

1 SB394  
2 176622-1  
3 By Senators Albritton, Orr, Brewbaker, Melson,  
4 Coleman-Madison, Livingston, Shelnut, Stutts, Ward and Marsh  
5 RFD: Finance and Taxation General Fund  
6 First Read: 07-APR-16

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8 SYNOPSIS: Under existing law, salaries of department  
9 heads and assistant department heads of the  
10 Governor's cabinet and exempt employees and  
11 executive assistants in the Governor's office are  
12 fixed by the Governor in accordance with  
13 recommendations by the State Personnel Board of  
14 appropriate pay ranges within the state pay plan.

15 This bill would require the State Personnel  
16 Board to establish an appropriate pay range for  
17 each department head and assistant department head  
18 of the Governor's cabinet and exempt employees and  
19 executive assistants in the Governor's office and  
20 would cap the salary for each new department head  
21 and assistant department head and exempt employees  
22 at 10 percent greater than the lowest salary of the  
23 pay range established by the State Personnel Board.

24 This bill would limit increases in salary of  
25 department heads and others appointed by the  
26 Governor.

1                   This bill would repeal Section 36-6-6, Code  
2                   of Alabama 1975.

3                   This bill would also provide that the  
4                   salaries of all existing department heads of the  
5                   Governor's cabinet be capped at the level  
6                   established for new department heads under this  
7                   act.

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9                   A BILL  
10                  TO BE ENTITLED  
11                  AN ACT

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13                  Relating to the Governor's cabinet members; to  
14                  repeal Section 36-6-6, Code of Alabama 1975; to require the  
15                  State Personnel Board to establish a salary range for each  
16                  department head and assistant department head of the  
17                  Governor's cabinet and exempt employees and executive  
18                  assistants in the Governor's office; to cap the salary for  
19                  each new person in one of these positions at 10 percent  
20                  greater than the lowest salary of the pay range established by  
21                  the State Personnel Board; to limit increases in salary of  
22                  department heads and others appointed by the Governor; and to  
23                  provide that the salaries of all existing department heads of  
24                  the Governor's cabinet be capped at the level established for  
25                  new department heads under this act.

26                  BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. (a) The State Personnel Board shall  
2           establish an appropriate pay range within the state pay plan  
3           for all of the following:

4                   (1) Each appointed department head and individual  
5           who is considered a member of the Governor's cabinet.

6                   (2) Each appointed assistant department head and  
7           individual who is considered a Governor's assistant cabinet  
8           member.

9                   (3) Other officers and employees appointed in the  
10          exempt service and the executive assistants in the Governor's  
11          office.

12                   (b) The salary for each new appointee may not exceed  
13          10 percent greater than the lowest salary in the pay range for  
14          that position, as established pursuant to subsection (a).

15                   (c) If some authority other than the Governor  
16          appoints an officer or employee, the salary shall be fixed by  
17          the appointing authority with the approval of the Governor and  
18          the State Personnel Board.

19                   (d) The State Personnel Board or appointing  
20          authority other than the Governor, as applicable, shall give  
21          due consideration to the salaries of comparable positions in  
22          other states and in private industry in Alabama.

23                   (e) The salary of an appointee may not increase more  
24          than 10 percent annually; provided, however, the salary may  
25          not increase more than 25 percent, cumulatively, over a  
26          four-year period.

1                   Section 2. Section 36-6-6, Code of Alabama 1975, is  
2 repealed.

3                   Section 3. The legislative intent of Act 2015-309 of  
4 the 2015 Regular Session was to clarify existing practice, not  
5 to bring about excessive pay increases for members of the  
6 Governor's cabinet. On and after the effective date of this  
7 act, the salaries of all existing department heads and  
8 individuals who are considered members of the Governor's  
9 cabinet shall be set at the level for new appointees as  
10 provided in subsection (b) of Section 1.

11                   Section 4. This act shall become effective  
12 immediately following its passage and approval by the  
13 Governor, or its otherwise becoming law.