistance in determination of  
10 job classifications, salary schedules, benefits, and terms of  
11 employment, maintaining custody of records as requested, and  
12 providing consultation on employee discipline.

13 "~~(c) The elected members of the Legislative Council~~  
14 ~~of the Senate of the State of Alabama~~ Senate Legislative  
15 Council may delegate such powers and duties as herein  
16 conferred upon it to the Secretary of the Senate.

17 "§29-4-30.

18 "(a) The subordinate officers of the House of  
19 Representatives consist of the Clerk of the House of  
20 Representatives and an Assistant Clerk of the House of  
21 Representatives. The Clerk of the House of Representatives  
22 shall be a full-time employee, elected as provided by law, and  
23 compensated as provided in this chapter.

24 "~~(b) The Clerk of the House of Representatives,~~  
25 ~~after serving in that capacity for nine successive years,~~  
26 ~~shall attain continuing service status and may be removed only~~  
27 ~~for cause by a vote of a majority of the members elected to~~

1 ~~the House of Representatives after 10 days' notice of the~~  
2 ~~intention to vote thereon together with a written notice of~~  
3 ~~the cause for such removal. The service herein provided shall~~  
4 ~~begin on the date of the original election to such office,~~  
5 ~~whether such original election occurred prior to May 20, 1996,~~  
6 ~~or otherwise. The Clerk of the House of Representatives, after~~  
7 ~~attaining continuing service status,~~ shall not participate in  
8 political activities such as are prohibited by the Merit  
9 System Act in Section 36-26-38.

10 ~~"(c) (b) The Assistant Clerk of the House of~~  
11 ~~Representatives shall serve only while the Legislature is in~~  
12 ~~session. The Assistant Clerk of the House of Representatives~~  
13 shall be appointed by the Clerk of the House of  
14 Representatives with the approval of the Speaker of the House.  
15 The Assistant Clerk of the House of Representatives shall be  
16 paid from funds appropriated to the Legislature an amount  
17 fixed by the House Legislative Council.

18 ~~"(d) Nothing herein shall prohibit the Assistant~~  
19 ~~Clerk of the House of Representatives from being employed as a~~  
20 ~~legislative employee when the Legislature is not in session,~~  
21 ~~but in no event shall he or she be paid or receive~~  
22 ~~compensation for more than one employment at any one time.~~

23 ~~"(e) (c) The Clerk of the House of Representatives~~  
24 may appoint an administrative assistant. The administrative  
25 assistant to the Clerk shall serve at the pleasure of the  
26 Clerk and shall be paid from funds appropriated to the  
27 Legislature an amount fixed by the ~~Clerk~~ House Legislative

1 Council in accordance with that of comparable positions  
2 established under the State Merit System pay plan.

3 ~~"(f) (d)~~ The Clerk of the House of Representatives  
4 may employ a chief clerk who shall be a full-time employee.  
5 The chief clerk shall serve at the pleasure of the Clerk of  
6 the House of Representatives and shall be paid from funds  
7 appropriated to the Legislature an amount fixed by the ~~Clerk~~  
8 ~~of the House of Representatives~~ House Legislative Council in  
9 accordance with that of comparable positions established under  
10 the State Merit System pay plan.

11 "§29-4-32.

12 "(a) ~~The Clerk of the House of Representatives shall~~  
13 ~~receive an annual salary of such amount as has heretofore or~~  
14 ~~as may hereafter be fixed by law, payable as the salaries of~~  
15 ~~other state officers or employees are paid. The Clerk of the~~  
16 House of Representatives shall be elected at the beginning of  
17 the quadrennium, and shall receive an annual salary of such  
18 amount as provided by the House Legislative Council.

19 "(b) ~~The compensation of the Assistant Clerk of the~~  
20 ~~House of Representatives shall be fixed by the Clerk of the~~  
21 ~~House of Representatives. The House Legislative Council shall~~  
22 conduct an annual in person evaluation of the performance of  
23 the Clerk of the House of Representatives and the Assistant  
24 Clerk of the House of Representatives.

25 "§29-4-35.

26 "(a) ~~The members of the Legislative Council of the~~  
27 ~~House of Representatives shall regulate, with the advice of~~



1 ~~the Clerk of the House of Representatives, the employees of~~  
2 ~~the House of Representatives, except pages, and fix the exact~~  
3 ~~number and compensation of employees who may be employed by~~  
4 ~~the House of Representatives in each category of employment~~  
5 ~~and the exact amount of each legislative employee~~  
6 ~~classification compensation. Following their employment by the~~  
7 ~~members of the Legislative Council of the House of~~  
8 ~~Representatives, all employees of the House of Representatives~~  
9 ~~shall be under the control and supervision of the Clerk of the~~  
10 ~~House of Representatives. The House Legislative Council, after~~  
11 ~~considering in a timely manner persons recommended by the~~  
12 ~~Clerk of the House, shall hire the employees of the House.~~  
13 ~~Once, hired all House employees are at will employees and~~  
14 ~~shall be under the control and supervision of the Clerk of the~~  
15 ~~House. The Clerk of the House has the authority to discipline~~  
16 ~~and terminate employees.~~

17 " (b) The House Legislative Council or the Clerk of  
18 the House, as appropriate, shall utilize the services of the  
19 Director of Human Resources, including providing lists of  
20 applicants for open positions and the written application for  
21 employment for each, providing assistance in determination of  
22 job classifications, salary schedules, benefits, and terms of  
23 employment, maintaining custody of records as requested, and  
24 providing consultation on employee discipline.

25 "(c) The members of the Legislative Council of the  
26 House of Representatives House Legislative Council may

1 delegate such powers and duties as herein conferred upon it to  
2 the Clerk of the House of Representatives.

3 "§29-4-40.

4 "~~(a) Within the authority delegated by the elected~~  
5 ~~members of the Legislative Council from the Senate and the~~  
6 ~~members of the Legislative Council from the House of~~  
7 ~~Representatives to the~~ The Secretary of the Senate and the  
8 Clerk of the House of Representatives, ~~respectively, the~~  
9 ~~Secretary of the Senate and the Clerk of the House of~~  
10 ~~Representatives~~ shall furnish to each joint committee for  
11 which staff assistance is not provided in the act creating the  
12 joint committee, the staff assistance reasonably necessary to  
13 enable the committee to perform its assigned function.

14 "(b) Staff furnished pursuant to this section shall  
15 be compensated as other legislative staff at rates approved by  
16 the ~~elected members of the Legislative Council of the Senate~~  
17 ~~and members of the Legislative Council of the House of~~  
18 ~~Representatives.~~

19 "(c) For purposes of this section, staff assistance  
20 includes, but is not limited to, secretaries, consultants, and  
21 technical or professional persons.

22 "§29-4-42.

23 "Actions under this article requiring the approval  
24 of the ~~elected members of the Legislative Council from the~~  
25 Senate Legislative Council and the ~~members of the Legislative~~  
26 ~~Council from the House of Representatives~~ House Legislative  
27 Council may be taken only if approved by ~~both~~ a majority vote

1 of ~~the elected members of the Legislative Council from the~~  
2 ~~Senate and a majority vote of the members of the Legislative~~  
3 ~~Council from the House of Representatives~~ both respective  
4 councils.

5 "§29-5-2.

6 ~~"There is hereby created a continuing legislative~~  
7 ~~committee to be known as the Joint Fiscal Committee, whose~~  
8 ~~duty it shall be to supervise the operation~~ The operations of  
9 the Legislative Fiscal Office shall be supervised by the  
10 Legislative Council. ~~The committee shall consist of the~~  
11 ~~Chairman of the House Ways and Means Committee, three members~~  
12 ~~of the House Ways and Means Committee selected by the Chairman~~  
13 ~~of the House Ways and Means Committee, the Chairman of the~~  
14 ~~Senate Finance and Taxation Committee, three members of the~~  
15 ~~Senate Finance and Taxation Committee selected by the Chairman~~  
16 ~~of the Senate Finance and Taxation Committee, the Lieutenant~~  
17 ~~Governor and the Speaker of the House, whose terms shall be~~  
18 ~~for the quadrennium for which they were elected to the~~  
19 ~~Legislature and until their successors have been elected and~~  
20 ~~qualified. The Chairman of the Senate Finance and Taxation~~  
21 ~~Committee shall serve as chairman of the committee, and the~~  
22 ~~committee shall meet at the call of the chairman or any three~~  
23 ~~members thereof; provided, that the committee shall meet at~~  
24 ~~least once each four months. Members shall be entitled to~~  
25 ~~transportation allowances and to their regular legislative pay~~  
26 ~~and per diem expenses for each day in which they are actually~~  
27 ~~engaged in committee work.~~

1           "§29-5-3.

2           "The Director of the Legislative Fiscal Office shall  
3 be selected and appointed by the ~~Joint Fiscal Committee~~  
4 Legislative Council, upon the unanimous recommendation of the  
5 Chairs of the House Ways and Means Committees (Education and  
6 General Fund) and the Chairs of the Finance and Taxation  
7 Committees (Education and General Fund), who, together, shall  
8 constitute and be known as the Fiscal Committee of the  
9 Legislative Council. The salary of the director shall be fixed  
10 by the ~~Joint Fiscal Committee~~ at a per annum gross rate no  
11 less than the minimum per annum gross rate established for the  
12 ~~State Budget Officer~~ Legislative Council. The director may, ~~at~~  
13 ~~his selection,~~ participate in any retirement system available  
14 to state employees. The director may be removed by a majority  
15 vote of the ~~Joint Fiscal Committee~~ Legislative Council or by a  
16 joint resolution of the House and Senate.

17           "§29-5-4.

18           "The director shall appoint, without regard to the  
19 State Merit System Law, ~~such personnel as may be necessary to~~  
20 ~~carry out the duties and functions~~ of the office. ~~The~~  
21 ~~compensation of such personnel shall be fixed by the director~~  
22 ~~in accordance with that of comparable positions established~~  
23 ~~under the State Merit System pay plan.~~ The director may  
24 prescribe the duties and responsibilities of the personnel of  
25 the office and delegate to them authority to perform any of  
26 the duties, powers, and functions imposed on the office or on  
27 the director. For purposes of pay and employment benefits,

1 rights and privileges, all personnel of the office shall be  
2 treated as if they were employees of the state.

3 "§29-5-13.

4 "(a) For the purposes of this section, the following  
5 terms have the following meanings:

6 "(1) BUDGET PROCESS. The entire process by which  
7 funds are appropriated and expended, including, but not  
8 limited to, revenue estimating, legislative budget hearings,  
9 appropriations, allotment, and expenditure of funds.

10 "(2) REVENUE SOURCES. Any receipt of funds by the  
11 state, including, but not limited to, tax receipts, fee  
12 receipts, transfers, interest income, transfers between state  
13 agencies or funds, or gifts or grants from other  
14 instrumentalities.

15 "(b) In addition to the reporting requirement in  
16 Section 36-15-21.1, whenever litigation required to be  
17 reported under Section 36-15-21.1 concerns the budget process  
18 or any revenue source, the state official who is a party to  
19 the litigation shall promptly notify the Chair of the ~~Joint~~  
20 ~~Fiscal Committee~~ Legislative Council, the Chair of the House  
21 Ways and Means Committees (Education and General Fund) and the  
22 Chair of the Senate Finance and Taxation Committees (Education  
23 and General Fund), and the Director of the Legislative Fiscal  
24 Office.

25 "§29-6-1.

26 "(a) There is hereby created a continuing  
27 legislative committee to be known as the Legislative Council

1 of the State of Alabama. The council consists of the Speaker  
2 of the House, the House Majority Leader, the House Minority  
3 Leader, the Chairs of the Ways and Means General Fund and Ways  
4 and Means Education Committees, two members of the House  
5 appointed by the Speaker, two members of the House elected by  
6 the House, and one member of the House elected by members of  
7 the House who are not members of the majority party, who shall  
8 constitute the House Legislative Council, and the President  
9 Pro Tempore of the Senate, the Senate Majority Leader, the  
10 Senate Minority Leader, the Chairs of the Finance and Taxation  
11 General Fund and Finance and Taxation Education Committees,  
12 two Senators appointed by the President Pro Tempore, two  
13 members of the Senate elected by the Senate, and one member of  
14 the Senate elected by members of the Senate who are not  
15 members of the majority party, who shall constitute the Senate  
16 Legislative Council. Until January 14, 2019, the President of  
17 the Senate is a full voting member of the Senate Legislative  
18 Council. Except as otherwise provided in subsection (d), the  
19 elected House and Senate members shall be elected at the first  
20 regular session of each quadrennium.

21 "(b) Members serving ex officio, appointed, or  
22 elected at the 2015 Regular Session pursuant to the act adding  
23 this subsection or appointed as otherwise provided in  
24 subsection (d), shall replace the members of the Legislative  
25 Council serving on the council on the effective date of the  
26 act adding this subsection.

1           "(c) Members of the council may serve on the council  
2 as long as the member retains the office that qualified the  
3 member for service or during the term to which the member was  
4 appointed or elected and, if reelected to the same house  
5 without a break in service to that house, during the  
6 succeeding legislative term until a successor is appointed or  
7 elected as provided by law. No member may be elected to more  
8 than two consecutive four-year terms and no member may be  
9 appointed to more than two consecutive four-year terms. Any  
10 member serving ex officio may remain on the Legislative  
11 Council as long as the member holds the office qualifying the  
12 member for membership. If a vacancy occurs in its elected  
13 membership while the Legislature is not in session, the House  
14 Legislative Council or the Senate Legislative Council, as  
15 appropriate, may make temporary appointments to fill the  
16 vacancy until the vacancy is filled by an election of the  
17 appropriate members of the House or Senate, as the case may  
18 be.

19           "(d) If the act adding this subsection does not  
20 become operative prior to adjournment sine die of the 2015  
21 Regular Session, the Speaker of the House, the President Pro  
22 Tempore of the Senate, the Chairs of the Ways and Means  
23 General Fund and Ways and Means Education Committees, the  
24 Chairs of the Finance and Taxation General Fund and Finance  
25 and Taxation Education Committees, and the majority and  
26 minority leader of the respective houses shall serve on the  
27 Legislative Council and, within 30 days of adjournment sine

1 die of the 2015 Regular Session, the Speaker and the President  
2 Pro Tempore, respectively, shall appoint five members of the  
3 House of Representatives, at least one of whom may not be a  
4 member of the majority party, and five members of the Senate,  
5 at least one of whom may not be a member of the majority  
6 party, to serve on the Legislative Council until members are  
7 elected at the 2016 Regular Session.

8 "§29-6-2.

9 ~~"The Legislative Council shall consist of the~~  
10 ~~President and President Pro Tempore of the Senate, six members~~  
11 ~~of the Senate elected by the Senate, the Speaker and Speaker~~  
12 ~~Pro Tempore of the House of Representatives, six members of~~  
13 ~~the House of Representatives elected by the House of~~  
14 ~~Representatives, the chairs of the Senate's standing~~  
15 ~~committees on finance and taxation and on the judiciary and~~  
16 ~~the chairs of the standing committees on ways and means and on~~  
17 ~~the judiciary of the House. If the Speaker of the House,~~  
18 ~~Speaker Pro Tempore, or President Pro Tempore is also the~~  
19 ~~chair of one of these standing committees, then the vice-chair~~  
20 ~~of the committee shall serve on the council in the place of~~  
21 ~~the chair.~~

22 ~~"In addition, the majority and minority leaders of~~  
23 ~~the Senate and the majority and minority leaders of the House~~  
24 ~~shall be members of the Legislative Council. The majority and~~  
25 ~~minority leaders of the House and the majority and minority~~  
26 ~~leaders of the Senate may designate a member of their house to~~  
27 ~~serve on the Legislative Council in their place for a one-year~~



1 term. The designation shall be in writing to the Chair of the  
2 Legislative Council and the Speaker of the House, in the case  
3 of the majority or minority leader of the House, or the  
4 Lieutenant Governor, in the case of the majority or minority  
5 leader of the Senate.

6 "The President and President Pro Tempore of the  
7 Senate and the Speaker and Speaker Pro Tempore of the House of  
8 Representatives and any chair of a standing committee who,  
9 under this section and Section 29-6-2.1, is a member of the  
10 Legislative Council by virtue of holding such chair, may  
11 designate a member of his or her house to serve in his or her  
12 place on the Legislative Council for a one-year term. The  
13 designation shall be in writing to the Chair of the  
14 Legislative Council, and the Lieutenant Governor as to Senate  
15 members or the Speaker of the House of Representative as to  
16 House members.

17 "Additionally, any current House member who has  
18 served at least 24 years and is not appointed to any standing  
19 committee during the quadrennium shall also be a member of the  
20 Legislative Council for that quadrennium, and, in such an  
21 event, one additional member of the Senate shall serve on the  
22 Legislative Council for that same quadrennium, who shall be  
23 appointed by the Senate Committee on Assignments or the  
24 successor of this committee.

25 "The House and Senate members shall be elected at  
26 the 1975 Regular Session of the Legislature, and at the  
27 regular session held every four years thereafter. Members of

1 ~~the Legislative Council, whether elected or holding membership~~  
2 ~~by virtue of office, position, tenure, or chairmanship, may~~  
3 ~~serve on the Legislative Council during the term in which~~  
4 ~~elected, appointed, or qualified and, if reelected to the same~~  
5 ~~house without a break in service to that house, during the~~  
6 ~~succeeding legislative term until a successor on the~~  
7 ~~Legislative Council is elected or qualified as provided by~~  
8 ~~law. The Legislative Council may make temporary appointments~~  
9 ~~to fill vacancies in its membership.~~

10 "(a) The President of the Senate shall be a member  
11 of the Legislative Council but may vote on issues before the  
12 Legislative Council only in the case of a tie. At its first  
13 meeting during each quadrennium and at such other times as  
14 necessary, the Legislative Council shall elect a chair and  
15 vice chair from among the membership of the council. The  
16 position of chair shall alternate between a member of the  
17 Senate and a member of the House of Representatives every two  
18 years. To the extent possible, membership of the council shall  
19 be inclusive and reflect the racial, gender, geographic,  
20 urban/rural, and economic diversity of the state.

21 "(b) Within 10 days after the membership of the  
22 Legislative Council is determined:

23 "(1) The Legislative Council shall convene at a  
24 place and time designated by the President of the Senate in  
25 written notice given to each member to select a chair and vice  
26 chair from the membership. The Legislative Council shall meet  
27 thereafter at the request of the chair or as its members shall

1 determine, in both cases upon written notice to each member of  
2 the council. If the chair declines to call a meeting or is  
3 unable to call a meeting, the Speaker of the House, the  
4 President Pro Tempore of the Senate, or a majority of the  
5 council may call a meeting of the council.

6 "(2) The House Legislative Council shall convene at  
7 a time and place designated by the Speaker of the House in  
8 written notice given to each member of the House Legislative  
9 Council to select a chair and vice chair of the council. The  
10 council shall meet thereafter at the request of the chair or  
11 as its members shall determine, in both cases upon written  
12 notice to each member of the council. If the chair declines to  
13 call a meeting or is unable to call a meeting, the Speaker of  
14 the House may call a meeting of the council.

15 "(3) The Senate Legislative Council shall convene at  
16 a time and place designated by the President Pro Tempore of  
17 the Senate in written notice given to each member of the  
18 Legislative Council to select a chair and vice chair of the  
19 council. The council shall meet thereafter at the request of  
20 the chair or as its members shall determine, in both cases  
21 upon written notice to each member of the council. If the  
22 chair declines to call a meeting or is unable to call a  
23 meeting, the President Pro Tempore of the Senate may call a  
24 meeting of the council.

25 "(c) Members of the Legislative Council, House  
26 Legislative Council, and Senate Legislative Council shall  
27 receive expenses for attendance of each meeting of the

1 respective council as provided for in Amendment 871 to the  
2 Constitution of Alabama of 1901. The President of the Senate  
3 and Speaker of the House shall adopt such expense  
4 reimbursement regulations as are necessary to implement  
5 Amendment 871 for operation of the councils.

6 "(d) The Legislative Council, the House Legislative  
7 Council, and the Senate Legislative Council may provide for  
8 the appointment of committees to facilitate their work.

9 "§29-6-3.

10 ~~"Within 10 days after the whole membership of the~~  
11 ~~Legislative Council is named, it shall convene at a place and~~  
12 ~~time designated by the President of the Senate in written~~  
13 ~~notice given to each member at least five days in advance to~~  
14 ~~select a chairman and vice-chairman from the membership. The~~  
15 ~~Legislative Council shall meet thereafter at the request of~~  
16 ~~the chairman or as its members shall determine, in both cases~~  
17 ~~upon written notice by the secretary at least five days in~~  
18 ~~advance; provided, that the Legislative Council shall meet at~~  
19 ~~least once each three months. Decisions of the membership in~~  
20 ~~the name of the Legislative Council may be made by a majority~~  
21 ~~of members present and voting at any meeting, provided a~~  
22 ~~quorum is in attendance. A quorum shall consist of a total of~~  
23 ~~any nine members who are representatives of both the House of~~  
24 ~~Representatives and the Senate.~~

25 "(a) Members of the Legislative Council, House  
26 Legislative Council, and Senate Legislative Council may  
27 participate in a meeting of the respective council by means of

1 telephone conference, video conference, or similar  
2 communications equipment by means of which all persons  
3 participating in the meeting may hear each other at the same  
4 time and members of the public may simultaneously listen to  
5 the meeting. Participation by such means shall constitute  
6 presence in person at a meeting for all purposes.

7 "(b) Any decision of the Legislative Council shall  
8 be by a majority vote of the council members from the Senate  
9 and a majority vote of the council members from the House of  
10 Representatives.

11 "(c) All decisions of the Legislative Council, the  
12 House Legislative Council, or the Senate Legislative Council,  
13 except those involving hiring, discipline, or termination of  
14 employees, shall be reduced to writing and shall be published  
15 on the website of the Legislature.

16 "(d) The Legislative Council, House Legislative  
17 Council, and Senate Legislative Council shall be subject to  
18 the Alabama Open Meetings Act, Chapter 25A (commencing with  
19 Section 36-25A-1), Title 36, except that a meeting may be  
20 called with the same notice requirements as a meeting of a  
21 committee of the House or Senate under the rules of the House  
22 or Senate.

23 "(e) The Legislative Council, House Legislative  
24 Council, and Senate Legislative Council may make use of the  
25 employees of the Legislative Department, including employees  
26 of the respective houses, as needed in carrying out their  
27 respective functions.

1           "§29-6-4.

2           ~~"Members of the Legislative Council shall receive~~  
3 ~~the same compensation and expenses for attendance of each~~  
4 ~~meeting of the council or of any committee thereof as do~~  
5 ~~members of the Legislature for attendance at sessions of the~~  
6 ~~Legislature or for attendance of interim legislative committee~~  
7 ~~or subcommittee meetings, based upon the rates of payment that~~  
8 ~~are greater. Additionally, members of the Legislative Council,~~  
9 ~~for attendance of a meeting of the council, shall receive a~~  
10 ~~mileage allowance based on the mileage rate allowed by the~~  
11 ~~Internal Revenue Code for income tax deductions per mile in~~  
12 ~~lieu of actual expenses for transportation. For attendances at~~  
13 ~~conferences and meetings outside the State of Alabama on~~  
14 ~~Legislative Council business, the members shall receive the~~  
15 ~~same compensation as do members of the Legislature, and~~  
16 ~~actual, necessary expenses and transportation expenses. All~~  
17 ~~such compensation and expenses authorized by this section~~  
18 ~~shall be paid from funds appropriated to the use of the~~  
19 ~~Legislative Council.~~

20           "(a) The House Legislative Council succeeds to and  
21 is vested with all the powers previously exercised by the  
22 House Members of the Legislative Council.

23           "(b) The Senate Legislative Council succeeds to and  
24 is vested with all the powers previously exercised by the  
25 members of the Senate elected to the Legislative Council.

26           "(c) A reference in any law to any entity all or a  
27 portion of the powers of which are succeeded to by the

1 Legislative Council, the House Legislative Council, or the  
2 Senate Legislative Council, shall be deemed a reference to the  
3 Legislative Council, the House Legislative Council, or the  
4 Senate Legislative Council.

5 "(d) All personnel, funds, papers, and property of  
6 any entity all or a portion of the powers of which are  
7 succeeded to by the Legislative Council, as determined by the  
8 Legislative Council, shall be transferred to the Legislative  
9 Council on October 1, 2015.

10 "§29-6-7.

11 ~~"This chapter shall be liberally construed.~~

12 "(a) In addition to the powers otherwise provided in  
13 this chapter, the Legislative Council shall:

14 "(1) Approve budget requests, provide accounting  
15 services, make purchases, and provide mail distribution,  
16 property inventory, telephone service, electronic media  
17 services, recycling services, and building maintenance  
18 services for the Legislative Department, and all agencies and  
19 entities, respectively, therein.

20 "(2) Allocate space in the Alabama State House,  
21 including to the Senate and the House of Representatives.

22 "(3) Maintain a website of legislative expenditures  
23 that includes, but is not limited to, the names, salaries, and  
24 expense of the members, officers, and employees of the  
25 Legislative Department and any contracts entered into by the  
26 Legislative Council for the benefit of any entity or agency of  
27 the Legislative Department. This requirement may be met

1 through publication of the required information on a site that  
2 discloses this information on a statewide basis for other  
3 state government entities.

4 "(4) Maintain the computer operations of the  
5 Legislature, including management and control of the  
6 Legislative Data Center and employ a director of technology  
7 who shall oversee the operations of the Legislative Data  
8 Center and maintain all computer guidelines of the Legislative  
9 Department and all agencies and entities therein, except that  
10 production of legislative proceedings of the respective Houses  
11 shall be under the control of the Secretary of the Senate and  
12 the Clerk of the House of Representatives, respectively.

13 "(5) After consulting with the Secretary of the  
14 Senate and Clerk of the House, provide security for the  
15 Alabama State House, the Senate, the House of Representatives,  
16 and those portions of the State Capitol under the control of  
17 the Legislature, the House of Representatives, or the Senate;  
18 provided, however, that security for the Senate and House  
19 chambers, their entrances, and galleries shall be under the  
20 absolute supervision and control of the Secretary and Clerk,  
21 respectively. The Legislative Council shall also establish  
22 protocol for the cooperation between the persons providing  
23 security for the Legislature and such other law enforcement  
24 agencies as necessary.

25 "(6) Reduce and contain the cost associated with the  
26 operation and maintenance of the Legislative Department to the  
27 fullest extent reasonably possible and practical. In



1 accomplishing the reduction, the Legislative Council, to the  
2 fullest extent possible, shall look for methods to save public  
3 funds and contain costs.

4 "(7) Annually review the performance of the  
5 Directors of the Legislative Reference Service, Legislative  
6 Fiscal Office, and Alabama Law Institute.

7 "(8) Employ a director of human resources who shall  
8 handle the human resources related functions for the  
9 Legislative Reference Service, Legislative Fiscal Office, and  
10 Alabama Law Institute. The Director of Human Resources shall  
11 provide services at the direction of the Legislative Council,  
12 including providing lists of applicants for open positions and  
13 the written application for employment for each, providing  
14 assistance in the determination of salary schedules, benefits,  
15 and terms of employment, maintaining custody of records as  
16 requested, and providing consultation on employee discipline.

17 "(9) Establish, upon the recommendation of the  
18 Director of Human Resources, in consultation with the  
19 Directors of the Legislative Reference Service, Legislative  
20 Fiscal Office, and Alabama Law Institute, respectively, the  
21 job classifications, salary schedules, benefits, and terms of  
22 employment for employees of the Legislative Reference Service,  
23 Legislative Fiscal Office, and Alabama Law Institute.

24 "(b) In addition to the powers otherwise provided  
25 this chapter, the Senate Legislative Council shall, upon the  
26 recommendation of the Director of Human Resources, establish  
27 the job classifications, salary schedules, and benefits for

1 all employees of the President Pro Tempore of the Senate.  
2 Provided, however, that there shall be a position of chief of  
3 staff who shall serve at the pleasure of the President Pro  
4 Tempore, under terms and conditions set by the President Pro  
5 Tempore, and who shall be paid from funds appropriated to the  
6 Office of President Pro Tempore.

7 "(c) In addition to the powers otherwise provided in  
8 this chapter, the House Legislative Council shall, upon the  
9 recommendation of the Director of Human Resources, establish  
10 the job classifications, salary schedules, and benefits for  
11 all employees of the Speaker of the House. Provided, however,  
12 that there shall be a position of chief of staff who shall  
13 serve at the pleasure of the Speaker, under terms and  
14 conditions set by the Speaker, and who shall be paid from  
15 funds appropriated to the Office of the Speaker.

16 "(d) The salary schedules, benefits, and terms of  
17 employment for all staff of the Legislative Department shall  
18 be as uniform as practical.

19 "(e) Employees of the Legislative Reference Service,  
20 Legislative Fiscal Office, Alabama Law Institute, Speaker of  
21 the House, and President Pro Tempore of the Senate shall be  
22 under the direction and control of the Director of the  
23 Legislative Reference Service, Director of the Legislative  
24 Fiscal Office, Director of the Alabama Law Institute, Speaker  
25 of the House, and President Pro Tempore of the Senate,  
26 respectively.

1           "(f) The Directors of the Legislative Reference  
2           Service, Legislative Fiscal Office, and Alabama Law Institute  
3           shall annually review the performance of each employee subject  
4           to his or her supervision and report thereon to the  
5           Legislative Council.

6           "(g) Recommendations for hiring of the Director of  
7           the Alabama Law Institute shall be made by the Institute  
8           Council to the Legislative Council, which shall have final  
9           hiring authority for the director.

10           "(h) The Directors of the Legislative Reference  
11           Service, Legislative Fiscal Office, and Alabama Law Institute  
12           shall receive a salary in amounts provided by the Legislative  
13           Council.

14           "(i) The Legislative Council, after considering in a  
15           timely manner persons recommended for hire by the Secretary of  
16           the Senate and Clerk of the House, shall hire joint employees  
17           of the Legislature. The Legislative Council shall utilize the  
18           services of the Director of Human Resources for all joint  
19           employees, including providing lists of applicants for open  
20           positions and the written application for employment for each,  
21           providing assistance in determination of job classifications,  
22           salary schedules, benefits, and terms of employment,  
23           maintaining custody of records as requested, and providing  
24           consultation on employee discipline."

25           Section 2. Sections 29-7-4, 29-8-1, 29-8-2, 29-8-3,  
26           29-8-4, 29-8-5, 41-9-370, 41-9-374, 41-19-3, 41-19-3.1, Code  
27           of Alabama 1975, are amended to read as follows:

1                   "§29-7-4.

2                   "(a) The Director of the Legislative Reference  
3 Service, ~~may hire, either subject without regard~~ to the State  
4 Merit System Law, may hire ~~or without regard to the provisions~~  
5 ~~thereof,~~ staff members and clerical help ~~necessary to effect~~  
6 ~~the purposes of this chapter~~ of the Legislative Reference  
7 Service.

8                   "(b) The compensation due to the officers and  
9 employees employed under this section shall be certified by  
10 the Director of the Legislative Reference Service to the  
11 Comptroller, who shall issue his or her warrant therefor.

12                   "§29-8-1.

13                   "(a) ~~The Board of Commissioners of the Alabama State~~  
14 ~~Bar may organize, create and establish a state law institute~~  
15 ~~to be known as the Alabama Law Institute~~ is created in the  
16 Legislative Department as an official advisory law revision  
17 and law reform agency of the State of Alabama.

18                   "(b) The institute shall have such members,  
19 officers, and committees as the ~~Board of Commissioners of the~~  
20 ~~Alabama State Bar~~ council of the institute may direct.

21                   "(c) ~~The governing body of the institute shall be a~~  
22 governing council shall be composed of ex officio, appointed,  
23 ~~members~~ and elected members, as follows:

24                   "(1) One justice of the Supreme Court of Alabama,  
25 selected by the justices thereof.

26                   "~~(2) One judge of the Court of Civil Appeals of~~  
27 ~~Alabama, selected by the judges thereof.~~

1           ~~"(3) One judge of the Court of Criminal Appeals of~~  
2 ~~Alabama, selected by the judges thereof.~~

3           ~~"(4) (2) One circuit court judge, selected by the~~  
4 ~~Association of Circuit Court Judges.~~

5           ~~"(5) One federal judge residing in Alabama, selected~~  
6 ~~by the federal judges residing in Alabama.~~

7           ~~"(6) (3) The Attorney General of the State of~~  
8 ~~Alabama, or his or her designee.~~

9           ~~"(7) (4) The legal advisor to the Governor of~~  
10 ~~Alabama, or his or her designee.~~

11           ~~"(8) (5) The Chairman Chairs of the Judiciary~~  
12 ~~Committees of the Senate and House of Representatives, or any~~  
13 ~~attorney appointed by either of them who is a member of the~~  
14 ~~Judiciary Committee.~~

15           ~~"(9) (6) The President and Secretary of the Alabama~~  
16 ~~State Bar.~~

17           ~~"(7) The Secretary of the Alabama State Bar.~~

18           ~~"(10) (8) The chairman chair of the junior bar~~  
19 ~~section of the Alabama State Bar.~~

20           ~~"(11) The Dean of the University of Alabama School~~  
21 ~~of Law.~~

22           ~~"(12) The Dean of the Cumberland School of Law of~~  
23 ~~Samford University.~~

24           ~~"(13) The dean of each privately operated law school~~  
25 ~~in the State of Alabama whose graduates are admitted as~~  
26 ~~candidates for examination and admission to the Alabama State~~  
27 ~~Bar.~~

1           ~~"(14) The Dean of the Miles College Law School.~~

2           ~~"(15) The President and Secretary of the Alabama Law~~  
3 ~~Institute.~~

4           ~~"(16) (9) The attorney members of the Legislative~~  
5 ~~Council of Alabama, together with the Secretary of the~~  
6 ~~Legislative Council.~~

7           ~~"(17) (10) Not less than three nor more than six~~  
8 ~~attorney members appointed by the Governor of Alabama for~~  
9 ~~terms to run concurrently with the term of the Governor.~~

10          "(11) The Code Commissioner.

11          "(12) The Speaker of the House, or his or her  
12 designee.

13          "(13) The President Pro Tempore of the Senate, or  
14 his or her designee.

15          ~~"(18) The Director of the Continuing Legal Education~~  
16 ~~Program sponsored by the Alabama State Bar, the University of~~  
17 ~~Alabama Law School and the Cumberland School of Law of Samford~~  
18 ~~University.~~

19          ~~"(19) All elected members of the American Law~~  
20 ~~Institute who reside in Alabama.~~

21          ~~"(d) The elected membership shall consist of two~~  
22 (14) Two members who shall be elected from the members of the  
23 faculty of the University of Alabama School of Law, two  
24 members ~~who shall be~~ elected from the members of the faculty  
25 of the Cumberland Law School of Samford University, two  
26 members elected from the members of the faculty of the Thomas  
27 Goode Jones School of Law at Faulkner University, and six

1 practicing attorneys elected from each congressional district  
2 in the state.

3 ~~"(e) The term of office of the members of the~~  
4 ~~judiciary who are ex officio members of the council shall be~~  
5 ~~four years. (d) The other ex officio members shall hold their~~  
6 ~~positions during their respective terms of office. The terms~~  
7 ~~of office of the elected members of the council shall be four~~  
8 ~~years. The terms of office of the first elected members shall~~  
9 ~~be fixed and determined by the Board of Commissioners of the~~  
10 ~~Alabama State Bar and their successors shall be elected for~~  
11 ~~terms of four years under such rules as the Board of~~  
12 ~~Commissioners may adopt. Elected members of the governing~~  
13 ~~council shall be eligible for reelection.~~

14 ~~"(f) (e) Vacancies in the elected membership created~~  
15 ~~by death, resignation, or otherwise than by the expiration of~~  
16 ~~the terms of office shall be filled by the governing council~~  
17 ~~under such rules as it may adopt. Vacancies occurring through~~  
18 ~~the expiration of terms of office shall be filled by election~~  
19 ~~by the council under such rules as it may adopt.~~

20 "§29-8-2.

21 "(a) The members of the Governing Council of the  
22 Alabama Law Institute shall serve without any compensation for  
23 services as such. The council ~~may employ and fix and pay~~  
24 ~~reasonable compensation to the director of the institute and~~  
25 ~~his assistants, and may pay honoraria to members of the~~  
26 ~~council~~ State Bar who perform professional services for the  
27 institute, as authorized by the council.

1                   "(b) The Legislative Council shall appoint the  
2 director upon the recommendation of the governing council.

3                   "§29-8-3.

4                   "~~The Board of Commissioners of the Alabama State Bar~~  
5 governing council shall adopt a plan or plans of membership in  
6 the Alabama Law Institute so designed as to encourage and  
7 invite the cooperation of all members of the legal profession  
8 in the work of the institute.

9                   "§29-8-4.

10                  "The general purposes of the Alabama Law Institute  
11 shall be to promote and encourage the clarification and  
12 simplification of the law of Alabama to secure the better  
13 administration of justice and to carry on scholarly legal  
14 research and scientific legal work. To that end it shall be  
15 the duty of the Alabama Law Institute to:

16                  "(1) Consider needed improvements in both  
17 substantive and adjective law and to make recommendations  
18 concerning the same to the ~~Legislature~~ chairs and members of  
19 the House Judiciary Committee and the Senate Judiciary  
20 Committee.

21                  "(2) Examine and study the law of Alabama and  
22 Alabama jurisprudence and statutes with a view of discovering  
23 defects and inequities and of recommending needed reforms.

24                  "(3) Receive and consider suggestions from ~~judges,~~  
25 ~~justices, public officials, lawyers,~~ members of the Alabama  
26 Legislature and the public generally as to defects and  
27 anachronisms in the law.



1           "(4) Recommend ~~from time to time~~ such changes in the  
2 law as it deems necessary to modify or eliminate antiquated  
3 and inequitable rules of law, and to bring the law of the  
4 state, both civil and criminal, into harmony with ~~modern~~ legal  
5 conditions and opinions.

6           "(5) Render ~~biennial~~ annual reports to the  
7 Legislature through the president of the institute and, if it  
8 deems so advisable, ~~to~~ accompany its reports with proposed  
9 bills to carry out any of its recommendations.

10           "(6) Recommend the repeal of obsolete statutes and  
11 to suggest needed amendments, additions, and repeals.

12           "(7) Organize and conduct ~~an annual meeting~~ meetings  
13 as needed within the state for scholarly discussions of  
14 current problems in Alabama law, bringing together  
15 representatives of the Legislature, practicing attorneys,  
16 members of the bench and bar, and representatives of the law  
17 teaching profession and periodically conduct training and  
18 continuing education programs for public officials, including  
19 providing educational material.

20           "~~Devise and carry out, through the facilities of~~  
21 ~~the Legislative Reference Service and the director and~~  
22 ~~employees thereof, a plan for continuous code revisions~~ Advise  
23 the Code Commissioner on the performance of the duties imposed  
24 on the Code Commissioner by Chapter 6 of Title 29.

25           "(9) In cooperation with the Legislative Council,  
26 establish and facilitate a legislative intern program.

27           "§29-8-5.

1           "The Alabama Law Institute, in submitting reports to  
2 the Legislature through its president, shall act solely in an  
3 advisory capacity. ~~Its reports, studies and recommended~~  
4 ~~publications shall be printed and shall be distributed by the~~  
5 ~~Secretary of State in the same manner as acts of the~~  
6 ~~Legislature.~~

7           "§41-9-370.

8           "The Commission on Uniform State Laws is continued  
9 in existence as an advisory commission to the Legislature. The  
10 commission consists of three members of the bar appointed by  
11 the Governor for a term of four years or until their  
12 successors are appointed, ~~any resident of this state who~~  
13 ~~because of long service in the cause of the uniformity of~~  
14 ~~state legislation has been elected a life member of the~~  
15 ~~National Conference of Commissioners on Uniform State Laws,~~  
16 ~~any person who while a member attended 10 or more annual~~  
17 ~~meetings of the National Conference of Commissioners on~~  
18 ~~Uniform State Laws, any resident of the state who is serving~~  
19 ~~or has served as Executive Director of the National Conference~~  
20 ~~of Commissioners on Uniform State Laws,~~ a member of the Senate  
21 appointed by the President of the Senate, a member of the  
22 House of Representatives appointed by the Speaker of the  
23 House, the Director of the Alabama Law Institute, and the  
24 Director of the Legislative Reference Service.

25           "§41-9-374.

1           "(a) The Commission on Uniform State Laws shall  
2 annually present its budget to the Legislative Council for  
3 approval.

4           "(b) From funds appropriated ~~to~~ for the commission,  
5 the commission shall:

6           "(1) Reimburse members of the commission ~~who are not~~  
7 ~~members of the Legislature~~ for their necessary expenses in  
8 performing the duties of their offices, including travel for  
9 the meeting of the National Conference of Commissioners on  
10 Uniform State Laws, subject to the approval of the Legislative  
11 Council.

12           "(2) Pay the cost of printing the commission's  
13 reports.

14           "(3) Pay the dues of this state to the National  
15 Conference of Commissioners on Uniform State Laws.

16           "~~(b)~~ (c) The amount of expenses and dues shall be  
17 certified to the state Comptroller by the chair of the  
18 commission, and the state Comptroller shall draw warrants and  
19 the State Treasurer shall pay the warrants for these purposes  
20 from funds appropriated for the commission.

21           "~~(c)~~ For performing their duty as a member of the  
22 ~~commission, members of the commission who are members of the~~  
23 ~~Legislature shall receive, from funds appropriated to the~~  
24 ~~Legislature, the same compensation, expenses, and travel~~  
25 ~~allowances as members of the Legislative Council receive for~~  
26 ~~travel out-of-state on Legislative Council business.~~

27           "§41-19-3.

1            "It is the purpose of this chapter to establish a  
2 comprehensive system for budgeting and financial management  
3 which furthers the capacity of the Governor and the  
4 Legislature to plan and finance the services which they  
5 determine the state will provide for citizens. The system  
6 shall include procedures for all of the following:

7            "(1) The orderly establishment, continuing review,  
8 and periodic revision of the program and financial goals and  
9 policies of the state.

10            "(2) The development, coordination, and review of  
11 long-range program and financial plans that will implement  
12 established state goals and policies.

13            "(3) The preparation, coordination, analysis, and  
14 enactment of a budget, organized to focus on state services  
15 and their costs, that authorizes the implementation of  
16 policies and plans in the succeeding budget period.

17            "(4) The evaluation of alternatives to existing  
18 policies, plans, and procedures that offer potential for more  
19 efficient or effective state services.

20            "(5) The regular appraisal and reporting of program  
21 performance.

22            "To this end, each Governor shall develop a  
23 four-year strategic plan for presentation to the Legislature  
24 prior to the first day of the second regular legislative  
25 session in each term of office. The plan shall include  
26 program, long-range revenue and expenditure plans for the  
27 quadrennium, improvements in the state infrastructure

1 requiring capital outlay, and recommended steps to reduce the  
2 cost of operation of state government. ~~In addition, the plan~~  
3 ~~shall include a pilot phase of implementation for~~  
4 ~~performance-based budgeting with one or more state agencies.~~  
5 ~~The Joint Fiscal Committee and the Governor shall jointly~~  
6 ~~select state agencies to participate in said pilot phase for~~  
7 ~~the 1996-97 fiscal year.~~

8 "§41-19-3.1.

9 "The ~~Joint Fiscal Committee~~ Legislative Council  
10 shall serve in an advisory capacity to the Governor in the  
11 development of the long-range program, revenue and expenditure  
12 plans. The ~~Joint Fiscal Committee~~ Legislative Council shall be  
13 aided by the Legislative Fiscal Office. ~~Members of the Joint~~  
14 ~~Fiscal Committee shall be compensated as provided for in~~  
15 ~~Section 29-5-2."~~

16 Section 3. (a) If the senator who is serving as the  
17 President Pro Tempore of the Senate on the date of the general  
18 election at which members of the Senate are elected to  
19 four-year terms is reelected to the Senate, the senator shall  
20 continue to serve as President Pro Tempore of the Senate until  
21 a successor President Pro Tempore is selected pursuant to  
22 Section 48.01 of the Official Recompilation of the  
23 Constitution of Alabama of 1901, as amended.

24 (b) If the senator serving as the President Pro  
25 Tempore of the Senate ceases service as a Senator for any  
26 reason prior to election of a President Pro Tempore pursuant  
27 to Section 48.01 of the Official Recompilation of the

1 Constitution of Alabama of 1901, as amended, then, with the  
2 approval of the Senate Legislative Council, the Secretary of  
3 the Senate shall perform the functions of the President Pro  
4 Tempore with respect to the expenditure of funds appropriated  
5 to the office of the President Pro Tempore until a successor  
6 President Pro Tempore is elected pursuant to Section 48.01 of  
7 the Official Recompilation of the Constitution of Alabama of  
8 1901, as amended.

9 Section 4. Sections 29-1-22, 29-1-41, and 29-7-5 of  
10 the Code of Alabama 1975 are repealed.

11 Section 5. Those portions of this act relating to  
12 the composition of the Legislative Council as well as Sections  
13 2, 3, and 4 shall become effective immediately following its  
14 passage and approval by the Governor, or its otherwise  
15 becoming law. The remainder of the act shall become effective  
16 October 1, 2015.