

1 SB421
2 137969-4
3 By Senator Waggoner
4 RFD: Children, Youth Affairs, and Human Resources
5 First Read: 11-APR-13

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8 SYNOPSIS: Under existing law, a county board of human
9 resources is established in each county. The county
10 board of a county appoints the county director of
11 the county department of human resources. The
12 county director serves at the pleasure of the
13 county board.

14 This bill would provide that the county
15 director of the several county departments of human
16 resources would be appointed by the Commissioner of
17 the State Department of Human Resources pursuant to
18 the State Merit System law and would delete the
19 provisions for expenses for board members of county
20 departments.

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22 A BILL
23 TO BE ENTITLED
24 AN ACT

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26 To amend Section 38-2-7 of the Code of Alabama 1975,
27 relating to the county boards of human resources; to delete

1 the provisions for the county board of human resources in a
2 county to appoint the county director of the county
3 departments of human resources and the provision for expenses
4 for board members; and to add Section 38-2-7.1 to the Code of
5 Alabama 1975, to provide that the director of each county
6 department of human resources would be appointed by the
7 Commissioner of the State Department of Human Resources
8 pursuant to the State Merit System law.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 38-2-7 of the Code of Alabama
11 1975, is amended to read as follows:

12 "§38-2-7.

13 "There is hereby created in each county a county
14 board of human resources, which shall consist of seven
15 members, not less than two of whom shall be women, selected by
16 the county commission from the citizenship of the county on
17 the basis of their recognized interest in the public welfare;
18 provided that in counties in which there are cities having a
19 population of 60,000 or more, according to the last federal
20 census, the city commission or other governing body of the
21 city shall have equal authority with the county commission in
22 selecting the membership of the county board of human
23 resources. No person holding an elective public office, no
24 person who is a candidate for election to a public office, no
25 person who is an employee of the county department of human
26 resources, and no person who is related by consanguinity or
27 affinity within the fourth degree or nearer under the civil

1 law to any such officer or employee shall be a member of such
2 county board of human resources. The members of said board
3 shall be appointed for a term of six years, and vacancies
4 shall be filled for the unexpired term in the same manner as
5 above provided. The county board shall elect from its members
6 a ~~chairman~~ chair and a secretary to serve at its pleasure. The
7 county board shall hold meetings under rules to be established
8 by it in conformity with the regulations of the state board,
9 and such additional meetings as may be called by the ~~chairman~~
10 chair. The presence of four members at any regular or special
11 meeting shall constitute a quorum for the transaction of all
12 business. Members of the county board shall serve without
13 compensation for their services as members, ~~but shall be~~
14 ~~reimbursed for the amount of their traveling and other~~
15 ~~expenses actually paid out while in attendance at the meetings~~
16 ~~of the county board or on business of the department.~~

17 ~~"The county board, subject to the provisions of the~~
18 ~~merit system, shall appoint a county director, who shall be~~
19 ~~the executive officer of the county department, and the~~
20 ~~appointment shall be made without regard to political~~
21 ~~affiliation. The tenure of the county director shall be at the~~
22 ~~pleasure of the county board. Upon request of the local board,~~
23 ~~the state personnel department shall establish a county~~
24 ~~register of eligibles who are residents of the county in which~~
25 ~~the vacancy exists. If no appointment is made from the local~~
26 ~~register or there is no local register, then appointment shall~~
27 ~~be made from the statewide register.~~

1 ~~"It shall be the further duty of the~~ The county
2 board ~~to~~ may meet from time to time with the county director
3 ~~and to point up unmet~~ discuss needs in the county, to advise
4 concerning economic conditions in the county which might
5 affect the welfare program, to assist in informing the
6 citizens of the public welfare program, to cooperate with
7 other agencies, individuals and organizations in the community
8 in the development of facilities designed for human
9 betterment, and to advise concerning changes which would make
10 for a more effective and efficient public welfare program."

11 Section 2. Section 38-2-7.1 is added to the Code of
12 Alabama 1975, to read as follows:

13 §38-2-7.1.

14 (a) The Commissioner of the State Department of
15 Human Resources shall appoint each director of each county
16 department of human resources pursuant to the State Merit
17 System law. The commissioner may request the State Personnel
18 Department to establish a county register of eligibles who are
19 residents of the county in which a vacancy exists or the
20 commissioner may request a statewide register to fill a
21 vacancy.

22 (b) Any director of a county department of human
23 resources on the effective date of this section shall serve in
24 an acting capacity until a county director for the county
25 department is appointed pursuant to subsection (a).

26 Section 3. This act shall become effective October
27 1, 2013.

