

1 HB178
2 147134-2
3 By Representatives Butler, Nordgren and McCutcheon
4 RFD: State Government
5 First Read: 05-MAR-15

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8 SYNOPSIS: Under existing law, the Director of
9 Transportation, subject to the provisions of the
10 state Merit System law, may appoint assistant
11 counsel as may be necessary to transact the legal
12 business of the State Department of Transportation.

13 This bill would allow the director to
14 appoint, subject to the provisions of the state
15 Merit System law, assistant counsel as may be
16 necessary to transact the legal business of the
17 department.

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19 A BILL
20 TO BE ENTITLED
21 AN ACT

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23 To amend Section 23-1-26, Code of Alabama 1975, to
24 allow the Director of Transportation to appoint additional
25 assistant counsel as may be necessary to transact the business
26 of the department.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 23-1-26, Code of Alabama 1975, is
2 amended to read as follows:

3 "§23-1-26.

4 "The Director of Transportation, with the approval
5 of the Attorney General, ~~shall be authorized,~~ and subject to
6 ~~the provisions of~~ the state Merit System law, ~~to~~ may appoint
7 ~~not more than five~~ assistant counsel as may be necessary to
8 transact the legal business of the ~~State~~ Department of
9 Transportation. The chief counsel and the assistant counsel
10 shall each be commissioned as assistant attorneys general ~~and~~
11 ~~take the oath required of other assistants of the Attorney~~
12 ~~General.~~ The chief counsel and the assistant counsel and their
13 stenographic and clerical assistants shall constitute the
14 legal division of the ~~State~~ Department of Transportation. The
15 director shall consider the racial, gender, geographic,
16 urban/rural, and economic diversity of the state when
17 appointing assistant counsel."

18 Section 2. This act shall become effective
19 immediately following its passage and approval by the
20 Governor, or its otherwise becoming law.