

1 SB328
2 157487-3
3 By Senators Coleman, Sanders, and Singleton
4 RFD: Business and Labor
5 First Read: 11-FEB-14

1 SB328

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4 ENROLLED, An Act,

5 To amend Section 25-2-12, Code of Alabama 1975,
6 relating to the Board of Appeals of the Department of Labor;
7 to increase the maximum daily compensation of members of the
8 board from \$100 to \$150 per day; and to increase the maximum
9 annual compensation of members of the board from \$24,000 to
10 \$36,000 per year.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 25-2-12 of the Code of Alabama
13 1975, is amended to read as follows:

14 "§25-2-12.

15 "There shall be a board of appeals for the
16 Department of ~~Industrial Relations~~ Labor. The board of appeals
17 shall exercise its own judgment and discretion in all matters
18 entrusted to it, and, to that extent, shall be entirely
19 separate and distinct from and independent of the Department
20 of ~~Industrial Relations~~ Labor, but it shall have offices with
21 the Department of ~~Industrial Relations~~ Labor, and an employee
22 of the Department of ~~Industrial Relations~~ Labor shall act as
23 its clerk. All proper expenses of the board of appeals shall
24 be paid from the appropriations to the Department of
25 ~~Industrial Relations~~ Labor in the same manner as expenses of

1 the department are paid. There shall be three members of the
2 board of appeals, all of whom shall be appointed by the
3 Governor, subject to confirmation by the Senate, for a term of
4 office of six years or until their successors are appointed;
5 except, that the first appointments of members of the board of
6 appeals shall be for terms of two, four and six years
7 respectively. One member of the board shall be a person who,
8 on account of his or her previous employment or affiliations,
9 shall be generally classified as a representative of
10 employers. One member of the board shall be a person who, on
11 account of his or her previous employment or affiliations,
12 shall be generally classified as a representative of
13 employees. One member of the board shall represent the
14 interest of the public, shall not be generally classified as a
15 representative of employers or of employees and shall be the
16 chair of the board of appeals. Before entering upon the
17 discharge of his or her duties, each member of the board of
18 appeals shall take the constitutional oath of office. No
19 member of the board of appeals shall be employed by the
20 federal government or the state. Members of the board of
21 appeals shall receive no salary but shall be paid for each day
22 or part thereof necessarily spent in the discharge of their
23 official duties, including travel time, an amount to be agreed
24 upon by the Director of ~~Industrial Relations~~ the Department of
25 Labor and the Governor, the same not to exceed ~~one hundred~~

1 ~~dollars (\$100)~~ one hundred fifty dollars (\$150) per day. The
2 sum total to be paid to each member of the board in any
3 calendar year shall not exceed ~~twenty-four thousand dollars~~
4 ~~(\$24,000)~~ thirty-six thousand dollars (\$36,000) plus travel
5 allowance and expense allowance as provided in Article 2 of
6 Chapter 7 of Title 36. The board of appeals may meet as
7 necessary when it has been determined by the Director of
8 ~~Industrial Relations~~ the Department of Labor that the number
9 of appeals pending before the board of appeals shall require
10 that the board meet and hold hearings or review cases. Members
11 of the board of appeals shall be subject to impeachment as are
12 other state officers. Vacancies for any reason shall be filled
13 by appointment by the Governor for the unexpired term, and any
14 appointments made while the Senate is not in regular session
15 shall be effective ad interim. No member of the board of
16 appeals shall hear or determine an appeal in any case in which
17 he or she is a directly interested party. The board of appeals
18 shall not hear or determine any appeal unless each of the
19 three members thereof or their alternates are present. The
20 Governor shall immediately, whenever it is shown to his or her
21 satisfaction that a member of the board of appeals is
22 disqualified for any reason or cannot attend a session of the
23 board of appeals, appoint an alternate or alternates for the
24 member or members so disqualified or absent."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB328

Senate 04-MAR-14

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 01-APR-14

By: Senator Coleman