

1 SB213
2 148356-1
3 By Senators Keahey and Irons
4 RFD: Finance and Taxation General Fund
5 First Read: 14-FEB-13

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8 SYNOPSIS: Under existing law, at periodic intervals,
9 cost-of-living increases are provided for certain
10 state employees and public education employees.

11 This bill would provide for the fiscal year
12 commencing October 1, 2013, and each fiscal year
13 thereafter, the salary for certain state employees
14 and public education employees shall be increased
15 in an amount equal to the percentage amount
16 reflecting the cost-of-living adjustment indicated
17 by the Consumer Price Index for the preceding index
18 year.

19 Amendment 621 of the Constitution of Alabama
20 of 1901 prohibits a general law whose purpose or
21 effect would be to require a new or increased
22 expenditure of local funds from becoming effective
23 with regard to a local governmental entity without
24 enactment by a 2/3 vote unless: it comes within one
25 of a number of specified exceptions; it is approved
26 by the affected entity; or the Legislature

1 appropriates funds, or provides a local source of
2 revenue, to the entity for the purpose.

3 The purpose or effect of this bill would be
4 to require a new or increased expenditure of local
5 funds within the meaning of Amendment 621. However,
6 the bill does not require approval of a local
7 governmental entity or enactment by a 2/3 vote to
8 become effective because it comes within one of the
9 specified exceptions contained in Amendment 621.

10
11 A BILL
12 TO BE ENTITLED
13 AN ACT

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15 To provide for the fiscal year commencing October 1,
16 2013, and each fiscal year thereafter, the salary for certain
17 state employees and public education employees shall be
18 increased in an amount equal to the percentage amount
19 reflecting the cost-of-living adjustment indicated by the
20 Consumer Price Index for the preceding index year; and in
21 connection therewith would have its purpose or effect the
22 requirement of a new or increased expenditure of local funds
23 within the meaning of Amendment 621 of the Constitution of
24 Alabama of 1901.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. (a) The salary for all state employees
27 who are listed in the classified and unclassified service of

1 the state as defined in Section 36-26-10, Code of Alabama
2 1975, and all other state employees and hourly employees of
3 the state, and all legislative personnel, officers, and
4 employees, whether subject to the state Merit System or not,
5 and all employees of the county health departments who are
6 employed subject to the state Merit System and whose
7 compensation is paid out of a budget provided and agreed upon
8 by the state, county, or other contributing agency under the
9 direction of the State Board of Health, except those set out
10 in subsection (b), and public education employees commencing
11 October 1, 2013, and each fiscal year thereafter shall be
12 increased in an amount equal to the percentage amount
13 reflecting the cost-of-living adjustment indicated by the
14 Consumer Price Index for the preceding index year.

15 (b) Any salary increase granted under this section
16 shall not apply to elected officials, including, but not
17 limited to, legislators, judges, and executive branch
18 officers. The salary increase granted under this section shall
19 not apply to, or increase the compensation of, any local
20 employee whose salary is tied to that of any state employee.

21 (c) The salary increase granted under this section
22 shall not apply to any Merit System employee or hourly
23 employee whose service or rate of pay is covered by any labor
24 agreement or contract.

25 (d) The Director of the State Personnel Department
26 shall revise the schedule of rates set forth in the pay plan
27 for state employees and shall certify the same to the state

1 Comptroller, who shall issue warrants in accordance therewith.
2 With respect to all court officials and employees within the
3 Unified Judicial System who serve the trial and appellate
4 courts of the state and the Administrative Office of Courts,
5 the Administrative Director of Courts shall revise the
6 schedule of rates set forth in the pay plan for these court
7 officials and employees to reflect the increase provided in
8 this act, and shall certify the same to the state Comptroller,
9 who shall issue warrants in accordance therewith. With respect
10 to the legislative employees, the Secretary of the Senate for
11 employees of the Senate, the Clerk of the House of
12 Representatives for employees of the House of Representatives,
13 the Director of the Legislative Reference Service for
14 employees of the Legislative Reference Service, and the
15 Director of the Legislative Fiscal Office for employees of the
16 Legislative Fiscal Office, shall revise the schedule of rates
17 set forth in the pay plan for these legislative employees to
18 reflect the increase provided in this act, and shall certify
19 the same to the state Comptroller, who shall issue warrants in
20 accordance therewith.

21 (e) The provisions and requirements of this act
22 shall be in addition to the provisions of Section 16-13-231.1,
23 Code of Alabama 1975, relating to the State Minimum Salary
24 Schedule for certain education employees.

25 (f) The salary increase provided by this section
26 shall be in addition to any step increase to which the
27 employee is otherwise entitled.

1 Section 2. Although this bill would have as its
2 purpose or effect the requirement of a new or increased
3 expenditure of local funds, the bill is excluded from further
4 requirements and application under Amendment 621 because the
5 bill requires expenditures only by a school board.

6 Section 3. This act shall become effective
7 immediately upon passage and approval by the Governor, or its
8 otherwise becoming law.