

1 SB99  
2 147134-2  
3 By Senator Ward  
4 RFD: Governmental Affairs  
5 First Read: 05-FEB-13

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8 SYNOPSIS: Under existing law, the Director of  
9 Transportation, subject to the provisions of the  
10 state Merit System law, may appoint assistant  
11 counsel as may be necessary to transact the legal  
12 business of the State Department of Transportation.

13 This bill would allow the director to  
14 appoint, subject to the provisions of the state  
15 Merit System law, assistant counsel as may be  
16 necessary to transact the legal business of the  
17 department.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT

22  
23 To amend Section 23-1-26, Code of Alabama 1975, to  
24 allow the Director of Transportation to appoint additional  
25 assistant counsel as may be necessary to transact the business  
26 of the department.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 23-1-26, Code of Alabama 1975, is  
2 amended to read as follows:

3           "§23-1-26.

4           "The Director of Transportation, with the approval  
5 of the Attorney General, ~~shall be authorized,~~ and subject to  
6 ~~the provisions of~~ the state Merit System law, ~~to~~ may appoint  
7 ~~not more than five~~ assistant counsel as may be necessary to  
8 transact the legal business of the ~~State~~ Department of  
9 Transportation. The chief counsel and the assistant counsel  
10 shall each be commissioned as assistant attorneys general ~~and~~  
11 ~~take the oath required of other assistants of the Attorney~~  
12 ~~General.~~ The chief counsel and the assistant counsel and their  
13 stenographic and clerical assistants shall constitute the  
14 legal division of the ~~State~~ Department of Transportation. The  
15 director shall consider the racial, gender, geographic,  
16 urban/rural, and economic diversity of the state when  
17 appointing assistant counsel."

18           Section 2. This act shall become effective  
19 immediately following its passage and approval by the  
20 Governor, or its otherwise becoming law.