

1 HB211
2 163725-9
3 By Representative Ball
4 RFD: Internal Affairs
5 First Read: 10-MAR-15

1 ENGROSSED

2
3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to the Legislative Department, to
9 reconstitute the Legislative Council and create the Senate
10 Legislative Council and the House Legislative Council; to
11 transfer to the councils functions from the House Legislative
12 Council, the entity consisting of the Senate members elected
13 to the Legislative Council, the Joint Fiscal Committee, and
14 the Legislative Building Authority, and abolish those
15 entities; to assign additional administrative functions to the
16 council; to delete a provision for an automatic appropriation
17 to the Legislature; to revise the procedure for the
18 appointment and tenure of the Secretary of the Senate and
19 Clerk of the House; to specify the Alabama Law Institute is
20 part of the Legislative Department, revise the membership of
21 the governing council of the institute, and grant additional
22 authority to the council and the president and director of the
23 institute; to restructure the Commission on Uniform State
24 Laws; to provide for the continuation of the office of the
25 President Pro Tempore of the Senate; and to amend Sections
26 29-2-52, 29-2-200, 29-2-201, 29-4-20, 29-4-22, 29-4-25,
27 29-4-30, 29-4-32, 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3,

1 29-5-4, 29-5-13, 29-6-1, 29-6-2, 29-6-3, 29-6-4, 29-6-7,
2 29-7-4, 29-8-1, 29-8-2, 29-8-3, 29-8-4, 29-8-5, 41-9-370,
3 41-9-374, 41-19-3, and 41-19-3.1 of, and to repeal Sections
4 29-1-22, 29-4-41, and 29-7-5 of, the Code of Alabama 1975.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Sections 29-1-10, 29-2-52, 29-2-200,
7 29-2-201, 29-4-20, 29-4-22, 29-4-25, 29-4-30, 29-4-32,
8 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3, 29-5-4, 29-5-13,
9 29-6-1, 29-6-2, 29-6-3, 29-6-4, and 29-6-7 of Code of Alabama
10 1975, are amended to read as follow:

11 "§29-1-10.

12 "(a) There shall be appropriated ~~out of~~ from the
13 General Fund ~~to the Treasury of the State of Alabama to the~~
14 Legislature the sum of ~~\$100,000~~ one hundred thousand dollars
15 (\$100,000), or so much thereof as may be necessary, for the
16 expenses of the Legislature in its ~~10-day or organization~~
17 organizational session and for the expense of such legislative
18 interim committees as may be created by ~~said~~ the Legislature.

19 "(b) There shall be appropriated from the General
20 Fund to the Legislature funds sufficient for the additional
21 expenses incurred and payable to the members of the
22 Legislature and for the operations of the Legislature during
23 any special session called by the Governor, as certified by
24 the Legislative Council.

25 "§29-2-52.

26 "(a) The committee shall make a continuous study of
27 the reapportionment problems in Alabama seeking solutions

1 thereto, and shall seek expertise, when deemed necessary, from
2 among knowledgeable state officials and employees, academic
3 personnel and others involved in demographic studies and other
4 census matters.

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

9 "(c) The committee shall engage in such activities
10 as it deems necessary for the preparation and formulation of a
11 reapportionment plan for the next ensuing reapportionment and
12 each reapportionment thereafter, and readjustment or
13 alteration of Senate and House districts and of congressional
14 districts of the state.

15 "(d) The committee, ~~shall have authority to~~ subject
16 to the approval of the Legislative Council, may employ
17 consultants, technicians, attorneys, and any other experts
18 needed to prepare maps and make professional appearances to
19 support any plan of reapportionment adopted by the
20 Legislature. Such expenses of the committee shall be paid out
21 of any funds appropriated by the Legislature for the use of
22 the committee.

23 "(e) The committee ~~is hereby authorized and~~
24 ~~empowered to~~ may make and sign any agreements and to do and
25 perform any acts that may be necessary, desirable, or proper
26 to carry out the purposes and objectives of the provisions
27 herein set forth.

1 "(f) The committee may complete any contract
2 executed and conduct any business undertaken or commenced by
3 the Legislature pertaining to or connected with the
4 reapportionment and readjustment or alteration of Senate and
5 House and congressional districts prior to the enactment of
6 this article, and the same shall be completed and conducted in
7 the same manner and under the same terms and conditions and
8 with the same effect as if completed and conducted by the
9 Legislature.

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

13 "(h) The committee may request and receive from any
14 court, department, division, board or bureau, commission, or
15 agency of the state or any political subdivision thereof such
16 assistance and data as will enable it to properly carry out
17 its powers and duties hereunder.

18 "§29-2-200.

19 "(a) The Legislative Council succeeds to the powers
20 and duties of the Legislative Building Authority ~~is created as~~
21 ~~a continuing permanent committee of the Legislature.~~

22 ~~"(b) The authority shall consist of three members of~~
23 ~~the Senate appointed by the President Pro Tempore of the~~
24 ~~Senate and three members of the House of Representatives~~
25 ~~appointed by the Speaker of the House of Representatives.~~

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

4 ~~"(d) Initial members of the authority shall be~~
5 ~~appointed after June 14, 2007. Thereafter members of the~~
6 ~~authority shall be appointed by the incoming President Pro~~
7 ~~Tempore of the Senate and the incoming Speaker of the House of~~
8 ~~Representatives after the election of such officers for each~~
9 ~~legislative term. Members shall serve a term concurrent with~~
10 ~~the legislative term of office.~~

11 ~~"(e) Members of the authority may serve on the~~
12 ~~authority during the term in which appointed, and if reelected~~
13 ~~to the same house without a break in service to that house,~~
14 ~~during the succeeding legislative term until a successor on~~
15 ~~the authority is appointed.~~

16 ~~"(f) Vacancies shall be filled by the appointing~~
17 ~~authority who appointed the vacating member for the remainder~~
18 ~~of the vacated term.~~

19 ~~"(g) The initial meeting of the authority for each~~
20 ~~legislative term shall be called by either the President Pro~~
21 ~~Tempore of the Senate or the Speaker of the House of~~
22 ~~Representatives. The authority shall elect a chair and a vice~~
23 ~~chair at such initial meeting and adopt appropriate~~
24 ~~procedures.~~

25 ~~"(h) Each member of the authority shall be entitled~~
26 ~~to his or her regular legislative compensation, his or her per~~
27 ~~diem, and travel expenses for each day he or she attends a~~

1 meeting of the authority. Upon requisitions signed by the
2 chair of the authority, these payments shall be paid out of
3 any funds appropriated to the use of the Legislature by means
4 of warrants drawn by the state Comptroller on the State
5 Treasury. Notwithstanding the foregoing, no member shall
6 receive additional legislative compensation or per diem when
7 the Legislature is in session or if a member is being paid any
8 other payments on the same dates for attendance on other state
9 business.

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

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

13 "(2) ~~Provide~~ Except as otherwise provided by law,
14 providing for the management and supervision, administration,
15 improvement, ~~equipping,~~ operation, and maintenance of such
16 State House property.

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

21 "§29-2-201.

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

26 "(2) The Alabama Building Renovation Finance
27 Authority, hereafter referred to as ABRFA, created pursuant to

1 Article 14 (commencing with Section 41-10-450) of Chapter 10
2 of Title 41, shall execute and deliver on June 14, 2007, an
3 appropriate deed or deeds and accompanying documents conveying
4 State House property in fee simple absolute to the Legislative
5 Building Authority.

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

9 "(4) The consideration for the conveyance shall be
10 the amounts appropriated in Section 29-2-202. This
11 consideration is conclusively determined to be valuable,
12 adequate, and fair.

13 "(b) The right of reverter created in Section
14 41-10-470, in relation to the land upon which the Alabama
15 State House is situated is abolished on the date of the
16 conveyance.

17 "(c) Any statutory lien created under Section
18 41-10-472, in relation to the land upon which the Alabama
19 State House is situated is abolished on the date of the
20 conveyance.

21 "(d) The Legislative Building Authority shall be
22 vested with absolute title and control of the State House
23 property.

24 "Commencing October 1, 2015, absolute title and
25 control of the State House property shall transfer to the
26 Legislative Council by operation of law.

27 "§29-4-20.

1 "(a) The subordinate officers of the Senate consist
2 of the Secretary of the Senate and an Assistant Secretary of
3 the Senate. The Secretary of the Senate shall be a full-time
4 employee, elected as provided by law, and compensated as
5 provided in this chapter.

6 "~~(b) The Secretary of the Senate, after serving in
7 that capacity for nine successive years, shall attain
8 continuing service status and may be removed only for cause by
9 a vote of a majority of the members elected to the Senate
10 after 10 days' notice of the intention to vote thereon
11 together with a written notice of the cause for such removal.
12 The service herein provided shall begin on the date of the
13 original election to such office, whether such original
14 election occurred prior to May 1, 1973, or otherwise. The
15 Secretary of the Senate, after attaining continuing service
16 status, shall not participate in political activities such as
17 are prohibited by the Merit System Act in Section 36-26-38.~~

18 "~~(c) The Assistant Secretary of the Senate shall
19 serve only while the Legislature is in session. The Assistant
20 Secretary of the Senate shall be elected by a majority vote of
21 the Senate. The Assistant Secretary of the Senate shall be
22 paid from funds appropriated to the Legislature an amount
23 fixed by the Senate Legislative Council.~~

24 "~~(d) Nothing herein shall prohibit the Assistant
25 Secretary of the Senate from being employed as a legislative
26 employee when the Legislature is not in session, but in no~~

1 ~~event shall he or she be paid or receive compensation for more~~
2 ~~than one employment at any one time.~~

3 "~~(e)~~ (d) The Secretary of the Senate may appoint an
4 administrative assistant. The administrative assistant to the
5 Secretary shall serve at the pleasure of the Secretary and
6 shall be paid from funds appropriated to the Legislature an
7 amount fixed by the ~~Secretary~~ Senate Legislative Council in
8 accordance with that of comparable positions established under
9 the State Merit System pay plan.

10 "~~(f)~~ (e) The Secretary of the Senate may employ a
11 chief clerk who shall be a full-time employee. The chief clerk
12 shall serve at the pleasure of the Secretary of the Senate and
13 shall be paid from funds appropriated to the Legislature an
14 amount fixed by the ~~Secretary~~ Senate Legislative Council in
15 accordance with that of comparable positions established under
16 the State Merit System pay plan.

17 "§29-4-22.

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

23 "(b) ~~The compensation of the Assistant Secretary of~~
24 ~~the Senate shall be fixed by the Secretary of the Senate. The~~
25 ~~Senate Legislative Council shall conduct an annual in person~~
26 ~~evaluation of the performance of the Secretary of the Senate~~
27 ~~and the Assistant Secretary of the Senate.~~

1 "§29-4-25.

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

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

1 "(c) ~~The elected members of the Legislative Council~~
2 ~~of the Senate of the State of Alabama~~ Senate Legislative
3 Council may delegate such powers and duties as herein
4 conferred upon it to the Secretary of the Senate.

5 "§29-4-30.

6 "(a) The subordinate officers of the House of
7 Representatives consist of the Clerk of the House of
8 Representatives and an Assistant Clerk of the House of
9 Representatives. The Clerk of the House of Representatives
10 shall be a full-time employee, elected as provided by law, and
11 compensated as provided in this chapter.

12 "~~(b) The Clerk of the House of Representatives,~~
13 ~~after serving in that capacity for nine successive years,~~
14 ~~shall attain continuing service status and may be removed only~~
15 ~~for cause by a vote of a majority of the members elected to~~
16 ~~the House of Representatives after 10 days' notice of the~~
17 ~~intention to vote thereon together with a written notice of~~
18 ~~the cause for such removal. The service herein provided shall~~
19 ~~begin on the date of the original election to such office,~~
20 ~~whether such original election occurred prior to May 20, 1996,~~
21 ~~or otherwise.~~ The Clerk of the House of Representatives, ~~after~~
22 ~~attaining continuing service status,~~ shall not participate in
23 political activities such as are prohibited by the Merit
24 System Act in Section 36-26-38.

25 "~~(c) (b) The Assistant Clerk of the House of~~
26 ~~Representatives shall serve only while the Legislature is in~~
27 ~~session.~~ The Assistant Clerk of the House of Representatives

1 shall be appointed by the Clerk of the House of
2 Representatives with the approval of the Speaker of the House.
3 The Assistant Clerk of the House of Representatives shall be
4 paid from funds appropriated to the Legislature an amount
5 fixed by the House Legislative Council.

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

11 ~~"(e) (c)~~ The Clerk of the House of Representatives
12 may appoint an administrative assistant. The administrative
13 assistant to the Clerk shall serve at the pleasure of the
14 Clerk and shall be paid from funds appropriated to the
15 Legislature an amount fixed by the ~~Clerk~~ House Legislative
16 Council in accordance with that of comparable positions
17 established under the State Merit System pay plan.

18 ~~"(f) (d)~~ The Clerk of the House of Representatives
19 may employ a chief clerk who shall be a full-time employee.
20 The chief clerk shall serve at the pleasure of the Clerk of
21 the House of Representatives and shall be paid from funds
22 appropriated to the Legislature an amount fixed by the ~~Clerk~~
23 ~~of the House of Representatives~~ House Legislative Council in
24 accordance with that of comparable positions established under
25 the State Merit System pay plan.

26 "§29-4-32.

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

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

14 ~~"§29-4-35.~~

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

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

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

14 "~~(c) The members of the Legislative Council of the~~
15 ~~House of Representatives~~ House Legislative Council may
16 delegate such powers and duties as herein conferred upon it to
17 the Clerk of the House of Representatives.

18 "§29-4-40.

19 "(a) ~~Within the authority delegated by the elected~~
20 ~~members of the Legislative Council from the Senate and the~~
21 ~~members of the Legislative Council from the House of~~
22 ~~Representatives to the~~ The Secretary of the Senate and the
23 Clerk of the House of Representatives, ~~respectively, the~~
24 ~~Secretary of the Senate and the Clerk of the House of~~
25 ~~Representatives~~ shall furnish to each joint committee for
26 which staff assistance is not provided in the act creating the

1 joint committee, the staff assistance reasonably necessary to
2 enable the committee to perform its assigned function.

3 "(b) Staff furnished pursuant to this section shall
4 be compensated as other legislative staff at rates approved by
5 ~~the elected members of the Legislative Council of the Senate~~
6 ~~and members of the Legislative Council of the House of~~
7 ~~Representatives.~~

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

11 "§29-4-42.

12 "Actions under this article requiring the approval
13 of the ~~elected members of the Legislative Council from the~~
14 Senate Legislative Council and the ~~members of the Legislative~~
15 ~~Council from the House of Representatives~~ House Legislative
16 Council may be taken only if approved by ~~both~~ a majority vote
17 of ~~the elected members of the Legislative Council from the~~
18 ~~Senate and a majority vote of the members of the Legislative~~
19 ~~Council from the House of Representatives~~ both respective
20 councils.

21 "§29-5-2.

22 "~~There is hereby created a continuing legislative~~
23 ~~committee to be known as the Joint Fiscal Committee, whose~~
24 ~~duty it shall be to supervise the operation~~ The operations of
25 the Legislative Fiscal Office shall be supervised by the
26 Legislative Council. ~~The committee shall consist of the~~
27 ~~Chairman of the House Ways and Means Committee, three members~~

1 of the House Ways and Means Committee selected by the Chairman
2 of the House Ways and Means Committee, the Chairman of the
3 Senate Finance and Taxation Committee, three members of the
4 Senate Finance and Taxation Committee selected by the Chairman
5 of the Senate Finance and Taxation Committee, the Lieutenant
6 Governor and the Speaker of the House, whose terms shall be
7 for the quadrennium for which they were elected to the
8 Legislature and until their successors have been elected and
9 qualified. The Chairman of the Senate Finance and Taxation
10 Committee shall serve as chairman of the committee, and the
11 committee shall meet at the call of the chairman or any three
12 members thereof; provided, that the committee shall meet at
13 least once each four months. Members shall be entitled to
14 transportation allowances and to their regular legislative pay
15 and per diem expenses for each day in which they are actually
16 engaged in committee work.

17 "§29-5-3.

18 "The Director of the Legislative Fiscal Office shall
19 be selected and appointed by the Joint Fiscal Committee
20 Legislative Council, upon the unanimous recommendation of the
21 Chairs of the House Ways and Means Committees (Education and
22 General Fund) and the Chairs of the Finance and Taxation
23 Committees (Education and General Fund), who, together, shall
24 constitute and be known as the Fiscal Committee of the
25 Legislative Council. The salary of the director shall be fixed
26 by the Joint Fiscal Committee at a per annum gross rate no
27 less than the minimum per annum gross rate established for the

1 ~~State Budget Officer~~ Legislative Council. The director may, ~~at~~
2 ~~his selection,~~ participate in any retirement system available
3 to state employees. The director may be removed by a majority
4 vote of the ~~Joint Fiscal Committee~~ Legislative Council or by a
5 joint resolution of the House and Senate.

6 "§29-5-4.

7 "The director shall appoint, without regard to the
8 State Merit System Law, ~~such personnel as may be necessary to~~
9 ~~carry out the duties and functions~~ of the office. ~~The~~
10 ~~compensation of such personnel shall be fixed by the director~~
11 ~~in accordance with that of comparable positions established~~
12 ~~under the State Merit System pay plan.~~ The director may
13 prescribe the duties and responsibilities of the personnel of
14 the office and delegate to them authority to perform any of
15 the duties, powers, and functions imposed on the office or on
16 the director. For purposes of pay and employment benefits,
17 rights and privileges, all personnel of the office shall be
18 treated as if they were employees of the state.

19 "§29-5-13.

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

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

26 "(2) REVENUE SOURCES. Any receipt of funds by the
27 state, including, but not limited to, tax receipts, fee

1 receipts, transfers, interest income, transfers between state
2 agencies or funds, or gifts or grants from other
3 instrumentalities.

4 "(b) In addition to the reporting requirement in
5 Section 36-15-21.1, whenever litigation required to be
6 reported under Section 36-15-21.1 concerns the budget process
7 or any revenue source, the state official who is a party to
8 the litigation shall promptly notify the Chair of the ~~Joint~~
9 ~~Fiscal Committee~~ Legislative Council, the Chair of the House
10 Ways and Means Committees (Education and General Fund) and the
11 Chair of the Senate Finance and Taxation Committees (Education
12 and General Fund), and the Director of the Legislative Fiscal
13 Office.

14 "§29-6-1.

15 "(a) There is hereby created a continuing
16 legislative committee to be known as the Legislative Council
17 of the State of Alabama. The council consists of the Speaker
18 of the House, the House Majority Leader, the House Minority
19 Leader, the Chairs of the Ways and Means General Fund and Ways
20 and Means Education Committees, two members of the House
21 appointed by the Speaker, two members of the House elected by
22 the House, and one member of the House elected by members of
23 the House who are not members of the majority party, who shall
24 constitute the House Legislative Council, and the President
25 Pro Tempore of the Senate, the Senate Majority Leader, the
26 Senate Minority Leader, the Chairs of the Finance and Taxation
27 General Fund and Finance and Taxation Education Committees,

1 two Senators appointed by the President Pro Tempore, two
2 members of the Senate elected by the Senate, and one member of
3 the Senate elected by members of the Senate who are not
4 members of the majority party, who shall constitute the Senate
5 Legislative Council. Until January 14, 2019, the President of
6 the Senate is a full voting member of the Senate Legislative
7 Council. Except as otherwise provided in subsection (d), the
8 elected House and Senate members shall be elected at the first
9 regular session of each quadrennium.

10 "(b) Members serving ex officio, appointed, or
11 elected at the 2015 Regular Session pursuant to the act adding
12 this subsection or appointed as otherwise provided in
13 subsection (d), shall replace the members of the Legislative
14 Council serving on the council on the effective date of the
15 act adding this subsection.

16 "(c) Members of the council may serve on the council
17 as long as the member retains the office that qualified the
18 member for service or during the term to which the member was
19 appointed or elected and, if reelected to the same house
20 without a break in service to that house, during the
21 succeeding legislative term until a successor is appointed or
22 elected as provided by law. No member may be elected to more
23 than two consecutive four-year terms and no member may be
24 appointed to more than two consecutive four-year terms. Any
25 member serving ex officio may remain on the Legislative
26 Council as long as the member holds the office qualifying the
27 member for membership. If a vacancy occurs in its elected

1 membership while the Legislature is not in session, the House
2 Legislative Council or the Senate Legislative Council, as
3 appropriate, may make temporary appointments to fill the
4 vacancy until the vacancy is filled by an election of the
5 appropriate members of the House or Senate, as the case may
6 be.

7 "(d) If the act adding this subsection does not
8 become operative prior to adjournment sine die of the 2015
9 Regular Session, the Speaker of the House, the President Pro
10 Tempore of the Senate, the Chairs of the Ways and Means
11 General Fund and Ways and Means Education Committees, the
12 Chairs of the Finance and Taxation General Fund and Finance
13 and Taxation Education Committees, and the majority and
14 minority leader of the respective houses shall serve on the
15 Legislative Council and, within 30 days of adjournment sine
16 die of the 2015 Regular Session, the Speaker and the President
17 Pro Tempore, respectively, shall appoint five members of the
18 House of Representatives, at least one of whom may not be a
19 member of the majority party, and five members of the Senate,
20 at least one of whom may not be a member of the majority
21 party, to serve on the Legislative Council until members are
22 elected at the 2016 Regular Session.

23 "§29-6-2.

24 "The Legislative Council shall consist of the
25 President and President Pro Tempore of the Senate, six members
26 of the Senate elected by the Senate, the Speaker and Speaker
27 Pro Tempore of the House of Representatives, six members of

1 ~~the House of Representatives elected by the House of~~
2 ~~Representatives, the chairs of the Senate's standing~~
3 ~~committees on finance and taxation and on the judiciary and~~
4 ~~the chairs of the standing committees on ways and means and on~~
5 ~~the judiciary of the House. If the Speaker of the House,~~
6 ~~Speaker Pro Tempore, or President Pro Tempore is also the~~
7 ~~chair of one of these standing committees, then the vice-chair~~
8 ~~of the committee shall serve on the council in the place of~~
9 ~~the chair.~~

10 ~~"In addition, the majority and minority leaders of~~
11 ~~the Senate and the majority and minority leaders of the House~~
12 ~~shall be members of the Legislative Council. The majority and~~
13 ~~minority leaders of the House and the majority and minority~~
14 ~~leaders of the Senate may designate a member of their house to~~
15 ~~serve on the Legislative Council in their place for a one-year~~
16 ~~term. The designation shall be in writing to the Chair of the~~
17 ~~Legislative Council and the Speaker of the House, in the case~~
18 ~~of the majority or minority leader of the House, or the~~
19 ~~Lieutenant Governor, in the case of the majority or minority~~
20 ~~leader of the Senate.~~

21 ~~"The President and President Pro Tempore of the~~
22 ~~Senate and the Speaker and Speaker Pro Tempore of the House of~~
23 ~~Representatives and any chair of a standing committee who,~~
24 ~~under this section and Section 29-6-2.1, is a member of the~~
25 ~~Legislative Council by virtue of holding such chair, may~~
26 ~~designate a member of his or her house to serve in his or her~~
27 ~~place on the Legislative Council for a one-year term. The~~

1 designation shall be in writing to the Chair of the
2 Legislative Council, and the Lieutenant Governor as to Senate
3 members or the Speaker of the House of Representative as to
4 House members.

5 "Additionally, any current House member who has
6 served at least 24 years and is not appointed to any standing
7 committee during the quadrennium shall also be a member of the
8 Legislative Council for that quadrennium, and, in such an
9 event, one additional member of the Senate shall serve on the
10 Legislative Council for that same quadrennium, who shall be
11 appointed by the Senate Committee on Assignments or the
12 successor of this committee.

13 "The House and Senate members shall be elected at
14 the 1975 Regular Session of the Legislature, and at the
15 regular session held every four years thereafter. Members of
16 the Legislative Council, whether elected or holding membership
17 by virtue of office, position, tenure, or chairmanship, may
18 serve on the Legislative Council during the term in which
19 elected, appointed, or qualified and, if reelected to the same
20 house without a break in service to that house, during the
21 succeeding legislative term until a successor on the
22 Legislative Council is elected or qualified as provided by
23 law. The Legislative Council may make temporary appointments
24 to fill vacancies in its membership.

25 "(a) The President of the Senate shall be a member
26 of the Legislative Council but may vote on issues before the
27 Legislative Council only in the case of a tie. At its first

1 meeting during each quadrennium and at such other times as
2 necessary, the Legislative Council shall elect a chair and
3 vice chair from among the membership of the council. The
4 position of chair shall alternate between a member of the
5 Senate and a member of the House of Representatives every two
6 years. To the extent possible, membership of the council shall
7 be inclusive and reflect the racial, gender, geographic,
8 urban/rural, and economic diversity of the state.

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

11 "(1) The Legislative Council shall convene at a
12 place and time designated by the President of the Senate in
13 written notice given to each member to select a chair and vice
14 chair from the membership. The Legislative Council shall meet
15 thereafter at the request of the chair or as its members shall
16 determine, in both cases upon written notice to each member of
17 the council. If the chair declines to call a meeting or is
18 unable to call a meeting, the Speaker of the House, the
19 President Pro Tempore of the Senate, or a majority of the
20 council may call a meeting of the council.

21 "(2) The House Legislative Council shall convene at
22 a time and place designated by the Speaker of the House in
23 written notice given to each member of the House Legislative
24 Council to select a chair and vice chair of the council. The
25 council shall meet thereafter at the request of the chair or
26 as its members shall determine, in both cases upon written
27 notice to each member of the council. If the chair declines to

1 call a meeting or is unable to call a meeting, the Speaker of
2 the House may call a meeting of the council.

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

13 "(c) Members of the Legislative Council, House
14 Legislative Council, and Senate Legislative Council shall
15 receive expenses for attendance of each meeting of the
16 respective council as provided for in Amendment 871 to the
17 Constitution of Alabama of 1901. The President of the Senate
18 and Speaker of the House shall adopt such expense
19 reimbursement regulations as are necessary to implement
20 Amendment 871 for operation of the councils.

21 "(d) The Legislative Council, the House Legislative
22 Council, and the Senate Legislative Council may provide for
23 the appointment of committees to facilitate their work.

24 "§29-6-3.

25 ~~"Within 10 days after the whole membership of the~~
26 ~~Legislative Council is named, it shall convene at a place and~~
27 ~~time designated by the President of the Senate in written~~

1 notice given to each member at least five days in advance to
2 select a chairman and vice-chairman from the membership. The
3 Legislative Council shall meet thereafter at the request of
4 the chairman or as its members shall determine, in both cases
5 upon written notice by the secretary at least five days in
6 advance; provided, that the Legislative Council shall meet at
7 least once each three months. Decisions of the membership in
8 the name of the Legislative Council may be made by a majority
9 of members present and voting at any meeting, provided a
10 quorum is in attendance. A quorum shall consist of a total of
11 any nine members who are representatives of both the House of
12 Representatives and the Senate.

13 "(a) Members of the Legislative Council, House
14 Legislative Council, and Senate Legislative Council may
15 participate in a meeting of the respective council by means of
16 telephone conference, video conference, or similar
17 communications equipment by means of which all persons
18 participating in the meeting may hear each other at the same
19 time and members of the public may simultaneously listen to
20 the meeting. Participation by such means shall constitute
21 presence in person at a meeting for all purposes.

22 "(b) Any decision of the Legislative Council shall
23 be by a majority vote of the council members from the Senate
24 and a majority vote of the council members from the House of
25 Representatives.

26 "(c) All decisions of the Legislative Council, the
27 House Legislative Council, or the Senate Legislative Council,

1 except those involving hiring, discipline, or termination of
2 employees, shall be reduced to writing and shall be published
3 on the website of the Legislature.

4 "(d) The Legislative Council, House Legislative
5 Council, and Senate Legislative Council shall be subject to
6 the Alabama Open Meetings Act, Chapter 25A (commencing with
7 Section 36-25A-1), Title 36, except that a meeting may be
8 called with the same notice requirements as a meeting of a
9 committee of the House or Senate under the rules of the House
10 or Senate.

11 "(e) The Legislative Council, House Legislative
12 Council, and Senate Legislative Council may make use of the
13 employees of the Legislative Department, including employees
14 of the respective houses, as needed in carrying out their
15 respective functions.

16 "§29-6-4.

17 ~~"Members of the Legislative Council shall receive~~
18 ~~the same compensation and expenses for attendance of each~~
19 ~~meeting of the council or of any committee thereof as do~~
20 ~~members of the Legislature for attendance at sessions of the~~
21 ~~Legislature or for attendance of interim legislative committee~~
22 ~~or subcommittee meetings, based upon the rates of payment that~~
23 ~~are greater. Additionally, members of the Legislative Council,~~
24 ~~for attendance of a meeting of the council, shall receive a~~
25 ~~mileage allowance based on the mileage rate allowed by the~~
26 ~~Internal Revenue Code for income tax deductions per mile in~~
27 ~~lieu of actual expenses for transportation. For attendances at~~

1 ~~conferences and meetings outside the State of Alabama on~~
2 ~~Legislative Council business, the members shall receive the~~
3 ~~same compensation as do members of the Legislature, and~~
4 ~~actual, necessary expenses and transportation expenses. All~~
5 ~~such compensation and expenses authorized by this section~~
6 ~~shall be paid from funds appropriated to the use of the~~
7 ~~Legislative Council.~~

8 "(a) The House Legislative Council succeeds to and
9 is vested with all the powers previously exercised by the
10 House Members of the Legislative Council.

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

14 "(c) A reference in any law to any entity all or a
15 portion of the powers of which are succeeded to by the
16 Legislative Council, the House Legislative Council, or the
17 Senate Legislative Council, shall be deemed a reference to the
18 Legislative Council, the House Legislative Council, or the
19 Senate Legislative Council.

20 "(d) All personnel, funds, papers, and property of
21 any entity all or a portion of the powers of which are
22 succeeded to by the Legislative Council, as determined by the
23 Legislative Council, shall be transferred to the Legislative
24 Council on October 1, 2015.

25 "§29-6-7.

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

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

3 "(1) Approve budget requests, provide accounting
4 services, make purchases, and provide mail distribution,
5 property inventory, telephone service, electronic media
6 services, recycling services, and building maintenance
7 services for the Legislative Department, and all agencies and
8 entities, respectively, therein.

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

11 "(3) Maintain a website of legislative expenditures
12 that includes, but is not limited to, the names, salaries, and
13 expense of the members, officers, and employees of the
14 Legislative Department and any contracts entered into by the
15 Legislative Council for the benefit of any entity or agency of
16 the Legislative Department. This requirement may be met
17 through publication of the required information on a site that
18 discloses this information on a statewide basis for other
19 state government entities.

20 "(4) Maintain the computer operations of the
21 Legislature, including management and control of the
22 Legislative Data Center and employ a director of technology
23 who shall oversee the operations of the Legislative Data
24 Center and maintain all computer guidelines of the Legislative
25 Department and all agencies and entities therein, except that
26 production of legislative proceedings of the respective Houses

1 shall be under the control of the Secretary of the Senate and
2 the Clerk of the House of Representatives, respectively.

3 "(5) After consulting with the Secretary of the
4 Senate and Clerk of the House, provide security for the
5 Alabama State House, the Senate, the House of Representatives,
6 and those portions of the State Capitol under the control of
7 the Legislature, the House of Representatives, or the Senate;
8 provided, however, that security for the Senate and House
9 chambers, their entrances, and galleries shall be under the
10 absolute supervision and control of the Secretary and Clerk,
11 respectively. The Legislative Council shall also establish
12 protocol for the cooperation between the persons providing
13 security for the Legislature and such other law enforcement
14 agencies as necessary.

15 "(6) Reduce and contain the cost associated with the
16 operation and maintenance of the Legislative Department to the
17 fullest extent reasonably possible and practical. In
18 accomplishing the reduction, the Legislative Council, to the
19 fullest extent possible, shall look for methods to save public
20 funds and contain costs.

21 "(7) Annually review the performance of the
22 Directors of the Legislative Reference Service, Legislative
23 Fiscal Office, and Alabama Law Institute.

24 "(8) Employ a director of human resources who shall
25 handle the human resources related functions for the
26 Legislative Reference Service, Legislative Fiscal Office, and
27 Alabama Law Institute. The Director of Human Resources shall

1 provide services at the direction of the Legislative Council,
2 including providing lists of applicants for open positions and
3 the written application for employment for each, providing
4 assistance in the determination of salary schedules, benefits,
5 and terms of employment, maintaining custody of records as
6 requested, and providing consultation on employee discipline.

7 "(9) Establish, upon the recommendation of the
8 Director of Human Resources, in consultation with the
9 Directors of the Legislative Reference Service, Legislative
10 Fiscal Office, and Alabama Law Institute, respectively, the
11 job classifications, salary schedules, benefits, and terms of
12 employment for employees of the Legislative Reference Service,
13 Legislative Fiscal Office, and Alabama Law Institute.

14 "(b) In addition to the powers otherwise provided
15 this chapter, the Senate Legislative Council shall, upon the
16 recommendation of the Director of Human Resources, establish
17 the job classifications, salary schedules, and benefits for
18 all employees of the President Pro Tempore of the Senate.
19 Provided, however, that there shall be a position of chief of
20 staff who shall serve at the pleasure of the President Pro
21 Tempore, under terms and conditions set by the President Pro
22 Tempore, and who shall be paid from funds appropriated to the
23 Office of President Pro Tempore.

24 "(c) In addition to the powers otherwise provided in
25 this chapter, the House 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 Speaker of the House. Provided, however,
2 that there shall be a position of chief of staff who shall
3 serve at the pleasure of the Speaker, under terms and
4 conditions set by the Speaker, and who shall be paid from
5 funds appropriated to the Office of the Speaker.

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

9 "(e) Employees of the Legislative Reference Service,
10 Legislative Fiscal Office, Alabama Law Institute, Speaker of
11 the House, and President Pro Tempore of the Senate shall be
12 under the direction and control of the Director of the
13 Legislative Reference Service, Director of the Legislative
14 Fiscal Office, Director of the Alabama Law Institute, Speaker
15 of the House, and President Pro Tempore of the Senate,
16 respectively.

17 "(f) The Directors of the Legislative Reference
18 Service, Legislative Fiscal Office, and Alabama Law Institute
19 shall annually review the performance of each employee subject
20 to his or her supervision and report thereon to the
21 Legislative Council.

22 "(g) Recommendations for hiring of the Director of
23 the Alabama Law Institute shall be made by the Institute
24 Council to the Legislative Council, which shall have final
25 hiring authority for the director.

26 "(h) The Directors of the Legislative Reference
27 Service, Legislative Fiscal Office, and Alabama Law Institute

1 shall receive a salary in amounts provided by the Legislative
2 Council.

3 "(i) The Legislative Council, after considering in a
4 timely manner persons recommended for hire by the Secretary of
5 the Senate and Clerk of the House, shall hire joint employees
6 of the Legislature. The Legislative Council shall utilize the
7 services of the Director of Human Resources for all joint
8 employees, including providing lists of applicants for open
9 positions and the written application for employment for each,
10 providing assistance in determination of job classifications,
11 salary schedules, benefits, and terms of employment,
12 maintaining custody of records as requested, and providing
13 consultation on employee discipline."

14 Section 2. Sections 29-7-4, 29-8-1, 29-8-2, 29-8-3,
15 29-8-4, 29-8-5, 41-9-370, 41-9-374, 41-19-3, 41-19-3.1, Code
16 of Alabama 1975, are amended to read as follows:

17 "§29-7-4.

18 "(a) The Director of the Legislative Reference
19 Service, ~~may hire, either subject without regard~~ to the State
20 Merit System Law, ~~may hire or without regard to the provisions~~
21 ~~thereof,~~ staff members and clerical help ~~necessary to effect~~
22 ~~the purposes of this chapter~~ of the Legislative Reference
23 Service.

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

1 "§29-8-1.

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

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

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

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

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

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

19 "~~(4)~~ (2) One circuit court judge, selected by the
20 Association of Circuit Court Judges.

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

23 "~~(6)~~ (3) The Attorney General of the State of
24 Alabama, or his or her designee.

25 "~~(7)~~ (4) The legal advisor to the Governor of
26 Alabama, or his or her designee.

1 "~~(8)~~ (5) The ~~Chairman~~ Chairs of the Judiciary
2 Committees of the Senate and House of Representatives, ~~or any~~
3 ~~attorney appointed by either of them who is a member of the~~
4 ~~Judiciary Committee.~~

5 "~~(9)~~ (6) The President ~~and Secretary~~ of the Alabama
6 State Bar.

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

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

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

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

14 "~~(13)~~ The dean of each privately operated law school
15 in the State of Alabama whose graduates are admitted as
16 candidates for examination and admission to the Alabama State
17 Bar.

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

19 "~~(15)~~ The President and Secretary of the Alabama Law
20 Institute.

21 "~~(16)~~ (9) The attorney members of the Legislative
22 Council of Alabama, together with the Secretary of the
23 Legislative Council.

24 "~~(17)~~ (10) Not less than three nor more than six
25 attorney members appointed by the Governor of Alabama ~~for~~
26 ~~terms to run concurrently with the term of the Governor.~~

27 "(11) The Code Commissioner.

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

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

5 "~~(18) The Director of the Continuing Legal Education~~
6 ~~Program sponsored by the Alabama State Bar, the University of~~
7 ~~Alabama Law School and the Cumberland School of Law of Samford~~
8 ~~University.~~

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

11 "~~(d) The elected membership shall consist of two~~
12 (14) Two members who shall be elected from the members of the
13 faculty of the University of Alabama School of Law, two
14 members ~~who shall be~~ elected from the members of the faculty
15 of the Cumberland Law School of Samford University, two
16 members elected from the members of the faculty of the Thomas
17 Goode Jones School of Law at Faulkner University, and six
18 practicing attorneys elected from each congressional district
19 in the state.

20 "~~(e) The term of office of the members of the~~
21 ~~judiciary who are ex officio members of the council shall be~~
22 ~~four years.~~ (d) The ~~other~~ ex officio members shall hold their
23 positions during their respective terms of office. The terms
24 of office of the elected members of the council shall be four
25 years. ~~The terms of office of the first elected members shall~~
26 ~~be fixed and determined by the Board of Commissioners of the~~
27 ~~Alabama State Bar and their successors shall be elected for~~

1 ~~terms of four years under such rules as the Board of~~
2 ~~Commissioners may adopt.~~ Elected members of the governing
3 council shall be eligible for reelection.

4 "~~(f)~~ (e) Vacancies in the elected membership created
5 by death, resignation, l or otherwise than by the expiration of
6 the terms of office shall be filled by the governing council
7 under such rules as it may adopt. Vacancies occurring through
8 the expiration of terms of office shall be filled by election
9 by the council under such rules as it may adopt.

10 "§29-8-2.

11 "(a) The members of the Governing Council of the
12 Alabama Law Institute shall serve without any compensation for
13 services as such. The council ~~may employ and fix and pay~~
14 ~~reasonable compensation to the director of the institute and~~
15 ~~his assistants, and may pay honoraria to members of the~~
16 ~~council~~ State Bar who perform professional services for the
17 institute, as authorized by the council.

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

20 "§29-8-3.

21 "~~The Board of Commissioners of the Alabama State Bar~~
22 governing council shall adopt a plan or plans of membership in
23 the Alabama Law Institute so designed as to encourage and
24 invite the cooperation of all members of the legal profession
25 in the work of the institute.

26 "§29-8-4.

1 "The general purposes of the Alabama Law Institute
2 shall be to promote and encourage the clarification and
3 simplification of the law of Alabama to secure the better
4 administration of justice and to carry on scholarly legal
5 research and scientific legal work. To that end it shall be
6 the duty of the Alabama Law Institute to:

7 "(1) Consider needed improvements in both
8 substantive and adjective law and to make recommendations
9 concerning the same to the ~~Legislature~~ chairs and members of
10 the House Judiciary Committee and the Senate Judiciary
11 Committee.

12 "(2) Examine and study the law of Alabama and
13 Alabama jurisprudence and statutes with a view of discovering
14 defects and inequities and of recommending needed reforms.

15 "(3) Receive and consider suggestions from ~~judges,~~
16 ~~justices, public officials, lawyers,~~ members of the Alabama
17 Legislature and the public generally as to defects and
18 anachronisms in the law.

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

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

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

3 "(7) Organize and conduct ~~an annual meeting~~ meetings
4 as needed within the state for scholarly discussions of
5 current problems in Alabama law, bringing together
6 representatives of the Legislature, practicing attorneys,
7 members of the bench and bar, and representatives of the law
8 teaching profession and periodically conduct training and
9 continuing education programs for public officials, including
10 providing educational material.

11 "~~Devise and carry out, through the facilities of~~
12 ~~the Legislative Reference Service and the director and~~
13 ~~employees thereof, a plan for continuous code revisions~~ Advise
14 the Code Commissioner on the performance of the duties imposed
15 on the Code Commissioner by Chapter 6 of Title 29.

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

18 "§29-8-5.

19 "The Alabama Law Institute, in submitting reports to
20 the Legislature through its president, shall act solely in an
21 advisory capacity. ~~Its reports, studies and recommended~~
22 ~~publications shall be printed and shall be distributed by the~~
23 ~~Secretary of State in the same manner as acts of the~~
24 ~~Legislature.~~

25 "§41-9-370.

26 "The Commission on Uniform State Laws is continued
27 in existence as an advisory commission to the Legislature. The

1 commission consists of three members of the bar appointed by
2 the Governor for a term of four years or until their
3 successors are appointed, ~~any resident of this state who~~
4 ~~because of long service in the cause of the uniformity of~~
5 ~~state legislation has been elected a life member of the~~
6 ~~National Conference of Commissioners on Uniform State Laws,~~
7 ~~any person who while a member attended 10 or more annual~~
8 ~~meetings of the National Conference of Commissioners on~~
9 ~~Uniform State Laws, any resident of the state who is serving~~
10 ~~or has served as Executive Director of the National Conference~~
11 ~~of Commissioners on Uniform State Laws,~~ a member of the Senate
12 appointed by the President of the Senate, a member of the
13 House of Representatives appointed by the Speaker of the
14 House, the Director of the Alabama Law Institute, and the
15 Director of the Legislative Reference Service.

16 "§41-9-374.

17 "(a) The Commission on Uniform State Laws shall
18 annually present its budget to the Legislative Council for
19 approval.

20 "(b) From funds appropriated ~~to~~ for the commission,
21 the commission shall:

22 "(1) Reimburse members of the commission ~~who are not~~
23 ~~members of the Legislature~~ for their necessary expenses in
24 performing the duties of their offices, including travel for
25 the meeting of the National Conference of Commissioners on
26 Uniform State Laws, subject to the approval of the Legislative
27 Council.

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

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

5 "~~(b)~~ (c) The amount of expenses and dues shall be
6 certified to the state Comptroller by the chair of the
7 commission, and the state Comptroller shall draw warrants and
8 the State Treasurer shall pay the warrants for these purposes
9 from funds appropriated for the commission.

10 "~~(c) For performing their duty as a member of the~~
11 ~~commission, members of the commission who are members of the~~
12 ~~Legislature shall receive, from funds appropriated to the~~
13 ~~Legislature, the same compensation, expenses, and travel~~
14 ~~allowances as members of the Legislative Council receive for~~
15 ~~travel out-of-state on Legislative Council business.~~

16 "§41-19-3.

17 "It is the purpose of this chapter to establish a
18 comprehensive system for budgeting and financial management
19 which furthers the capacity of the Governor and the
20 Legislature to plan and finance the services which they
21 determine the state will provide for citizens. The system
22 shall include procedures for all of the following:

23 "(1) The orderly establishment, continuing review,
24 and periodic revision of the program and financial goals and
25 policies of the state.

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

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

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

11 "(5) The regular appraisal and reporting of program
12 performance.

13 "To this end, each Governor shall develop a
14 four-year strategic plan for presentation to the Legislature
15 prior to the first day of the second regular legislative
16 session in each term of office. The plan shall include
17 program, long-range revenue and expenditure plans for the
18 quadrennium, improvements in the state infrastructure
19 requiring capital outlay, and recommended steps to reduce the
20 cost of operation of state government. ~~In addition, the plan
21 shall include a pilot phase of implementation for
22 performance-based budgeting with one or more state agencies.
23 The Joint Fiscal Committee and the Governor shall jointly
24 select state agencies to participate in said pilot phase for
25 the 1996-97 fiscal year.~~

26 "§41-19-3.1.

1 ~~"The Joint Fiscal Committee~~ Legislative Council
2 shall serve in an advisory capacity to the Governor in the
3 development of the long-range program, revenue and expenditure
4 plans. ~~The Joint Fiscal Committee~~ Legislative Council shall be
5 aided by the Legislative Fiscal Office. ~~Members of the Joint~~
6 ~~Fiscal Committee shall be compensated as provided for in~~
7 ~~Section 29-5-2."~~

8 Section 3. (a) If the senator who is serving as the
9 President Pro Tempore of the Senate on the date of the general
10 election at which members of the Senate are elected to
11 four-year terms is reelected to the Senate, the senator shall
12 continue to serve as President Pro Tempore of the Senate until
13 a successor President Pro Tempore is selected pursuant to
14 Section 48.01 of the Official Recompilation of the
15 Constitution of Alabama of 1901, as amended.

16 (b) If the senator serving as the President Pro
17 Tempore of the Senate ceases service as a Senator for any
18 reason prior to election of a President Pro Tempore pursuant
19 to Section 48.01 of the Official Recompilation of the
20 Constitution of Alabama of 1901, as amended, then, with the
21 approval of the Senate Legislative Council, the Secretary of
22 the Senate shall perform the functions of the President Pro
23 Tempore with respect to the expenditure of funds appropriated
24 to the office of the President Pro Tempore until a successor
25 President Pro Tempore is elected pursuant to Section 48.01 of
26 the Official Recompilation of the Constitution of Alabama of
27 1901, as amended.

1 Section 4. Sections 29-1-22, ~~29-1-41~~ 29-4-41, and
2 29-7-5 of the Code of Alabama 1975 are repealed.

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Internal Affairs
..... 10-MAR-15

Read for the second time and placed
on the calendar..... 09-APR-15

Read for the third time and passed
as amended..... 05-MAY-15

Yeas 67, Nays 33, Abstains 0

Jeff Woodard
Clerk