

1 HB329  
2 181308-1  
3 By Representative Harper (N & P)  
4 RFD: Tuscaloosa County Legislation  
5 First Read: 28-FEB-17

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to the City of Northport in Tuscaloosa  
14 County; to amend Sections 2 and 4 of Act 1225, 1969 Regular  
15 Session (Acts 1969, p. 2297), as last amended by Act 2009-359  
16 and Act 2015-23, establishing a civil service system for the  
17 city; to include the positions of City Administrator/Clerk and  
18 City Manager/Clerk in exempt service; and to provide that  
19 members of the personnel board must be residents of the  
20 county.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Sections 2 and 4 of Act 1225, 1969  
23 Regular Session (Acts 1969, p. 2297), as last amended by Act  
24 2009-359 and Act 2015-23, is amended to read as follows:

25 "Section 2. Division Into Exempt and Classified  
26 Services. All offices and positions of the city shall be  
27 divided into the exempt service and the classified service.

1 The exempt service shall include: the positions of all elected  
2 officials to the city; the City Administrator/Clerk or the  
3 City Manager/Clerk; the positions of voluntary personnel and  
4 personnel appointed to serve without pay; the positions of  
5 consultants rendering temporary professional service; all  
6 positions involving seasonal or part-time employment;  
7 provided, however, such positions in the exempt service held  
8 by employees of boards and commissions may be placed in the  
9 classified service by resolution of the governing body, after  
10 favorable recommendation by such other board or commission,  
11 and the governing body in such resolution shall prescribe the  
12 conditions under which the employees holding such positions so  
13 transferred may acquire permanent status in such positions so  
14 long as such positions remain in the classified service. The  
15 classified service shall include all positions in the city  
16 service that are paid out of the general fund of the city and  
17 out of funds of boards and commissions whose employees are  
18 placed in the classified service, and which are not  
19 specifically placed in the exempt service; provided, however,  
20 the governing body may by resolution, pursuant to a  
21 recommendation by the boards, remove any position from the  
22 classified service and place it in the exempt service. Unless  
23 otherwise specifically provided or clearly implied, the  
24 provisions of this act shall apply only to the classified  
25 service.

26 "Section 4. Organization of Board. The personnel  
27 program established by this act shall be administered by the

1 board. The board shall consist of three members with an  
2 additional two members to be appointed upon the effective date  
3 of this amendatory act who are residents of ~~the city~~  
4 Tuscaloosa County and who shall be appointed by the governing  
5 body. No member of the board shall be employed by or be an  
6 official of the city, nor hold any elective public office. The  
7 composition of the board shall be designated as Place No. 1,  
8 Place No. 2, and Place No. 3. The person appointed as a member  
9 of the board in Place No. 1 shall serve an initial term of two  
10 years; the person so appointed for Place No. 2 and shall serve  
11 an initial term of four years; the person appointed for Place  
12 No. 3 shall serve an initial term of six years. Upon the  
13 effective date of this amendatory act, two board members shall  
14 be added as Place No. 4 and Place No. 5. Place No. 4 shall  
15 serve an initial term of two years and Place No. 5 shall serve  
16 an initial term of four years. The term of office for all  
17 members after the initial term provided for that place shall  
18 be six years. Vacancies occurring during the term shall be  
19 filled for the balance of the term by the governing body.  
20 Members of the board may, within the sole discretion of the  
21 City Council of the City of Northport, be compensated for  
22 their services, in such amounts and for such periods as the  
23 City Council of the City of Northport shall choose; however,  
24 funds shall be provided from the general fund of the city for  
25 their reasonable and necessary expenses. The board shall elect  
26 from its own members a chair, a vice chair, and a  
27 secretary-treasurer. The board shall meet as often as

1 necessary to carry out the purposes of this act; however, the  
2 governing body shall have the right to control the  
3 appropriations to the board and to regulate the expenses of  
4 the board as it deems necessary. A majority of the members of  
5 the board shall be necessary to constitute a quorum for the  
6 transaction of business and no action shall be taken without  
7 the affirmative vote of a majority of the quorum present at a  
8 meeting. The board, with the approval of the governing body,  
9 shall have the right to engage such full-time or part-time  
10 personnel as shall be necessary to carry out the provisions of  
11 this act."

12 Section 2. This act shall become effective  
13 immediately following its passage and approval by the  
14 Governor, or its otherwise becoming law.