

1 HB211  
2 169984-4  
3 By Representative Ball  
4 RFD: Governmental Affairs  
5 First Read: 03-JUN-2015

1  
2 ENROLLED, An Act,

3           Relating to the Legislative Department, to  
4 reconstitute the Legislative Council and create the Senate  
5 Legislative Council and the House Legislative Council; to  
6 transfer to the councils functions from the House Legislative  
7 Council, the entity consisting of the Senate members elected  
8 to the Legislative Council, the Joint Fiscal Committee, and  
9 the Legislative Building Authority, and abolish those  
10 entities; to assign additional administrative functions to the  
11 council; to delete a provision for an automatic appropriation  
12 to the Legislature; to revise the procedure for the  
13 appointment and tenure of the Secretary of the Senate and  
14 Clerk of the House; to specify the Alabama Law Institute is  
15 part of the Legislative Department, revise the membership of  
16 the governing council of the institute, and grant additional  
17 authority to the council and the president and director of the  
18 institute; to restructure the Commission on Uniform State  
19 Laws; to provide for the continuation of the office of the  
20 President Pro Tempore of the Senate; and to amend Sections  
21 29-2-52, 29-2-200, 29-2-201, 29-4-20, 29-4-22, 29-4-25,  
22 29-4-30, 29-4-32, 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3,  
23 29-5-4, 29-5-13, 29-6-1, 29-6-2, 29-6-3, 29-6-4, 29-6-7,  
24 29-7-4, 29-8-1, 29-8-2, 29-8-3, 29-8-4, 29-8-5, 41-9-370,

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

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 "§29-1-10.

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

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

23 "§29-2-52.

24 "(a) The committee shall make a continuous study of  
25 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

1 to carry out the purposes and objectives of the provisions  
2 herein set forth.

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

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

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

20 "§29-2-200.

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

24 ~~"(b) The authority shall consist of three members of~~  
25 ~~the Senate appointed by the President Pro Tempore of the~~

1 ~~Senate and three members of the House of Representatives~~  
2 ~~appointed by the Speaker of the House of Representatives.~~

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

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

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

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

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

1 ~~chair at such initial meeting and adopt appropriate~~  
2 ~~procedures.~~

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

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

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

18 ~~"(2) Provide Except as otherwise provided by law,~~  
19 ~~providing for the management and supervision, administration,~~  
20 ~~improvement, ~~equipping,~~ operation, and maintenance of such~~  
21 ~~State House property.~~

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

1           "§29-2-201.

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

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

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

16           "(4) The consideration for the conveyance shall be  
17 the amounts appropriated in Section 29-2-202. This  
18 consideration is conclusively determined to be valuable,  
19 adequate, and fair.

20           "(b) The right of reverter created in Section  
21 41-10-470, in relation to the land upon which the Alabama  
22 State House is situated is abolished on the date of the  
23 conveyance.

24           "(c) Any statutory lien created under Section  
25 41-10-472, in relation to the land upon which the Alabama



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

3 "(d) The Legislative Building Authority shall be  
4 vested with absolute title and control of the State House  
5 property.

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

9 "§29-4-20.

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

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

1 ~~status,~~ shall not participate in political activities such as  
2 are prohibited by the Merit System Act in Section 36-26-38.

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

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

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

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

1 after considering in a timely manner persons recommended by  
2 the Secretary of the Senate, shall hire the employees of the  
3 Senate. Once hired, all Senate employees are at will employees  
4 and shall be under the control and supervision of the  
5 Secretary of the Senate. The Secretary of the Senate has the  
6 authority to discipline and terminate employees.

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

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

19 "§29-4-30.

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

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

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

22           ~~"(d) Nothing herein shall prohibit the Assistant~~  
23 ~~Clerk of the House of Representatives from being employed as a~~  
24 ~~legislative employee when the Legislature is not in session,~~

1 ~~but in no event shall he or she be paid or receive~~  
2 ~~compensation for more than one employment at any one time.~~

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

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

18 "§29-4-32.

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

1           ~~" (b) The compensation of the Assistant Clerk of the~~  
2 ~~House of Representatives shall be fixed by the Clerk of the~~  
3 ~~House of Representatives. The House Legislative Council shall~~  
4 ~~conduct an annual in person evaluation of the performance of~~  
5 ~~the Clerk of the House of Representatives and the Assistant~~  
6 ~~Clerk of the House of Representatives.~~

7           "§29-4-35.

8           ~~" (a) The members of the Legislative Council of the~~  
9 ~~House of Representatives shall regulate, with the advice of~~  
10 ~~the Clerk of the House of Representatives, the employees of~~  
11 ~~the House of Representatives, except pages, and fix the exact~~  
12 ~~number and compensation of employees who may be employed by~~  
13 ~~the House of Representatives in each category of employment~~  
14 ~~and the exact amount of each legislative employee~~  
15 ~~classification compensation. Following their employment by the~~  
16 ~~members of the Legislative Council of the House of~~  
17 ~~Representatives, all employees of the House of Representatives~~  
18 ~~shall be under the control and supervision of the Clerk of the~~  
19 ~~House of Representatives. The House Legislative Council, after~~  
20 ~~considering in a timely manner persons recommended by the~~  
21 ~~Clerk of the House, shall hire the employees of the House.~~  
22 ~~Once, hired all House employees are at will employees and~~  
23 ~~shall be under the control and supervision of the Clerk of the~~  
24 ~~House. The Clerk of the House has the authority to discipline~~  
25 ~~and terminate employees.~~

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

9           "~~(c) The members of the Legislative Council of the~~  
10 ~~House of Representatives~~ House Legislative Council may  
11 delegate such powers and duties as herein conferred upon it to  
12 the Clerk of the House of Representatives.

13           "§29-4-40.

14           "~~(a) Within the authority delegated by the elected~~  
15 ~~members of the Legislative Council from the Senate and the~~  
16 ~~members of the Legislative Council from the House of~~  
17 ~~Representatives to the~~ The Secretary of the Senate and the  
18 Clerk of the House of Representatives, ~~respectively, the~~  
19 ~~Secretary of the Senate and the Clerk of the House of~~  
20 ~~Representatives~~ shall furnish to each joint committee for  
21 which staff assistance is not provided in the act creating the  
22 joint committee, the staff assistance reasonably necessary to  
23 enable the committee to perform its assigned function.

24           "(b) Staff furnished pursuant to this section shall  
25 be compensated as other legislative staff at rates approved by



1 ~~the elected members of the Legislative Council of the Senate~~  
 2 ~~and members of the Legislative Council of the House of~~  
 3 ~~Representatives.~~

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

7 "§29-4-42.

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

17 "§29-5-2.

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

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

15 "§29-5-3.

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

1           "(2) REVENUE SOURCES. Any receipt of funds by the  
2 state, including, but not limited to, tax receipts, fee  
3 receipts, transfers, interest income, transfers between state  
4 agencies or funds, or gifts or grants from other  
5 instrumentalities.

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

16           "§29-6-1.

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

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

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

20 "(c) Members of the council may serve on the council  
21 as long as the member retains the office that qualified the  
22 member for service or during the term to which the member was  
23 appointed or elected and, if reelected to the same house  
24 without a break in service to that house, during the  
25 succeeding legislative term until a successor is appointed or

1 electd as provided by law. No member may be elected to more  
2 than two consecutive four-year terms and no member may be  
3 appointed to more than two consecutive four-year terms. Any  
4 member serving ex officio may remain on the Legislative  
5 Council as long as the member holds the office qualifying the  
6 member for membership. If a vacancy occurs in its elected  
7 membership while the Legislature is not in session, the House  
8 Legislative Council or the Senate Legislative Council, as  
9 appropriate, may make temporary appointments to fill the  
10 vacancy until the vacancy is filled by an election of the  
11 appropriate members of the House or Senate, as the case may  
12 be.

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

1 at least one of whom may not be a member of the majority  
2 party, to serve on the Legislative Council until members are  
3 elected at the 2016 Regular Session.

4 "§29-6-2.

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

18 ~~"In addition, the majority and minority leaders of~~  
19 ~~the Senate and the majority and minority leaders of the House~~  
20 ~~shall be members of the Legislative Council. The majority and~~  
21 ~~minority leaders of the House and the majority and minority~~  
22 ~~leaders of the Senate may designate a member of their house to~~  
23 ~~serve on the Legislative Council in their place for a one-year~~  
24 ~~term. The designation shall be in writing to the Chair of the~~  
25 ~~Legislative Council and the Speaker of the House, in the case~~

1 ~~of the majority or minority leader of the House, or the~~  
2 ~~Lieutenant Governor, in the case of the majority or minority~~  
3 ~~leader of the Senate.~~

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

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

23 ~~"The House and Senate members shall be elected at~~  
24 ~~the 1975 Regular Session of the Legislature, and at the~~  
25 ~~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

1 chair from the membership. The Legislative Council shall meet  
2 thereafter at the request of the chair or as its members shall  
3 determine, in both cases upon written notice to each member of  
4 the council. If the chair declines to call a meeting or is  
5 unable to call a meeting, the Speaker of the House, the  
6 President Pro Tempore of the Senate, or a majority of the  
7 council may call a meeting of the council.

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

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

1 meeting, the President Pro Tempore of the Senate may call a  
2 meeting of the council.

3 "(c) Members of the Legislative Council, House  
4 Legislative Council, and Senate Legislative Council shall  
5 receive expenses for attendance of each meeting of the  
6 respective council as provided for in Amendment 871 to the  
7 Constitution of Alabama of 1901. The President of the Senate  
8 and Speaker of the House shall adopt such expense  
9 reimbursement regulations as are necessary to implement  
10 Amendment 871 for operation of the councils.

11 "(d) The Legislative Council, the House Legislative  
12 Council, and the Senate Legislative Council may provide for  
13 the appointment of committees to facilitate their work.

14 "§29-6-3.

15 ~~"Within 10 days after the whole membership of the~~  
16 ~~Legislative Council is named, it shall convene at a place and~~  
17 ~~time designated by the President of the Senate in written~~  
18 ~~notice given to each member at least five days in advance to~~  
19 ~~select a chairman and vice-chairman from the membership. The~~  
20 ~~Legislative Council shall meet thereafter at the request of~~  
21 ~~the chairman or as its members shall determine, in both cases~~  
22 ~~upon written notice by the secretary at least five days in~~  
23 ~~advance; provided, that the Legislative Council shall meet at~~  
24 ~~least once each three months. Decisions of the membership in~~  
25 ~~the name of the Legislative Council may be made by a majority~~

1 ~~of members present and voting at any meeting, provided a~~  
2 ~~quorum is in attendance. A quorum shall consist of a total of~~  
3 ~~any nine members who are representatives of both the House of~~  
4 ~~Representatives and the Senate.~~

5 "(a) Members of the Legislative Council, House  
6 Legislative Council, and Senate Legislative Council may  
7 participate in a meeting of the respective council by means of  
8 telephone conference, video conference, or similar  
9 communications equipment by means of which all persons  
10 participating in the meeting may hear each other at the same  
11 time and members of the public may simultaneously listen to  
12 the meeting. Participation by such means shall constitute  
13 presence in person at a meeting for all purposes.

14 "(b) Any decision of the Legislative Council shall  
15 be by a majority vote of the council members from the Senate  
16 and a majority vote of the council members from the House of  
17 Representatives.

18 "(c) All decisions of the Legislative Council, the  
19 House Legislative Council, or the Senate Legislative Council,  
20 except those involving hiring, discipline, or termination of  
21 employees, shall be reduced to writing and shall be published  
22 on the website of the Legislature.

23 "(d) The Legislative Council, House Legislative  
24 Council, and Senate Legislative Council shall be subject to  
25 the Alabama Open Meetings Act, Chapter 25A (commencing with

1 Section 36-25A-1), Title 36, except that a meeting may be  
2 called with the same notice requirements as a meeting of a  
3 committee of the House or Senate under the rules of the House  
4 or Senate.

5 "(e) The Legislative Council, House Legislative  
6 Council, and Senate Legislative Council may make use of the  
7 employees of the Legislative Department, including employees  
8 of the respective houses, as needed in carrying out their  
9 respective functions.

10 "(f) The Legislative Council shall conduct an  
11 orientation program for its members upon its formation and at  
12 the start of each quadrennium thereafter. The orientation  
13 shall cover all of the duties and responsibilities of  
14 membership of the council. The Legislative Council shall also  
15 provide an orientation to any member who serves on the council  
16 due to election or appointment within 60 days of the person  
17 joining the council. The Legislative Council shall utilize the  
18 Legislative Reference Service, Legislative Fiscal Office, and  
19 Alabama Law Institute to prepare materials for use at this  
20 orientation.

21 "§29-6-4.

22 ~~"Members of the Legislative Council shall receive~~  
23 ~~the same compensation and expenses for attendance of each~~  
24 ~~meeting of the council or of any committee thereof as do~~  
25 ~~members of the Legislature for attendance at sessions of the~~

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

15 "(a) The House Legislative Council succeeds to and  
16 is vested with all the powers previously exercised by the  
17 House Members of the Legislative Council.

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

21 "(c) A reference in any law to any entity all or a  
22 portion of the powers of which are succeeded to by the  
23 Legislative Council, the House Legislative Council, or the  
24 Senate Legislative Council, shall be deemed a reference to the

1 Legislative Council, the House Legislative Council, or the  
2 Senate Legislative Council.

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

8 "§29-6-7.

9 "This chapter shall be liberally construed.

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

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

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

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



1           "(6) Reduce and contain the cost associated with the  
2           operation and maintenance of the Legislative Department to the  
3           fullest extent reasonably possible and practical. In  
4           accomplishing the reduction, the Legislative Council, to the  
5           fullest extent possible, shall look for methods to save public  
6           funds and contain costs.

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

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

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

1 employment for employees of the Legislative Reference Service,  
2 Legislative Fiscal Office, and Alabama Law Institute.

3 "(b) In addition to the powers otherwise provided  
4 this chapter, the Senate Legislative Council shall, upon the  
5 recommendation of the Director of Human Resources, establish  
6 the job classifications, salary schedules, and benefits for  
7 all employees of the President Pro Tempore of the Senate.  
8 Notwithstanding the foregoing, there shall be a position of  
9 chief of staff who shall serve at the pleasure of the  
10 President Pro Tempore, under terms and conditions set by the  
11 President Pro Tempore; provided further, persons who serve at  
12 the pleasure of the Senate Majority Leader and the Senate  
13 Minority Leader serve under terms and conditions set by the  
14 Senate Majority Leader and the Senate Minority Leader,  
15 respectively; and provided further, persons employed under  
16 this sentence shall be paid from funds appropriated to the  
17 Office of the President Pro Tempore at a salary or other  
18 compensation approved by the President Pro Tempore.

19 "(c) In addition to the powers otherwise provided in  
20 this chapter, the House Legislative Council shall, upon the  
21 recommendation of the Director of Human Resources, establish  
22 the job classifications, salary schedules, and benefits for  
23 all employees of the Speaker of the House. Notwithstanding the  
24 foregoing, there shall be a position of chief of staff who  
25 shall serve at the pleasure of the Speaker, under terms and

1 conditions set by the Speaker; provided further, persons who  
2 serve at the pleasure of the House Majority Leader and the  
3 House Minority Leader serve under terms and conditions set by  
4 the House Majority Leader and the House Minority Leader,  
5 respectively; and provided further, persons employed under  
6 this sentence shall be paid from funds appropriated to the  
7 Office of the Speaker at a salary or other compensation  
8 approved by the Speaker.

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

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

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

1           "(g) Recommendations for hiring of the Director of  
 2 the Alabama Law Institute shall be made by the Institute  
 3 Council to the Legislative Council, which shall have final  
 4 hiring authority for the director.

5           "(h) The Directors of the Legislative Reference  
 6 Service, Legislative Fiscal Office, and Alabama Law Institute  
 7 shall receive a salary in amounts provided by the Legislative  
 8 Council.

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

20           Section 2. Sections 29-7-4, 29-8-1, 29-8-2, 29-8-3,  
 21 29-8-4, 29-8-5, 41-9-370, 41-9-374, 41-19-3, 41-19-3.1, Code  
 22 of Alabama 1975, are amended to read as follows:

23           "§29-7-4.

24           "(a) The Director of the Legislative Reference  
 25 Service, ~~may hire, either subject without regard~~ to the State

1 Merit System Law, may hire ~~or without regard to the provisions~~  
 2 ~~thereof,~~ staff members and clerical help ~~necessary to effect~~  
 3 ~~the purposes of this chapter~~ of the Legislative Reference  
 4 Service.

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

9 "§29-8-1.

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

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

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

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

23 ~~"(2) One judge of the Court of Civil Appeals of~~  
 24 ~~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~~

1 ~~candidates for examination and admission to the Alabama State~~  
2 ~~Bar.~~

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

4 ~~"(15) The President and Secretary of the Alabama Law~~  
5 ~~Institute.~~

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

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

12 ~~"(11) The Code Commissioner.~~

13 ~~"(12) The Speaker of the House, or his or her~~  
14 ~~designee.~~

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

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

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

23 ~~"(d) The elected membership shall consist of two~~  
24 ~~(14) Two members who shall be elected from the members of the~~  
25 ~~faculty of the University of Alabama School of Law, two~~

1 members ~~who shall be~~ elected from the members of the faculty  
2 of the Cumberland Law School of Samford University, two  
3 members elected from the members of the faculty of the Thomas  
4 Goode Jones School of Law at Faulkner University, and six  
5 practicing attorneys elected from each congressional district  
6 in the state.

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

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

24 "§29-8-2.



1           "(a) The members of the Governing Council of the  
 2 Alabama Law Institute shall serve without any compensation for  
 3 services as such. The council ~~may employ and fix and pay~~  
 4 ~~reasonable compensation to the director of the institute and~~  
 5 ~~his assistants,~~ and may pay honoraria to members of the  
 6 council State Bar who perform professional services for the  
 7 institute, as authorized by the council.

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

10           "§29-8-3.

11           "~~The Board of Commissioners of the Alabama State Bar~~  
 12 governing council shall adopt a plan or plans of membership in  
 13 the Alabama Law Institute so designed as to encourage and  
 14 invite the cooperation of all members of the legal profession  
 15 in the work of the institute.

16           "§29-8-4.

17           "The general purposes of the Alabama Law Institute  
 18 shall be to promote and encourage the clarification and  
 19 simplification of the law of Alabama to secure the better  
 20 administration of justice and to carry on scholarly legal  
 21 research and scientific legal work. To that end it shall be  
 22 the duty of the Alabama Law Institute to:

23           "(1) Consider needed improvements in both  
 24 substantive and adjective law and to make recommendations  
 25 concerning the same to the ~~Legislature~~ chairs and members of

1 the House Judiciary Committee and the Senate Judiciary  
2 Committee.

3 "(2) Examine and study the law of Alabama and  
4 Alabama jurisprudence and statutes with a view of discovering  
5 defects and inequities and of recommending needed reforms.

6 "(3) Receive and consider suggestions from ~~judges,~~  
7 ~~justices, public officials, lawyers,~~ members of the Alabama  
8 Legislature and the public generally as to defects and  
9 anachronisms in the law.

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

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

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

21 "(7) Organize and conduct ~~an annual meeting~~ meetings  
22 as needed within the state for scholarly discussions of  
23 current problems in Alabama law, bringing together  
24 representatives of the Legislature, practicing attorneys,  
25 members of the bench and bar, and representatives of the law

1 teaching profession and periodically conduct training and  
 2 continuing education programs for public officials, including  
 3 providing educational material.

4 ~~"(8) Devise and carry out, through the facilities of~~  
 5 ~~the Legislative Reference Service and the director and~~  
 6 ~~employees thereof, a plan for continuous code revisions~~ Advise  
 7 the Code Commissioner on the performance of the duties imposed  
 8 on the Code Commissioner by Chapter 6 of Title 29.

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

11 "§29-8-5.

12 "The Alabama Law Institute, in submitting reports to  
 13 the Legislature through its president, shall act solely in an  
 14 advisory capacity. ~~Its reports, studies and recommended~~  
 15 ~~publications shall be printed and shall be distributed by the~~  
 16 ~~Secretary of State in the same manner as acts of the~~  
 17 ~~Legislature.~~

18 "§41-9-370.

19 "The Commission on Uniform State Laws is continued  
 20 in existence as an advisory commission to the Legislature. The  
 21 commission consists of three members of the bar appointed by  
 22 the Governor for a term of four years or until their  
 23 successors are appointed, ~~any resident of this state who~~  
 24 ~~because of long service in the cause of the uniformity of~~  
 25 ~~state legislation has been elected a life member of the~~

1 ~~National Conference of Commissioners on Uniform State Laws,~~  
2 ~~any person who while a member attended 10 or more annual~~  
3 ~~meetings of the National Conference of Commissioners on~~  
4 ~~Uniform State Laws, any resident of the state who is serving~~  
5 ~~or has served as Executive Director of the National Conference~~  
6 ~~of Commissioners on Uniform State Laws,~~ a member of the Senate  
7 appointed by the President of the Senate, a member of the  
8 House of Representatives appointed by the Speaker of the  
9 House, the Director of the Alabama Law Institute, and the  
10 Director of the Legislative Reference Service.

11 "§41-9-374.

12 "(a) The Commission on Uniform State Laws shall  
13 annually present its budget to the Legislative Council for  
14 approval.

15 "(b) From funds appropriated ~~to~~ for the commission,  
16 the commission shall:

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

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

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

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

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

14           "§41-19-3.

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

21           "(1) The orderly establishment, continuing review,  
22 and periodic revision of the program and financial goals and  
23 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.~~

1           "§41-19-3.1.

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

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

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

1 President Pro Tempore is elected pursuant to Section 48.01 of  
2 the Official ReCompilation of the Constitution of Alabama of  
3 1901, as amended.

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

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



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 05-MAY-15, as amended.

Jeff Woodard  
Clerk

14  
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16  
17

Senate

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21-MAY-15

Amended and Passed  
Passed, as amended  
by Conference Com-  
mittee Report

House

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03-JUN-15

Passed, as amended  
by Conference Com-  
mittee Report

Senate

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03-JUN-15