

1 SB565  
2 138010-1  
3 By Senator Waggoner (N & P)  
4 RFD: Local Legislation No. 2  
5 First Read: 26-APR-12

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Jefferson County; to amend Section 11 of  
14 Act 248 of the 1945 Regular Session (Acts 1945, p. 376) and  
15 Section 1 of Act 805 of the 1989 Regular Session (Acts 1989,  
16 p. 1605), relating to the personnel system for municipalities  
17 and the county; to further provide for the salary and benefits  
18 of the director of personnel; and to authorize the creation of  
19 exempt positions for any municipality or appointing authority.  
20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. This act shall apply only in Jefferson  
22 County.

23 Section 2. Section 11 of Act 248 of the 1945 Regular  
24 Session (Acts 1945, p. 376) is amended to read as follows:

25 "Section 11. Director of Personnel. There shall be a  
26 director of personnel for each county affected by this Act.  
27 The board shall appoint the director who shall hold office at

1 the will of the board. The director shall be a bona fide  
2 resident of such county and a voter thereof ~~and his.~~ The  
3 salary of the director shall be ~~an amount as~~ fixed by the  
4 ~~personnel board from time to time which shall not be greater~~  
5 ~~than fifty-four hundred dollars per annum.~~ The director shall  
6 be eligible to participate in all benefit programs on the same  
7 basis as other employees of the personnel board. The director  
8 of personnel shall act as secretary at board meetings, and  
9 shall be the board's executive officer, but shall not have a  
10 vote in determining the board's policy. ~~He~~ The director shall  
11 perform such duties as are assigned ~~to him~~ by the board. The  
12 director shall appoint one employee of the department to be  
13 ~~his~~ the deputy director. In case of the absence of the  
14 director or his or her inability from any cause to discharge  
15 the powers and duties of ~~his~~ the office, ~~such~~ the powers and  
16 duties shall devolve upon ~~his~~ the deputy director."

17 Section 3. Section 1 of Act 805 of the 1989 Regular  
18 Session (Acts 1989, p. 1605) is amended to read as follows:

19 "Exempt Executive ~~Exempt~~ Service. The classification  
20 of exempt executive service for ~~Class I municipalities~~ each  
21 municipality or appointing authority served by the merit  
22 system created by Act 248, as amended, is hereby created. The  
23 board shall have authority to designate or create positions in  
24 the exempt executive service upon recommendation or request of  
25 ~~the~~ any municipality or appointing authority ~~of any Class I~~  
26 ~~municipality~~. Such positions shall be created or designated  
27 for primary policy determining positions such as department

1 heads and their chief deputies. Persons employed in the exempt  
2 executive service shall serve at the pleasure of the  
3 appointing authority, at a rate of compensation and benefits  
4 set by the appointing authority. Such persons shall have no  
5 right of appeal to the board and no property interest in any  
6 exempt job. In the event that an employee of the classified  
7 service is appointed to the exempt executive service, such  
8 employee shall have the option to return to the classified  
9 service at any expiration or termination of the exempt  
10 appointment, at the same job classification from which such  
11 employee was appointed. Exempt executive service employees  
12 shall be members of any pension system available for employees  
13 in the department they serve unless the exempt person elects  
14 in writing to forfeit such participation. No person currently  
15 in the classified service shall be designated as in the exempt  
16 executive service unless such person voluntarily elects exempt  
17 status with the approval of the board and the appointing  
18 authority."

19 Section 4. This act shall become effective  
20 immediately following its passage and approval by the  
21 Governor, or its otherwise becoming law.