

SB106 ENROLLED



1 SB106
2 VE4ELVP-2
3 By Senator Kitchens
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 15-Feb-24



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1 Enrolled, An Act,

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4 Relating to the Department of Commerce; to amend
5 Section 41-29-1, Code of Alabama 1975; to revise the process
6 for setting the salaries of the secretary and the deputy
7 secretaries; and to make nonsubstantive, technical revisions
8 to update the existing code language to current style.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 41-29-1, Code of Alabama 1975, is
11 amended to read as follows:

12 "§41-29-1

13 (a) (1) There is hereby created the Department of
14 Commerce within the office of the Governor and directly under
15 his or her supervision and control. The Department of Commerce
16 shall be headed by the Secretary of Commerce, who shall be a
17 ~~person possessed with extensive responsible~~ an individual with
18 extensive experience in development of economic, human, and
19 physical resources and promotion of industrial and commercial
20 development. The secretary shall be appointed by the Governor
21 and serve at his or her pleasure at a salary of any reasonable
22 ~~amount not to exceed by forty thousand dollars (\$40,000) the~~
23 ~~highest authorized salary for employees of the Department of~~
24 ~~Commerce who are subject to the Merit System law~~ set in the
25 same manner as other appointed department heads under Section
26 36-6-6. In fixing ~~such~~ the secretary's salary, the Governor
27 shall give due consideration of the salaries of comparable
28 positions in other states and in private industry. All other



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29 employees necessary to carry out the duties and functions of
30 the Department of Commerce shall be employed subject to the
31 state Merit System law. In addition to any other employees,
32 there may be employed a total of eight assistant secretaries
33 for the office, who shall not be subject to the state Merit
34 System law and whose compensation shall be determined by the
35 secretary.

36 (2) The eight additional assistant secretaries shall be
37 ~~persons~~ individuals experienced in industrial and commercial
38 development for at least the two years prior to their
39 employment. Compensation for the eight additional assistant
40 secretaries shall not exceed the amount of compensation paid
41 for the highest classification of state Merit System employees
42 employed by the Department of Commerce.

43 (3) The makeup of the assistant secretaries shall be
44 inclusive and should reflect the racial, gender, geographic,
45 urban, + rural, and economic diversity of the state.

46 (b) On the date determined pursuant to Section 41-29-6,
47 the Department of Commerce shall be comprised of the following
48 divisions: The Business Development Division and the Workforce
49 Development Division. Each division shall be headed by a
50 deputy secretary who shall be appointed by the Secretary of
51 Commerce outside of the classified service and who shall serve
52 at the pleasure of the secretary at a salary ~~of any reasonable~~
53 ~~amount not to exceed by ten thousand dollars (\$10,000) the~~
54 ~~highest authorized salary for employees of the Department of~~
55 ~~Commerce who are subject to the Merit System law~~ set by the
56 secretary and approved by the Governor. The deputy secretary



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57 of each division shall report to the ~~Secretary of~~
58 ~~Commerce~~secretary.

59 (c) (1) The Governor, through the Department of
60 Commerce, shall encourage comprehensive and coordinated
61 planning and programming of the affairs of state government.

62 (2) All economic development functions as defined in
63 subdivision (12) of Section 36-25-1 or otherwise engaged in by
64 any employee, department, agency, or body corporate in the
65 executive branch of the state shall be pre-approved by the
66 Secretary of Commerce or the Governor.

67 (d) The Governor may direct any state department or
68 other agency of state government directly under his or her
69 control and supervision to furnish the Department of Commerce
70 with such personnel, equipment, and services as are necessary
71 to enable ~~it~~ the Department of Commerce to carry out its
72 responsibilities and duties and may prescribe the terms
73 thereof, including reimbursement of costs thereof.

74 (e) (1) The Legislature finds and declares that the
75 Alabama Community College System consists of comprehensive
76 community and technical colleges and the Alabama Technology
77 Network, an effective workforce development initiative. The
78 Alabama Community College System provides a unified system of
79 institutions delivering excellence in academic education,
80 adult education, and workforce development initiatives that
81 are responsive to industry needs for highly specialized
82 training programs that help prepare entry level employees to
83 meet growing demands.

84 (2) Notwithstanding any other provision of this



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85 chapter, the Alabama Community College System shall continue
86 to provide a wide range of career-technical courses and
87 short-term training for job-specific certifications."

88 Section 2. This act shall become effective on June 1,
89 2024.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB106
Senate 27-Feb-24
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 04-Apr-24

By: Senator Kitchens