

**SB106 INTRODUCED**



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



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

Under existing law, the salary of the Secretary of Commerce and the salaries of the deputy secretaries of the Department of Commerce may not exceed a specific dollar amount above the highest paid non-merit position in the department.

This bill would provide that the salary of the Secretary of Commerce would be set by the Governor in the same manner as other department heads are set.

This bill would provide that the salary of the deputy secretaries would be set by the secretary and approved by the Governor.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Department of Commerce; to amend Section 41-29-1, Code of Alabama 1975; to revise the process for setting the salaries of the secretary and the deputy secretaries; and to make nonsubstantive, technical revisions



## SB106 INTRODUCED

29 to update the existing code language to current style.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

33 "§41-29-1

34 (a) (1) There is hereby created the Department of  
35 Commerce within the office of the Governor and directly under  
36 his or her supervision and control. The Department of Commerce  
37 shall be headed by the Secretary of Commerce, who shall be ~~a~~  
38 ~~person possessed with extensive responsible~~ an individual with  
39 extensive experience in development of economic, human, and  
40 physical resources and promotion of industrial and commercial  
41 development. The secretary shall be appointed by the Governor  
42 and serve at his or her pleasure at a salary of any reasonable  
43 amount ~~not to exceed by forty thousand dollars (\$40,000) the~~  
44 ~~highest authorized salary for employees of the Department of~~  
45 ~~Commerce who are subject to the Merit System law~~ set in the  
46 same manner as other appointed department heads under Section  
47 36-6-6. In fixing ~~such~~ the secretary's salary, the Governor  
48 shall give due consideration of the salaries of comparable  
49 positions in other states and in private industry. All other  
50 employees necessary to carry out the duties and functions of  
51 the Department of Commerce shall be employed subject to the  
52 state Merit System law. In addition to any other employees,  
53 there may be employed a total of eight assistant secretaries  
54 for the office, who shall not be subject to the state Merit  
55 System law and whose compensation shall be determined by the  
56 secretary.



## SB106 INTRODUCED

57 (2) The eight additional assistant secretaries shall be  
58 ~~persons~~ individuals experienced in industrial and commercial  
59 development for at least the two years prior to their  
60 employment. Compensation for the eight additional assistant  
61 secretaries shall not exceed the amount of compensation paid  
62 for the highest classification of state Merit System employees  
63 employed by the Department of Commerce.

64 (3) The makeup of the assistant secretaries shall be  
65 inclusive and should reflect the racial, gender, geographic,  
66 urban, ~~+~~ rural, and economic diversity of the state.

67 (b) On the date determined pursuant to Section 41-29-6,  
68 the Department of Commerce shall be comprised of the following  
69 divisions: The Business Development Division and the Workforce  
70 Development Division. Each division shall be headed by a  
71 deputy secretary who shall be appointed by the Secretary of  
72 Commerce outside of the classified service and who shall serve  
73 at the pleasure of the secretary at a salary ~~of any reasonable~~  
74 ~~amount not to exceed by ten thousand dollars (\$10,000) the~~  
75 ~~highest authorized salary for employees of the Department of~~  
76 ~~Commerce who are subject to the Merit System law~~ set by the  
77 secretary and approved by the Governor. The deputy secretary  
78 of each division shall report to the ~~Secretary of~~  
79 ~~Commerce~~ secretary.

80 (c) (1) The Governor, through the Department of  
81 Commerce, shall encourage comprehensive and coordinated  
82 planning and programming of the affairs of state government.

83 (2) All economic development functions as defined in  
84 subdivision (12) of Section 36-25-1 or otherwise engaged in by



## SB106 INTRODUCED

85 any employee, department, agency, or body corporate in the  
86 executive branch of the state shall be pre-approved by the  
87 Secretary of Commerce or the Governor.

88 (d) The Governor may direct any state department or  
89 other agency of state government directly under his or her  
90 control and supervision to furnish the Department of Commerce  
91 with such personnel, equipment, and services as are necessary  
92 to enable ~~it~~ the Department of Commerce to carry out its  
93 responsibilities and duties and may prescribe the terms  
94 thereof, including reimbursement of costs thereof.

95 (e) (1) The Legislature finds and declares that the  
96 Alabama Community College System consists of comprehensive  
97 community and technical colleges and the Alabama Technology  
98 Network, an effective workforce development initiative. The  
99 Alabama Community College System provides a unified system of  
100 institutions delivering excellence in academic education,  
101 adult education, and workforce development initiatives that  
102 are responsive to industry needs for highly specialized  
103 training programs that help prepare entry level employees to  
104 meet growing demands.

105 (2) Notwithstanding any other provision of this  
106 chapter, the Alabama Community College System shall continue  
107 to provide a wide range of career-technical courses and  
108 short-term training for job-specific certifications."

109 Section 2. This act shall become effective on June 1,  
110 2024.