

1 SB11
2 154063-4
3 By Senator Holley
4 RFD: Governmental Affairs
5 First Read: 14-JAN-14
6 PFD: 07/15/2013

1 SB11

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to the Legislative Department, to
12 reconstitute the Legislative Council and create the Senate
13 Legislative Council and the House Legislative Council, to
14 provide for the Executive Secretary of the Legislative
15 Council, to transfer to the councils functions from the House
16 Legislative Council, the entity consisting of the Senate
17 members elected to the Legislative Council, the Joint Fiscal
18 Committee, the Legislative Building Authority, and the
19 Permanent Legislative Committee on Reapportionment and abolish
20 those entities, to assign additional administrative functions
21 to the council, to delete a provision for an automatic
22 appropriation to the Legislature; to specify the Alabama Law
23 Institute is part of the Legislative Department, to revise the
24 membership of the governing council of the institute, to grant
25 additional authority to the council and the president and
26 director of the institute; to restructure the Commission on
27 Uniform State Laws; to provide for the continuation of the

1 office of the President Pro Tempore of the Senate; and to
2 amend Sections 29-1-5, 29-1-22, 29-2-52, 29-2-200, 29-2-201,
3 29-4-20, 29-4-22, 29-4-25, 29-4-30, 29-4-32, 29-4-35, 29-4-40,
4 29-4-42, 29-5-2, 29-5-3, 29-5-4, 29-5-13, 29-6-1, 29-6-2,
5 29-6-3, 29-6-4, 29-6-7, 29-7-4, 29-8-1, 29-8-2, 29-8-3,
6 29-8-4, 29-8-5, 41-9-370, 41-9-374, 41-19-3, and 41-19-3.1 of,
7 to add Sections 29-6-8 and 29-6-9 to, and to repeal Sections
8 29-2-50, 29-2-51, and 29-7-5 of, the Code of Alabama 1975.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 29-1-5, 29-1-22, 29-2-52,
11 29-2-200, 29-2-201, 29-4-20, 29-4-22, 29-4-25, 29-4-30,
12 29-4-32, 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3, 29-5-4,
13 29-5-13, 29-6-1, 29-6-2, 29-6-3, 29-6-4, and 29-6-7 of the
14 Code of Alabama 1975, are amended to read as follows:

15 "§29-1-5.

16 "(a) No special session of the Legislature shall
17 continue for longer than 12 legislative days and 30 calendar
18 days.

19 "(b) Additional expenses incurred and payable to
20 members of the Legislature and for the operations of the
21 Legislature during any special session of the Legislature
22 called by the Governor shall be paid from appropriations to
23 the Department of Finance from the Departmental Emergency Fund
24 or from other funds appropriated to the Department of Finance.

25 "§29-1-22.

26 "~~(a) For the fiscal year 1984-1985, and every year~~
27 ~~thereafter, there is hereby appropriated from any funds~~

1 available in the State Treasury as determined by the budget
2 officer for legislative services the amounts as prescribed
3 herein. There is hereby appropriated a quarterly amount of
4 \$2,000,000.00 for all legislative costs, including personnel,
5 office equipment, data processing and any expenditures
6 incidental thereto. In any quarter, whenever unexpended funds
7 fall below a balance of five percent of the aforementioned
8 quarterly appropriation, an additional sum of \$500,000.00 is
9 hereby appropriated. Any moneys which are unexpended or
10 unencumbered at the end of each fiscal year shall revert to
11 the funds from which the appropriations were made.

12 " (b) The Legislature will annually present its
13 budget through the Clerk of the House of Representatives and
14 the Secretary of the Senate Executive Secretary of the
15 Legislative Council. Said The presentation shall include
16 statements of previous expenditures and projected costs on
17 forms as prescribed by the Finance Director and be made before
18 the ~~interim committee on finances and budgets~~ Legislative
19 Council.

20 "§29-2-52.

21 " (a) The ~~committee~~ Legislative Council shall make a
22 continuous study of the reapportionment problems in Alabama
23 seeking solutions thereto, and shall seek expertise, when
24 deemed necessary, from among knowledgeable state officials and
25 employees, academic personnel and others involved in
26 demographic studies and other census matters.

1 "(b) The ~~committee~~ Legislative Council shall make
2 such reports of its investigations, findings, and
3 recommendations to the Legislature at any time, during any
4 regular or special session of the Legislature, as it may deem
5 necessary.

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

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

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

25 "(f) The ~~committee~~ Legislative Council may complete
26 any contract executed and conduct any business undertaken or
27 commenced by the Legislature pertaining to or connected with

1 the reapportionment and readjustment or alteration of Senate
2 and House and congressional districts prior to the enactment
3 of this article, and the same shall be completed and conducted
4 in the same manner and under the same terms and conditions and
5 with the same effect as if completed and conducted by the
6 Legislature.

7 "(g) The ~~committee~~ Legislative Council may meet
8 within and without the state, hold public hearings and
9 otherwise have all of the powers of a legislative committee
10 under the legislative law.

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

16 "§29-2-200.

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

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

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

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

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

13 ~~"(f) Vacancies shall be filled by the appointing~~
14 ~~authority who appointed the vacating member for the remainder~~
15 ~~of the vacated term.~~

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

22 ~~"(h) Each member of the authority shall be entitled~~
23 ~~to his or her regular legislative compensation, his or her per~~
24 ~~diem, and travel expenses for each day he or she attends a~~
25 ~~meeting of the authority. Upon requisitions signed by the~~
26 ~~chair of the authority, these payments shall be paid out of~~
27 ~~any funds appropriated to the use of the Legislature by means~~

1 of warrants drawn by the state Comptroller on the State
2 Treasury. Notwithstanding the foregoing, no member shall
3 receive additional legislative compensation or per diem when
4 the Legislature is in session or if a member is being paid any
5 other payments on the same dates for attendance on other state
6 business.

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

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

10 "(2) ~~Provide~~ Providing for the management and
11 supervision, administration, improvement, equipping,
12 operation, and maintenance of such State House property.

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

17 "§29-2-201.

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

22 "(2) The Alabama Building Renovation Finance
23 Authority, hereafter referred to as ABRFA, created pursuant to
24 Article 14 (commencing with Section 41-10-450) of Chapter 10
25 of Title 41, shall execute and deliver on June 14, 2007, an
26 appropriate deed or deeds and accompanying documents conveying

1 State House property in fee simple absolute to the Legislative
2 Building Authority.

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

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

10 "(b) The right of reverter created in Section
11 41-10-470, in relation to the land upon which the Alabama
12 State House is situated is abolished on the date of the
13 conveyance.

14 "(c) Any statutory lien created under Section
15 41-10-472, in relation to the land upon which the Alabama
16 State House is situated is abolished on the date of the
17 conveyance.

18 "(d) The Legislative Building Authority shall be
19 vested with absolute title and control of the State House
20 property.

21 "(e) Commencing October 1, 2014, absolute title and
22 control of the State House property shall transfer to the
23 Legislative Council by operation of law.

24 "§29-4-20.

25 "(a) The subordinate officers of the Senate consist
26 of the Secretary of the Senate and an Assistant Secretary of
27 the Senate. The Secretary of the Senate shall be a full-time

1 employee, elected as provided by law, and compensated as
2 provided ~~in this chapter~~ by the Senate Legislative Council.

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

15 "(c) The Assistant Secretary of the Senate shall
16 serve only while the Legislature is in session. The Assistant
17 Secretary of the Senate shall be elected by a majority vote of
18 the Senate.

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

24 "(e) ~~The~~ With the approval of the Senate Legislative
25 Council, the Secretary of the Senate may appoint an
26 administrative assistant. The administrative assistant to the
27 Secretary shall serve at the pleasure of the Secretary and

1 shall be paid from funds appropriated to the Legislature an
2 amount fixed by the ~~Secretary~~ Senate Legislative Council in
3 accordance with that of comparable positions established under
4 the State Merit System pay plan.

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

13 "§29-4-22.

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

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

26 "§29-4-25.

1 "~~(a) The elected members of the Legislative Council~~
2 ~~of the Senate of the State of Alabama~~ Senate Legislative
3 Council shall regulate, with the advice of the Secretary of
4 the Senate, the employees of the Senate, except pages, and fix
5 the exact number and compensation of employees who may be
6 employed by the Senate in each category of employment and the
7 exact amount of each legislative employee classification
8 compensation. Following their employment by ~~the elected~~
9 ~~members of the~~ Senate Legislative Council ~~of the Senate of the~~
10 ~~State of Alabama,~~ all Senate employees shall be under the
11 control and supervision of the Secretary of the Senate.

12 "(b) The Senate Legislative Council shall utilize
13 the Director of Human Resources in an advisory capacity in the
14 hiring, termination, and supervision of personnel pursuant to
15 this section.

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

20 "§29-4-30.

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

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

24 ~~"(e) The (d)~~ With the approval of the House
25 Legislative Council, Clerk of the House of Representatives may
26 appoint an administrative assistant. The administrative
27 assistant to the Clerk shall serve at the pleasure of the

1 Clerk and shall be paid from funds appropriated to the
2 Legislature an amount fixed by the ~~Clerk~~ House Legislative
3 Council in accordance with that of comparable positions
4 established under the State Merit System pay plan.

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

14 "§29-4-32.

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

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

1 the Clerk of the House of Representatives and the Assistant
2 Clerk of the House of Representatives.

3 "§29-4-35.

4 "(a) ~~The members of the Legislative Council of the~~
5 ~~House of Representatives~~ House Legislative Council shall
6 regulate, with the advice of the Clerk of the House of
7 Representatives, the employees of the House of
8 Representatives, except pages, and fix the exact number and
9 compensation of employees who may be employed by the House of
10 Representatives in each category of employment and the exact
11 amount of each legislative employee classification
12 compensation. Following their employment by the ~~members of the~~
13 ~~Legislative Council of the House of Representatives~~ House
14 Legislative Council, all employees of the House of
15 Representatives shall be under the control and supervision of
16 the Clerk of the House of Representatives.

17 "(b) The House Legislative Council shall utilize the
18 Director of Human Resources in an advisory capacity in the
19 hiring, termination, and supervision of personnel pursuant to
20 this section.

21 "(c) ~~The members of the Legislative Council of the~~
22 ~~House of Representatives~~ House Legislative Council may
23 delegate such powers and duties as herein conferred upon it to
24 the Clerk of the House of Representatives.

25 "§29-4-40.

26 "(a) ~~Within the authority delegated by the elected~~
27 ~~members of the Legislative Council from the Senate and the~~

1 ~~members of the Legislative Council from the House of~~
2 ~~Representatives to the~~ The Secretary of the Senate and the
3 Clerk of the House of Representatives, ~~respectively, the~~
4 ~~Secretary of the Senate and the Clerk of the House of~~
5 ~~Representatives~~ shall furnish to each joint committee for
6 which staff assistance is not provided in the act creating the
7 joint committee, the staff assistance reasonably necessary to
8 enable the committee to perform its assigned function.

9 "(b) Staff furnished pursuant to this section shall
10 be compensated as other legislative staff at rates approved by
11 the ~~elected members of the Legislative Council of the Senate~~
12 ~~and members of the~~ Legislative Council of the House of
13 Representatives.

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

17 "§29-4-42.

18 "Actions under this article requiring the approval
19 of the ~~elected members of the Legislative Council from the~~
20 ~~Senate~~ Senate Legislative Council and the ~~members of the~~
21 ~~Legislative Council from the House of Representatives~~ House
22 Legislative Council may be taken only if approved by ~~both~~ a
23 majority vote of ~~the elected members of the Legislative~~
24 ~~Council from the Senate and a majority vote of the members of~~
25 ~~the Legislative Council from the House of Representatives~~ both
26 respective councils.

27 "§29-5-2.

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

23 "§29-5-3.

24 "The Director of the Fiscal Office shall be selected
25 and appointed by the ~~Joint Fiscal Committee~~ Legislative
26 Council, upon the unanimous recommendation of the Chairpersons
27 of the House Ways and Means Committees (Education and General

1 Fund) and the Chairpersons of the Finance and Taxation
2 Committees (Education and General Fund). The salary of the
3 director shall be fixed by the ~~Joint Fiscal Committee at a per~~
4 ~~annum gross rate no less than the minimum per annum gross rate~~
5 ~~established for the State Budget Officer~~ Legislative Council.
6 The director may, ~~at his selection,~~ participate in any
7 retirement system available to state employees. The director
8 may be removed by a majority vote of the ~~Joint Fiscal~~
9 ~~Committee~~ Legislative Council or by a joint resolution of the
10 House and Senate.

11 "§29-5-4.

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

24 "§29-5-13.

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

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

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

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

20 "§29-6-1.

21 "(a) There is hereby created a continuing
22 legislative committee to be known as the Legislative Council
23 of the State of Alabama. The council consists of the Speaker
24 of the House, the House Majority Leader, the House Minority
25 Leader, the Chairs of the Ways and Means General Fund and Ways
26 and Means Education Committees, two members of the House
27 appointed by the Speaker, and two members of the House,

1 elected by the House, one member of the House elected by the
2 minority parties, who shall constitute the House Legislative
3 Council, and the President Pro Tempore of the Senate, the
4 Senate Majority Leader, the Senate Minority Leader, the Chairs
5 of the Finance and Taxation General Fund and Finance and
6 Taxation Education Committees, two Senators appointed by the
7 President Pro Tempore, and two members of the Senate, elected
8 by the Senate, one member of the Senate elected by the
9 minority parties, who shall constitute the Senate Legislative
10 Council. The elected House and Senate members shall be elected
11 at the 2014 Regular Session of the Legislature and at the
12 first regular session of each quadrennium thereafter.

13 "(b) Members serving ex officio, appointed, or
14 elected at the 2014 Regular Session or appointed as otherwise
15 provided in subsection (d) shall replace the members of the
16 Legislative Council serving on the council on the effective
17 date of the act adding this provision.

18 "(c) Members of the council may serve on the council
19 as long as they retain the office that qualified for service
20 or during the term to which appointed or elected and, if
21 reelected to the same house without a break in service to that
22 house, during the succeeding legislative term until a
23 successor is appointed or elected as provided by law. No
24 member may be elected to more than two consecutive four-year
25 terms. If a vacancy occurs in its membership while the
26 Legislature is not in session, the House Legislative Council
27 or the Senate Legislative Council, as appropriate, may make

1 temporary appointments to fill the vacancy until the vacancy
2 is filled by an election of the House or Senate, as the case
3 may be.

4 "(d) If the act adding this subsection does not
5 become operative prior to adjournment sine die of the 2014
6 Regular Session, the Speaker of the House, the President Pro
7 Tempore of the Senate and the majority and minority leader of
8 the respective houses shall serve on the Legislative Council
9 and, within thirty days of adjournment sine die of the 2014
10 Regular Session, the Speaker and the President Pro Tempore
11 shall, respectively, appoint five members of the House of
12 Representatives, at least one of whom must not be a member of
13 the majority party, and five members of the Senate, at least
14 one of whom must not be a member of the majority party, to
15 serve on the Legislative Council until members are elected at
16 the 2015 Regular Session.

17 "§29-6-2.

18 ~~"The Legislative Council shall consist of the~~
19 ~~President and President Pro Tempore of the Senate, six members~~
20 ~~of the Senate elected by the Senate, the Speaker and Speaker~~
21 ~~Pro Tempore of the House of Representatives, six members of~~
22 ~~the House of Representatives elected by the House of~~
23 ~~Representatives, the chairs of the Senate's standing~~
24 ~~committees on finance and taxation and on the judiciary and~~
25 ~~the chairs of the standing committees on ways and means and on~~
26 ~~the judiciary of the House. If the Speaker of the House,~~
27 ~~Speaker Pro Tempore, or President Pro Tempore is also the~~

1 ~~chair of one of these standing committees, then the vice-chair~~
2 ~~of the committee shall serve on the council in the place of~~
3 ~~the chair.~~

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

15 ~~"The President and President Pro Tempore of the~~
16 ~~Senate and the Speaker and Speaker Pro Tempore of the House of~~
17 ~~Representatives and any chair of a standing committee who,~~
18 ~~under this section and Section 29-6-2.1, is a member of the~~
19 ~~Legislative Council by virtue of holding such chair, may~~
20 ~~designate a member of his or her house to serve in his or her~~
21 ~~place on the Legislative Council for a one-year term. The~~
22 ~~designation shall be in writing to the Chair of the~~
23 ~~Legislative Council, and the Lieutenant Governor as to Senate~~
24 ~~members or the Speaker of the House of Representative as to~~
25 ~~House members.~~

26 ~~"Additionally, any current House member who has~~
27 ~~served at least 24 years and is not appointed to any standing~~

1 ~~committee during the quadrennium shall also be a member of the~~
2 ~~Legislative Council for that quadrennium, and, in such an~~
3 ~~event, one additional member of the Senate shall serve on the~~
4 ~~Legislative Council for that same quadrennium, who shall be~~
5 ~~appointed by the Senate Committee on Assignments or the~~
6 ~~successor of this committee.~~

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

19 "(a) The President of the Senate shall be a member
20 of the council but may vote only in the case of a tie. At its
21 first meeting during each quadrennium and at such other times
22 as necessary, the council shall elect a chair and vice chair
23 from among the membership of the council. To the extent
24 possible, membership of the council shall be inclusive and
25 reflect the racial, gender, geographic, urban/rural, and
26 economic diversity of the state.

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

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

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

22 "(3) The Senate Legislative Council shall convene at
23 a time and place designated by the President Pro Tempore of
24 the Senate in written notice given to each member of the
25 Legislative Council to select a chair and vice chair of the
26 council. The council shall meet thereafter at the request of
27 the chair or as its members shall determine, in both cases

1 upon written notice to each member of the council. If the
2 chair declines to call a meeting or is unable to call a
3 meeting, the President Pro Tempore of the Senate may call a
4 meeting of the council.

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

13 "(d) The Legislative Council, the House Legislative
14 Council, and the Senate Legislative Council may provide for
15 the appointment of subcommittees to facilitate their work.

16 "§29-6-3.

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

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

1 "§29-6-4.

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

20 "(a) In addition to the powers otherwise provided in
21 this chapter, the Legislative Council succeeds to and is
22 vested with all the powers of the Legislative Building
23 Authority.

24 "(b) The House Legislative Council succeeds to and
25 is vested with all the powers previously exercised by the
26 House Members of the Legislative Council.

1 "(c) The Senate Legislative Council succeeds to and
2 is vested with all the powers previously exercised by the
3 members of the Senate elected to the Legislative Council.

4 "(d) A reference in any law to any entity set forth
5 in subsection (a), (b), or (c), the powers of which are
6 succeeded to by the Legislative Council, the House Legislative
7 Council, or the Senate Legislative Council, shall be deemed a
8 reference to the Legislative Council, the House Legislative
9 Council, or the Senate Legislative Council.

10 "(e) All funds, papers, and property of any entity
11 set forth in subsection (a), (b), or (c), the powers of which
12 are succeeded to by the Legislative Council, the House
13 Legislative Council, or the Senate Legislative Council, shall
14 be transferred to the Legislative Council, the House
15 Legislative Council, or the Senate Legislative Council upon
16 the election of members to the respective council.

17 "§29-6-7.

18 ~~"This chapter shall be liberally construed. In~~
19 addition to the powers otherwise provided in this chapter, the
20 Legislative Council shall be responsible for the personnel,
21 accounting, and purchasing functions of the Legislative
22 Department specified in this section. The Legislative Council
23 shall:

24 "(1) (A) Provide a process by which the Director of
25 Human Resources shall make available to the Director of the
26 Legislative Reference Service, Director of the Legislative
27 Fiscal Office, the Speaker of the House, the President Pro

1 tempore of the Senate, and the Director of the Alabama Law
2 Institute, respectively, a roster of applicants for
3 employment, accompanied by the written application for each,
4 for persons to be hired. In consultation with the Directors of
5 Legislative Reference Service, Legislative Fiscal Office, and
6 the Alabama Law Institute and the Speaker of the House and the
7 President Pro tempore of the Senate, the council shall
8 establish the salary schedules and other issues related to
9 compensation for employees of the Legislative Reference
10 Service, Legislative Fiscal Office, Alabama Law Institute, the
11 Speaker of the House, and the President Pro tempore of the
12 Senate.

13 "(B) The terms of employment for all staff of the
14 Legislative Department shall be as uniform as practical.

15 "(C) Recommendations for hiring of the director of
16 the Alabama Law Institute shall be made by the Institute
17 Council to the Legislative Council, which shall have final
18 hiring authority for the director.

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

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

6 "(3) Allocate space in the Alabama State House,
7 including to the Senate and the House of Representatives.
8 After the Legislative Council allocates space to the Senate or
9 House of Representatives, the space shall be assigned to
10 various uses of the respective house as determined pursuant to
11 the rules of the house.

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

21 "(5) Maintain the computer operations of the
22 Legislature, including management and control of the
23 Legislative Data Center.

24 "(6) Operate the Reapportionment Office.

25 "(7) In concurrence with the Secretary of the Senate
26 and Clerk of the House, provide security for the Alabama State
27 House, the Senate, the House of Representatives, and those

1 portions of the State Capitol under the control of the
2 Legislature, the House of Representatives, or the Senate;
3 provided, however, that security for the Senate and House
4 chambers, their entrances, and galleries shall be under the
5 absolute supervision and control of the Secretary and Clerk,
6 respectively.

7 "(8) Reduce and contain the cost associated with the
8 operation and maintenance of the Legislative Department to the
9 fullest extent reasonably possible and practical. In
10 accomplishing the reduction, the Legislative Council, to the
11 fullest extent possible, shall look for methods to save public
12 funds and contain costs.

13 "(b) The Legislative Council shall employ a person
14 as the Executive Secretary of the Legislative Council who
15 shall perform the work of the council under the general
16 supervision of the council and such other employees as the
17 committee determines necessary and proper to perform the
18 functions assigned to the Legislative Council. The Executive
19 Secretary of the Legislative Council shall serve as Secretary
20 of the Legislative Council without any additional
21 compensation.

22 "(c) The Legislative Council may annually review the
23 performance of the Director of the Legislative Reference
24 Service, Director of the Legislative Fiscal Office, and
25 Director of the Alabama Law Institute.

26 "(d) The Director of the Legislative Reference
27 Service, Director of the Legislative Fiscal Office, and

1 Director of the Alabama Law Institute shall annually review
2 the performance of each employee subject to his or her
3 supervision and report thereon to the Executive Secretary of
4 the Legislative Council.

5 "(e) The Executive Secretary of the Legislative
6 Council shall review all budget requests for the Legislative
7 Reference Service, Legislative Fiscal Office, Alabama Law
8 Institute, and other legislative functions as directed by the
9 Legislative Council and shall report thereon to the joint
10 council for approval.

11 "(f) In addition to the Executive Secretary of the
12 Legislative Council, Legislative Council shall employ a
13 director of human resources who shall handle the human
14 resources related functions assigned to the Legislative
15 Council by this chapter for the Legislative Reference Service,
16 Legislative Fiscal Office, Alabama Law Institute, Speaker of
17 the House, and President Pro Tempore of the Senate and a
18 director of technology, who shall oversee the operations of
19 the Legislative Data Center and maintain all computer
20 guidelines of the Legislative Department and all agencies and
21 entities therein; except that production of legislative
22 proceedings shall be under the control of the Secretary of the
23 Senate and Clerk of the House.

24 "(g) The Director of Human Resources shall provide
25 services in an advisory capacity to the Senate Legislative
26 Council for employees of the Senate or the House Legislative

1 Council for employees of the House of Representatives as
2 provided in Sections 29-4-25 and 29-4-35."

3 Section 2. Sections 29-6-8 and 29-6-9 are added to
4 the Code of Alabama 1975, to read as follows:

5 §29-6-8.

6 Each entity in the Legislative Department shall keep
7 an accurate and complete record of all entity proceedings,
8 record and file all bonds, reports, and other documents, and
9 assume responsibility for the custody and preservation of all
10 papers and documents of the entity.

11 §29-6-9.

12 The Legislative Council may implement the amendments
13 to this chapter made by the act adding this section in whole
14 or in part, in stages, and at the times it deems appropriate
15 and shall have all powers necessary and convenient to totally
16 implement the act.

17 Section 3. Sections 29-7-4, 29-8-1, 29-8-2, 29-8-3,
18 29-8-4, 29-8-5, 41-9-370, 41-9-374, 41-19-3, and 41-19-3.1,
19 Code of Alabama 1975, are amended to read as follows:

20 "§29-7-4.

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

26 "(b) The compensation due to the officers and
27 employees employed under this section shall be certified by

1 the Director of the Legislative Reference Service to the
2 Comptroller, who shall issue his or her warrant therefor.

3 "§29-8-1.

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

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

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

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

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

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

21 "~~(4)~~ (2) One circuit court judge, selected by the
22 Association of Circuit Court Judges.

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

25 "~~(6)~~ (3) The Attorney General of the State of
26 Alabama, or his or her designee.

1 "~~(7)~~ (4) The legal advisor to the Governor of
2 Alabama, or his or her designee.

3 "~~(8)~~ (5) The ~~Chairman~~ Chairs of the Judiciary
4 Committees of the Senate and House of Representatives, ~~or any~~
5 attorney appointed by either of them who is a member of the
6 Judiciary Committee provided the chair is not the President of
7 the Alabama Law Institute.

8 "~~(9)~~ (6) The President ~~and Secretary~~ of the Alabama
9 State Bar.

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

11 "~~(10)~~ (8) The ~~chairman~~ chair of the junior bar
12 section of the Alabama State Bar.

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

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

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

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

22 "~~(15)~~ ~~The President and Secretary of the Alabama Law~~
23 ~~Institute.~~

24 "~~(16)~~ (9) The attorney members of the Legislative
25 Council of Alabama, together with the Secretary of the
26 Legislative Council.

1 ~~"(17)~~ (10) Not less than three nor more than six
2 attorney members appointed by the Governor of Alabama ~~for~~
3 ~~terms to run concurrently with the term of the Governor.~~

4 "(11) The Code Commissioner.

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

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

9 ~~"(18) The Director of the Continuing Legal Education~~
10 ~~Program sponsored by the Alabama State Bar, the University of~~
11 ~~Alabama Law School and the Cumberland School of Law of Samford~~
12 ~~University.~~

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

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

24 ~~"(e) The term of office of the members of the~~
25 ~~judiciary who are ex officio members of the council shall be~~
26 ~~four years.~~ (d) The ~~other~~ ex officio members shall hold their
27 positions during their respective terms of office. The terms

1 of office of the elected members of the council shall be four
2 years. ~~The terms of office of the first elected members shall~~
3 ~~be fixed and determined by the Board of Commissioners of the~~
4 ~~Alabama State Bar and their successors shall be elected for~~
5 ~~terms of four years under such rules as the Board of~~
6 ~~Commissioners may adopt.~~ Elected members of the council shall
7 be eligible for reelection.

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

14 "§29-8-2.

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

22 "(b) The Legislative Council shall appoint the
23 director upon the recommendation of the council.

24 "§29-8-3.

25 "The ~~Board of Commissioners of the Alabama State Bar~~
26 council shall adopt a plan or plans of membership in the
27 Alabama Law Institute so designed as to encourage and invite

1 the cooperation of all members of the legal profession in the
2 work of the institute.

3 "§29-8-4.

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

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

15 "(2) Examine and study the law of Alabama and
16 Alabama jurisprudence and statutes with a view of discovering
17 defects and inequities and of recommending needed reforms.

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

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

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

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

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

15 "(8) ~~Devise and carry out, through the facilities of~~
16 ~~the Legislative Reference Service and the director and~~
17 ~~employees thereof,~~ In cooperation with the Code Commissioner,
18 develop and implement a plan for continuous code ~~revisions~~
19 revision.

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

22 "§29-8-5.

23 "The Alabama Law Institute, in submitting reports to
24 the Legislature through the president, shall act solely in an
25 advisory capacity. ~~Its reports, studies and recommended~~
26 ~~publications shall be printed and shall be distributed by the~~

1 ~~Secretary of State in the same manner as acts of the~~
2 ~~Legislature.~~

3 "§41-9-370.

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

21 "§41-9-374.

22 (a) The Commission on Uniform State Laws shall
23 annually present its budget to the Legislative Council for
24 approval.

25 "(b) From funds appropriated ~~to~~ for the commission,
26 the commission shall:

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

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

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

11 "~~(b)~~ (c) The amount of expenses and dues shall be
12 certified to the state Comptroller shall draw warrants and the
13 State Treasurer shall pay the warrants for these purposes from
14 funds appropriated for the commission.

15 "~~(c)~~ ~~For performing their duty as a member of the~~
16 ~~Commission, members of the commission who are members of the~~
17 ~~Legislature shall receive, from funds appropriated to the~~
18 ~~Legislature, the same compensation, expenses, and travel~~
19 ~~allowances as members of the Legislative Council receive for~~
20 ~~travel out-of-state on Legislative Council business.~~

21 "§41-19-3.

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

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

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

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

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

14 "(5) The regular appraisal and reporting of program
15 performance.

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

1 ~~select state agencies to participate in said pilot phase for~~
2 ~~the 1996-97 fiscal year.~~

3 "§41-19-3.1.

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

11 Section 4. (a) If the senator who is serving as the
12 President Pro tempore of the Senate on the date of the general
13 election at which members of the Senate are elected to
14 four-year terms is reelected to the Senate, the senator shall
15 continue to serve as President Pro tempore of the Senate until
16 a successor President Pro tempore is selected pursuant to
17 Section 48.01 of the Official Recompilation of the
18 Constitution of Alabama of 1901, as amended.

19 (b) If the senator serving as the President Pro
20 tempore of the Senate ceases service as a Senator for any
21 reason prior to election of a President Pro tempore pursuant
22 to Section 48.01 of the Official Recompilation of the
23 Constitution of Alabama of 1901, as amended, then, with the
24 approval of the Senate Legislative Council, the Secretary of
25 the Senate shall perform the functions of the President Pro
26 tempore with respect to the expenditure of funds appropriated
27 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 5. Sections 29-2-50, 29-2-51, and 29-7-5 of
5 the Code of Alabama 1975 are repealed.

6 Section 6. This act shall become effective
7 immediately following its passage and approval by the
8 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs..... 14-JAN-14

Read for the second time and placed on the calen-
dar 1 amendment..... 21-JAN-14

Read for the third time and passed as amended 22-JAN-14

Yeas 18
Nays 15

Patrick Harris
Secretary