

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

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the House members of the  
9 Legislative Council, the members of the Senate  
10 elected to the Legislative Council, the Joint  
11 Fiscal Committee, the Legislative Building  
12 Authority, and the Permanent Legislative Committee  
13 on Reapportionment have statutorily imposed  
14 functions with regard to supervising certain staff  
15 services and performing specified legislative  
16 functions. This bill would abolish those entities  
17 and transfer their responsibilities to a newly  
18 reconstructed Legislative Council, the Senate  
19 Legislative Council and the House Legislative  
20 Council.

21 The bill, among other things, would provide  
22 for the membership of the respective councils;  
23 assign the Legislative Council the responsibility  
24 of recommending persons working with the  
25 Legislative Reference Service, Legislative Fiscal  
26 Office, the Alabama Law Institute, the Speaker of  
27 the House, and the President Pro tempore of the

1 Senate establishing their salary schedules and  
2 other issues related to compensation, and  
3 additional responsibilities for budgeting,  
4 accounting, and general administrative functions  
5 for all entities in the Legislative Department;  
6 provide for the appointment by the committee of the  
7 Chief of Legislative Operations and the staff of  
8 the committee; and require the committee to  
9 maintain a website listing legislative expenditures  
10 that would include the names and salaries of and  
11 any expenses paid to employees in the Legislative  
12 Department and any contracts into which the  
13 committee enters on behalf of any entity in the  
14 Legislative Department.

15 Existing law also provides for additional  
16 funding for the Legislature when available funds  
17 are less than a specified amount. This bill would  
18 repeal that provision.

19 Under existing law, the Alabama Law  
20 Institute has such members, officers, and  
21 committees as determined by the Board of  
22 Commissioners of the Alabama State Bar. The  
23 institute also has a governing council consisting  
24 of ex officio, appointed, and elected positions.

25 This bill would specify that the institute  
26 is a part of the Legislative Department, would  
27 transfer powers previously granted to the Alabama

1 State Bar to the council, would revise the  
2 membership of the council, would specify the  
3 director would be appointed by the Legislative  
4 Council upon the recommendation of the Alabama Law  
5 Institute Council, and would authorize the director  
6 to employ the staff for the institute.

7 This bill would also provide for the  
8 continuation of the office of the President Pro  
9 tempore of the Senate.

10  
11 A BILL  
12 TO BE ENTITLED  
13 AN ACT  
14

15 Relating to the Legislative Department, to  
16 reconstitute the Legislative Council and create the Senate  
17 Legislative Council and the House Legislative Council, to  
18 provide for the Chief of Legislative Operations, to transfer  
19 to the councils functions from the House Legislative Council,  
20 the entity consisting of the Senate members elected to the  
21 Legislative Council, the Joint Fiscal Committee, the  
22 Legislative Building Authority, and the Permanent Legislative  
23 Committee on Reapportionment and abolish those entities, to  
24 assign additional administrative functions to the committee,  
25 to delete a provision for an automatic appropriation to the  
26 Legislature; to specify the Alabama Law Institute is part of  
27 the Legislative Department, to revise the membership of the

1 governing council of the institute, to grant additional  
2 authority to the council and the president and director of the  
3 institute; to provide for the continuation of the office of  
4 the President Pro Tempore of the Senate; and to amend Sections  
5 29-1-5, 29-1-22, 29-2-52, 29-2-200, 29-2-201, 29-4-20,  
6 29-4-22, 29-4-25, 29-4-30, 29-4-32, 29-4-35, 29-4-40, 29-4-42,  
7 29-5-2, 29-5-3, 29-5-4, 29-5-13, 29-6-1, 29-6-2, 29-6-3,  
8 29-6-4, 29-6-7, 29-7-4, 29-8-1, 29-8-2, 29-8-3, 29-8-4,  
9 29-8-5, 41-19-3, and 41-19-3.1 of, to add Sections 29-6-8 and  
10 29-6-9 to, and to repeal Sections 29-2-50, 29-2-51, and 29-7-5  
11 of, the Code of Alabama 1975.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Sections 29-1-5, 29-1-22, 29-2-52,  
14 29-2-200, 29-2-201, 29-4-20, 29-4-22, 29-4-25, 29-4-30,  
15 29-4-32, 29-4-35, 29-4-40, 29-4-42, 29-5-2, 29-5-3, 29-5-4,  
16 29-5-13, 29-6-1, 29-6-2, 29-6-3, 29-6-4, and 29-6-7 of the  
17 Code of Alabama 1975, are amended to read as follows:

18 "§29-1-5.

19 "(a) No special session of the Legislature shall  
20 continue for longer than 12 legislative days and 30 calendar  
21 days.

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

1                   "§29-1-22.

2                   "(a) ~~For the fiscal year 1984-1985, and every year~~  
3 ~~thereafter, there is hereby appropriated from any funds~~  
4 ~~available in the State Treasury as determined by the budget~~  
5 ~~officer for legislative services the amounts as prescribed~~  
6 ~~herein. There is hereby appropriated a quarterly amount of~~  
7 ~~\$2,000,000.00 for all legislative costs, including personnel,~~  
8 ~~office equipment, data processing and any expenditures~~  
9 ~~incidental thereto. In any quarter, whenever unexpended funds~~  
10 ~~fall below a balance of five percent of the aforementioned~~  
11 ~~quarterly appropriation, an additional sum of \$500,000.00 is~~  
12 ~~hereby appropriated. Any moneys appropriated to the~~  
13 ~~Legislative Department and any agency therein which are~~  
14 ~~unexpended or unencumbered at the end of each fiscal year~~  
15 ~~shall revert to the funds from which the appropriations were~~  
16 ~~made be continuously re-appropriated to the Legislative~~  
17 ~~Department and, except any money re-appropriated to the~~  
18 ~~Speaker of the House or President Pro tempore of the Senate,~~  
19 ~~are subject to re-allocation by the Legislative Council.~~

20                   "(b) The Legislature will annually present its  
21 budget through the ~~Clerk of the House of Representatives and~~  
22 ~~the Secretary of the Senate~~ Chief of Legislative Operations.  
23 ~~Said The~~ presentation shall include statements of previous  
24 expenditures and projected costs on forms as prescribed by the  
25 Finance Director and be made before the ~~interim committee on~~  
26 ~~finances and budgets~~ Legislative Council.

27                   "§29-2-52.

1           "(a) The ~~committee~~ Legislative Council shall make a  
2 continuous study of the reapportionment problems in Alabama  
3 seeking solutions thereto, and shall seek expertise, when  
4 deemed necessary, from among knowledgeable state officials and  
5 employees, academic personnel and others involved in  
6 demographic studies and other census matters.

7           "(b) The ~~committee~~ Legislative Council shall make  
8 such reports of its investigations, findings, and  
9 recommendations to the Legislature at any time, during any  
10 regular or special session of the Legislature, as it may deem  
11 necessary.

12           "(c) The ~~committee~~ Legislative Council shall engage  
13 in such activities as it deems necessary for the preparation  
14 and formulation of a reapportionment plan for the next ensuing  
15 reapportionment and each reapportionment thereafter, and  
16 readjustment or alteration of Senate and House districts and  
17 of congressional districts of the state.

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

25           "(e) The ~~committee is hereby authorized and~~  
26 ~~empowered to~~ Legislative Council may make and sign any  
27 agreements and to do and perform any acts that may be

1 necessary, desirable or proper to carry out the purposes and  
2 objectives of the provisions herein set forth.

3 "(f) The ~~committee~~ Legislative Council may complete  
4 any contract executed and conduct any business undertaken or  
5 commenced by the Legislature pertaining to or connected with  
6 the reapportionment and readjustment or alteration of Senate  
7 and House and congressional districts prior to the enactment  
8 of this article, and the same shall be completed and conducted  
9 in 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~~ Legislative Council may meet  
13 within and without the state, hold public hearings and  
14 otherwise have all of the powers of a legislative committee  
15 under the legislative law.

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

21 "§29-2-200.

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

25 ~~"(b) The authority shall consist of three members of~~  
26 ~~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~~  
25 ~~chair at such initial meeting and adopt appropriate~~  
26 ~~procedures.~~

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

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

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

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

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

23           "§29-2-201.

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

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

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

11           "(4) The consideration for the conveyance shall be  
12 the amounts appropriated in Section 29-2-202. This  
13 consideration is conclusively determined to be valuable,  
14 adequate, and fair.

15           "(b) The right of reverter created in Section  
16 41-10-470, in relation to the land upon which the Alabama  
17 State House is situated is abolished on the date of the  
18 conveyance.

19           "(c) Any statutory lien created under Section  
20 41-10-472, in relation to the land upon which the Alabama  
21 State House is situated is abolished on the date of the  
22 conveyance.

23           "(d) The Legislative Building Authority shall be  
24 vested with absolute title and control of the State House  
25 property.

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

4                   "§29-4-20.

5                   "(a) The subordinate officers of the Senate consist  
6                   of the Secretary of the Senate and an Assistant Secretary of  
7                   the Senate. The Secretary of the Senate shall be a full-time  
8                   employee, elected as provided by law, and compensated as  
9                   provided ~~in this chapter~~ by the Senate Legislative Council.

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

22                  "(c) The Assistant Secretary of the Senate shall  
23                  serve only while the Legislature is in session. The Assistant  
24                  Secretary of the Senate shall be elected by a majority vote of  
25                  the Senate.

26                  "(d) Nothing herein shall prohibit the Assistant  
27                  Secretary of the Senate from being employed as a legislative

1 employee when the Legislature is not in session, but in no  
2 event shall he or she be paid or receive compensation for more  
3 than one employment at any one time.

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

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

20 "§29-4-22.

21 "(a) The Secretary of the Senate shall be elected at  
22 the beginning of and serve for the duration of the  
23 quadrennium, and may be removed for cause by the Senate, and  
24 shall receive an annual salary of such amount as ~~has~~  
25 ~~heretofore or as may hereafter be fixed by law, payable as the~~  
26 ~~salaries of other state officers or employees are paid~~  
27 provided by the Senate Legislative Council.

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

6           "§29-4-25.

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

18           ~~"(b) The Senate Legislative Council may use the~~  
19 ~~Director of Human Resources in employing personnel pursuant to~~  
20 ~~this section.~~

21           ~~"(c) The elected members of the Legislative Council~~  
22 ~~of the Senate of the State of Alabama~~ Senate Legislative  
23 Council may delegate such powers and duties as herein  
24 conferred upon it to the Secretary of the Senate.

25           "§29-4-30.

26           ~~"(a) The subordinate officers of the House of~~  
27 ~~Representatives consist of the Clerk of the House of~~

1 Representatives and an Assistant Clerk of the House of  
2 Representatives. The Clerk of the House of Representatives  
3 shall be a full-time employee, elected as provided by law, and  
4 compensated as provided in this ~~chapter~~ by the House  
5 Legislative Council.

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

19 ~~"(c)~~ (b) The Assistant Clerk of the House of  
20 Representatives shall serve only while the Legislature is in  
21 session. The Assistant Clerk of the House of Representatives  
22 shall be appointed by the Clerk of the House of  
23 Representatives with the approval of the Speaker of the House.

24 ~~"(d)~~ (c) Nothing herein shall prohibit the Assistant  
25 Clerk of the House of Representatives from being employed as a  
26 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) The~~ (d) With the approval of the House  
4 Legislative Council, Clerk of the House of Representatives may  
5 appoint an administrative assistant. The administrative  
6 assistant to the Clerk shall serve at the pleasure of the  
7 Clerk and shall be paid from funds appropriated to the  
8 Legislature an amount fixed by the ~~Clerk~~ House Legislative  
9 Council in accordance with that of comparable positions  
10 established under the State Merit System pay plan.

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

20 "§29-4-32.

21 ~~"(a) The Clerk of the House of Representatives shall~~  
22 ~~receive an annual salary of such amount as has heretofore or~~  
23 ~~as may hereafter be fixed by law, payable as the salaries of~~  
24 ~~other state officers or employees are paid~~ The Clerk of the  
25 House of Representatives shall be elected at the beginning of  
26 and serve for the duration of the quadrennium, and may be  
27 removed for cause by the House, and shall receive an annual



1 salary of such amount as provided by the House Legislative  
2 Council.

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

9 "§29-4-35.

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

23 " (b) The House Legislative Council may use the  
24 Director of Human Resources in employing personnel pursuant to  
25 this section.

26 " (c) ~~The members of the Legislative Council of the~~  
27 ~~House of Representatives~~ House Legislative Council may

1 delegate such powers and duties as herein conferred upon it to  
2 the Clerk of the House of Representatives.

3 "§29-4-40.

4 "(a) ~~Within the authority delegated by the elected~~  
5 ~~members of the Legislative Council from the Senate and the~~  
6 ~~members of the Legislative Council from the House of~~  
7 ~~Representatives to the~~ The Secretary of the Senate and the  
8 Clerk of the House of Representatives, ~~respectively, the~~  
9 ~~Secretary of the Senate and the Clerk of the House of~~  
10 ~~Representatives~~ shall furnish to each joint committee for  
11 which staff assistance is not provided in the act creating the  
12 joint committee, the staff assistance reasonably necessary to  
13 enable the committee to perform its assigned function.

14 "(b) Staff furnished pursuant to this section shall  
15 be compensated as other legislative staff at rates approved by  
16 the ~~elected members of the Legislative Council of the Senate~~  
17 ~~and members of the Legislative Council of the House of~~  
18 ~~Representatives~~.

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

22 "§29-4-42.

23 "Actions under this article requiring the approval  
24 of the ~~elected members of the Legislative Council from the~~  
25 ~~Senate~~ Senate Legislative Council and the ~~members of the~~  
26 ~~Legislative Council from the House of Representatives~~ House  
27 Legislative Council may be taken only if approved by ~~both~~ a

1 majority vote of ~~the elected members of the Legislative~~  
2 ~~Council from the Senate and a majority vote of the members of~~  
3 ~~the Legislative Council from the House of Representatives~~ both  
4 respective councils.

5 "§29-5-2.

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

1                   "§29-5-3.

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

16                   "§29-5-4.

17                   "The director shall appoint, without regard to the  
18 State Merit System Law, ~~such personnel as may be necessary to~~  
19 ~~carry out the duties and functions~~ of the office. ~~The~~  
20 ~~compensation of such personnel shall be fixed by the director~~  
21 ~~in accordance with that of comparable positions established~~  
22 ~~under the State Merit System pay plan.~~ The director may  
23 prescribe the duties and responsibilities of the personnel of  
24 the office and delegate to them authority to perform any of  
25 the duties, powers, and functions imposed on the office or on  
26 the director. For purposes of pay and employment benefits,

1 rights and privileges, all personnel of the office shall be  
2 treated as if they were employees of the state.

3 "§29-5-13.

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

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

10 "(2) REVENUE SOURCES. Any receipt of funds by the  
11 state, including, but not limited to, tax receipts, fee  
12 receipts, transfers, interest income, transfers between state  
13 agencies or funds, or gifts or grants from other  
14 instrumentalities.

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

25 "§29-6-1.

26 "(a) There is hereby created a continuing  
27 legislative committee to be known as the Legislative Council

1 of the State of Alabama. The council consists of the Speaker  
2 of the House, the House Majority Leader, the House Minority  
3 Leader, two members of the House appointed by the Speaker, and  
4 three members of the House, at least one of whom must not be a  
5 member of the majority party, elected by the House, who shall  
6 constitute the House Legislative Council, and the President  
7 Pro Tempore of the Senate, the Senate Majority Leader, the  
8 Senate Minority Leader, two Senators appointed by the  
9 President Pro Tempore, and three members of the Senate, at  
10 least one of whom must not be a member of the majority party,  
11 elected by the Senate, who shall constitute the Senate  
12 Legislative Council. The elected House and Senate members  
13 shall be elected at the 2014 Regular Session of the  
14 Legislature and at the first regular session of each  
15 quadrennium thereafter.

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

21 "(c) Members of the council may serve on the council  
22 as long as they retain the office that qualified for service  
23 or during the term to which appointed or elected and, if  
24 reelected to the same house without a break in service to that  
25 house, during the succeeding legislative term until a  
26 successor is appointed or elected as provided by law. No  
27 member may be elected to more than two consecutive four-year

1 terms. If a vacancy occurs in its membership while the  
2 Legislature is not in session, the House Legislative Council  
3 or the Senate Legislative Council, as appropriate, may make  
4 temporary appointments to fill the vacancy until the vacancy  
5 is filled by an election of the House or Senate, as the case  
6 may be.

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

20 "§29-6-2.

21 ~~"The Legislative Council shall consist of the~~  
22 ~~President and President Pro Tempore of the Senate, six members~~  
23 ~~of the Senate elected by the Senate, the Speaker and Speaker~~  
24 ~~Pro Tempore of the House of Representatives, six members of~~  
25 ~~the House of Representatives elected by the House of~~  
26 ~~Representatives, the chairs of the Senate's standing~~  
27 ~~committees on finance and taxation and on the judiciary and~~

1 ~~the chairs of the standing committees on ways and means and on~~  
2 ~~the judiciary of the House. If the Speaker of the House,~~  
3 ~~Speaker Pro Tempore, or President Pro Tempore is also the~~  
4 ~~chair of one of these standing committees, then the vice-chair~~  
5 ~~of the committee shall serve on the council in the place of~~  
6 ~~the chair.~~

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

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



1 ~~members or the Speaker of the House of Representative as to~~  
2 ~~House members.~~

3 ~~"Additionally, any current House member who has~~  
4 ~~served at least 24 years and is not appointed to any standing~~  
5 ~~committee during the quadrennium shall also be a member of the~~  
6 ~~Legislative Council for that quadrennium, and, in such an~~  
7 ~~event, one additional member of the Senate shall serve on the~~  
8 ~~Legislative Council for that same quadrennium, who shall be~~  
9 ~~appointed by the Senate Committee on Assignments or the~~  
10 ~~successor of this committee.~~

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

23 ~~"(a) The President of the Senate shall be a member~~  
24 ~~of the council but may vote only in the case of a tie. At its~~  
25 ~~first meeting during each quadrennium and at such other times~~  
26 ~~as necessary, the council shall elect a chair and vice chair~~  
27 ~~from among the membership of the council. To the extent~~

1 possible, membership of the council shall be inclusive and  
2 reflect the racial, gender, geographic, urban/rural, and  
3 economic diversity of the state.

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

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

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

25 "(3) The Senate Legislative Council shall convene at  
26 a time and place designated by the President Pro Tempore of  
27 the Senate in written notice given to each member of the

1 committee to select a chair and vice chair of the council. The  
2 council shall meet thereafter at the request of the chair or  
3 as its members shall determine, in both cases upon written  
4 notice to each member of the council. If the chair declines to  
5 call a meeting or is unable to call a meeting, the President  
6 Pro Tempore of the Senate may call a meeting of the council.

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

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

18 "§29-6-3.

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

1 ~~least once each three months. Decisions of the membership in~~  
2 ~~the name of the Legislative Council may be made by a majority~~  
3 ~~of members present and voting at any meeting, provided a~~  
4 ~~quorum is in attendance. A quorum shall consist of a total of~~  
5 ~~any nine members who are representatives of both the House of~~  
6 ~~Representatives and the Senate.~~

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

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

20 "(c) All decisions of the Legislative Council, the  
21 House Legislative Council, or the Senate Legislative Council  
22 shall be reduced to writing and shall be published on the  
23 website of the Legislature.

24 "(d) The Legislative Council, House Legislative  
25 Council, and Senate Legislative Council shall be subject to  
26 the Alabama Open Meetings Act, Chapter 25A (commencing with  
27 Section 36-25A-1), except that a meeting may be called with

1 the same notice requirements as a meeting of a committee of  
2 the House or Senate under the rules of the House or Senate.

3 "§29-6-4.

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

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

1           "(b) The House Legislative Council succeeds to and  
2           is vested with all the powers previously exercised by the  
3           House Members of the Legislative Council.

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

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

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

20                "§29-6-7.

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

1           "(1) (A) Provide a process by which the Director of  
2           Human Resources shall make available to the Director of the  
3           Legislative Reference Service, Director of the Legislative  
4           Fiscal Office, the Speaker of the House, the President Pro  
5           tempore of the Senate, and the Director of the Alabama Law  
6           Institute, respectively, a roster of applicants for  
7           employment, accompanied by the written application for each,  
8           for persons to be hired. In consultation with the Directors of  
9           Legislative Reference Service, Legislative Fiscal Office, and  
10           the Alabama Law Institute and the Speaker of the House and the  
11           President Pro tempore of the Senate, the committee shall  
12           establish the salary schedules and other issues related to  
13           compensation for employees of the Legislative Reference  
14           Service, Legislative Fiscal Office, Alabama Law Institute, the  
15           Speaker of the House, and the President Pro tempore of the  
16           Senate.

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

19           "(C) Recommendations for hiring of the director of  
20           the Alabama Law Institute shall be made by the Institute  
21           Council to the Legislative Council, which shall have final  
22           hiring authority for the director.

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

1 of the Legislative Fiscal Office, Director of the Alabama Law  
2 Institute, Speaker of the House, and President Pro tempore of  
3 the Senate, respectively.

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

9 "(3) Allocate space in the Alabama State House,  
10 including to the Senate and the House of Representatives.  
11 After the joint committee allocates space to the Senate or  
12 House of Representatives, the space shall be assigned to  
13 various uses of the respective house as determined pursuant to  
14 the rules of the house.

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

24 "(5) Maintain the computer operations of the  
25 Legislature, including management and control of the  
26 Legislative Data Center.

27 "(6) Operate the Reapportionment Office.



1           "(7) In concurrence with the Secretary of the Senate  
2           and Clerk of the House, provide security for the Alabama State  
3           House, the Senate, the House of Representatives, and those  
4           portions of the State Capitol under the control of the  
5           Legislature, the House of Representatives, or the Senate;  
6           provided, however, that security for the Senate and House  
7           chambers, their entrances, and galleries shall be under the  
8           absolute supervision and control of the Secretary and Clerk,  
9           respectively.

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

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

24           "(c) The Legislative Council may annually review the  
25           performance of the Director of the Legislative Reference  
26           Service, Director of the Legislative Fiscal Office, Chief

1 Examiner of Public Accounts, and Director of the Alabama Law  
2 Institute.

3 "(d) The Director of the Legislative Reference  
4 Service, Director of the Legislative Fiscal Office, and  
5 Director of the Alabama Law Institute shall annually review  
6 the performance of each employee subject to his or her  
7 supervision and report thereon to the Chief of Legislative  
8 Operations.

9 "(e) The Chief of Legislative Operations shall  
10 review all budget requests for the Legislative Reference  
11 Service, Legislative Fiscal Office, Alabama Law Institute, and  
12 other legislative functions as directed by the Legislative  
13 Council and shall report thereon to the joint committee for  
14 approval.

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

1           "(g) The Director of Human Resources may provide  
2           services to the Senate Legislative Council for employees of  
3           the Senate or the House Legislative Council for employees of  
4           the House of Representatives, or both, at the request of the  
5           respective council."

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

8           §29-6-8.

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

14          §29-6-9.

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

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

23          "§29-7-4.

24          "(a) The Director of the Legislative Reference  
25          Service may hire, ~~either subject to the State Merit System Law~~  
26          ~~or without regard to the provisions thereof,~~ staff members and

1 clerical help ~~necessary to effect the purposes of this chapter~~  
2 of the Legislative Reference Service.

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

7 "§29-8-1.

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

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

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

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

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

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

25 ~~"(4)~~ (2) One circuit court judge, selected by the  
26 Association of Circuit Court Judges.

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

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

5                   ~~"(7) (4) The legal advisor to the Governor of~~  
6 ~~Alabama, or his or her designee.~~

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

12                   ~~"(9) (6) The President ~~and Secretary~~ of the Alabama~~  
13 ~~State Bar.~~

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

15                   ~~"(10) (8) The chairman chair of the junior bar~~  
16 ~~section of the Alabama State Bar.~~

17                   ~~"(11) ~~The Dean of the University of Alabama School~~~~  
18 ~~of Law.~~

19                   ~~"(12) ~~The Dean of the Cumberland School of Law of~~~~  
20 ~~Samford University.~~

21                   ~~"(13) ~~The dean of each privately operated law school~~~~  
22 ~~in the State of Alabama whose graduates are admitted as~~  
23 ~~candidates for examination and admission to the Alabama State~~  
24 ~~Bar.~~

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

26                   ~~"(15) ~~The President and Secretary of the Alabama Law~~~~  
27 ~~Institute.~~

1           "~~(16)~~ (9) The attorney members of the Legislative  
2 Council of Alabama, together with the Secretary of the  
3 Legislative Council.

4           "~~(17)~~ (10) Not less than three nor more than six  
5 attorney members appointed by the Governor of Alabama ~~for~~  
6 ~~terms to run concurrently with the term of the Governor.~~

7           "(11) The Code Commissioner.

8           "(12) The Speaker of the House, or his or her  
9 designee.

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

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

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

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

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

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

18           "§29-8-2.

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

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

1                   "§29-8-3.

2                   ~~"The Board of Commissioners of the Alabama State Bar~~  
3                   council shall adopt a plan or plans of membership in the  
4                   Alabama Law Institute so designed as to encourage and invite  
5                   the cooperation of all members of the legal profession in the  
6                   work of the institute.

7                   "§29-8-4.

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

14                  "(1) Consider needed improvements in both  
15                  substantive and adjective law and to make recommendations  
16                  concerning the same to the ~~Legislature~~ chairs and members of  
17                  the House Judiciary Committee and the Senate Judiciary  
18                  Committee.

19                  "(2) Examine and study the law of Alabama and  
20                  Alabama jurisprudence and statutes with a view of discovering  
21                  defects and inequities and of recommending needed reforms.

22                  "(3) Receive and consider suggestions from ~~judges,~~  
23                  ~~justices, public officials, lawyers,~~ members of the Alabama  
24                  Legislature and the public generally as to defects and  
25                  anachronisms in the law.

26                  "(4) Recommend ~~from time to time~~ such changes in the  
27                  law as it deems necessary to modify or eliminate antiquated



1 and inequitable rules of law, and to bring the law of the  
2 state, both civil and criminal, into harmony with ~~modern~~ legal  
3 conditions and opinions.

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

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

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

18 "~~Devise and carry out, through the facilities of~~  
19 ~~the Legislative Reference Service and the director and~~  
20 ~~employees thereof,~~ In cooperation with the Code Commissioner,  
21 develop and implement a plan for continuous code ~~revisions~~  
22 revision.

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

25 "§29-8-5.

26 "The Alabama Law Institute, in submitting reports to  
27 the Legislature through the president, shall act solely in an

1 advisory capacity. ~~Its reports, studies and recommended~~  
2 ~~publications shall be printed and shall be distributed by the~~  
3 ~~Secretary of State in the same manner as acts of the~~  
4 ~~Legislature.~~

5 "§41-19-3.

6 "It is the purpose of this chapter to establish a  
7 comprehensive system for budgeting and financial management  
8 which furthers the capacity of the Governor and the  
9 Legislature to plan and finance the services which they  
10 determine the state will provide for citizens. The system  
11 shall include procedures for all of the following:

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

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

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

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

25 "(5) The regular appraisal and reporting of program  
26 performance.

1            "To this end, each Governor shall develop a  
2            four-year strategic plan for presentation to the Legislature  
3            prior to the first day of the second regular legislative  
4            session in each term of office. The plan shall include  
5            program, long-range revenue and expenditure plans for the  
6            quadrennium, improvements in the state infrastructure  
7            requiring capital outlay, and recommended steps to reduce the  
8            cost of operation of state government. ~~In addition, the plan~~  
9            ~~shall include a pilot phase of implementation for~~  
10           ~~performance-based budgeting with one or more state agencies.~~  
11           ~~The Joint Fiscal Committee and the Governor shall jointly~~  
12           ~~select state agencies to participate in said pilot phase for~~  
13           ~~the 1996-97 fiscal year.~~

14            "§41-19-3.1.

15            ~~"The Joint Fiscal Committee~~ Legislative Council  
16            shall serve in an advisory capacity to the Governor in the  
17            development of the long-range program, revenue and expenditure  
18            plans. ~~The Joint Fiscal Committee~~ Legislative Council shall be  
19            aided by the Legislative Fiscal Office. ~~Members of the Joint~~  
20            ~~Fiscal Committee shall be compensated as provided for in~~  
21            ~~Section 29-5-2."~~

22            Section 4. (a) If the senator who is serving as the  
23            President Pro tempore of the Senate on the date of the general  
24            election at which members of the Senate are elected to  
25            four-year terms is reelected to the Senate, the senator shall  
26            continue to serve as President Pro tempore of the Senate until  
27            a successor President Pro tempore is selected pursuant to

1       Section 48.01 of the Official Recompile of the  
2       Constitution of Alabama of 1901, as amended.

3               (b) If the senator serving as the President Pro  
4       tempore of the Senate ceases service as a Senator for any  
5       reason prior to election of a President Pro tempore pursuant  
6       to Section 48.01 of the Official Recompile of the  
7       Constitution of Alabama of 1901, as amended, then, with the  
8       approval of the Senate Legislative Council, the Secretary of  
9       the Senate shall perform the functions of the President Pro  
10      tempore with respect to the expenditure of funds appropriated  
11      to the office of the President Pro tempore until a successor  
12      President Pro tempore is elected pursuant to Section 48.01 of  
13      the Official Recompile of the Constitution of Alabama of  
14      1901, as amended.

15              Section 5. Sections 29-2-50, 29-2-51, and 29-7-5 of  
16      the Code of Alabama 1975 are repealed.

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