



ROBERT L. MCCURLEY, JR.

For more information about the Institute, contact Bob McCurley at (205) 348-7411 or visit www.ali.state.al.us.

The 2010 Legislature Begins

On Tuesday, January 12, 2010, the Alabama legislative term began and continues for 105 calendar days with its last day no later than Monday, April 26, 2010.

This is a big election year for Alabama. The governor, Lt. governor, supreme court justices, all members of the house and senate, sheriffs, district attorneys, and all other constitutional offices will be elected. The last day for qualifying will be April 2, 2009, with the primary election day being Tuesday, June 1, 2009. The primary run-off will be July 13.

The public often thinks that legislators are predominately lawyers, while, in fact, fulltime legislators have now become the largest occupational group (at 16.4 percent of the group) in the state legislature. Previously, attorneys were the largest occupational group but the number of lawyers in state legislatures has decreased substantially nationwide over the last three decades, from about 25 percent in the 1970s to only 15 percent today. This is up from 2.7 percent in the '70s; however, fulltime legislators are still relatively low in Alabama at 5 percent. The third largest group of legislators is retired persons, making up about 12 percent, both nationally and in Alabama.

In Alabama, the biggest block of people is those who are business owners or business employees, making up 26.5 percent of the legislature. Educators, either in college or K-12, comprise 14.3 percent. Other facts about legislators are as follows, showing the first number being Alabama and the parentheses being the national statistic. Ethnically, 77 percent (88 percent) of legislators are Caucasian, with 23 percent (10 percent) African-American. Gender ratio is men 88 percent (78 percent) and female 12 percent (88 percent). With respect to age, the distribution of those 65-plus years old is 36 percent (23 percent), 50 to 64 years 40 percent (49 percent), 35 to 49 years 22 percent (25 percent), and under 34 years 2 percent (3 percent), with the overall average age of a state legislator in the United States being 56 years old.

LEGISLATIVE WRAP-UP

Continued from page 85

For the past two decades, the number of Alabama African-American legislators has remained constant with 23 percent of the senate seats and 26 percent of the house seats being filled with African-Americans. No other state has a greater percentage of minority representation in the senate as Alabama (only Mississippi exceeds Alabama with minority legislators in their house of representatives). This is especially significant nationwide where only 8 percent of state senators and 9 percent of state house members are African-Americans.

There is a higher percentage of lawyers in the southeast who are members of the legislature than nationally: Alabama, 17.1 percent; Florida, 24.1 percent; Georgia, 17.8 percent; Louisiana, 26.4 percent; Kentucky, 21.3 percent; North Carolina, 19.4 percent; South Carolina 23.8 percent; and Virginia, 30 percent.

In the Alabama senate, there are 21 Democrats and 14 Republicans, while in the house of representatives there are 60 Democrats, 44 Republicans and one vacancy. In the surrounding states, both Tennessee and Mississippi legislatures are Democratic while Georgia and Florida are controlled by the Republicans. The Republicans control both houses of the South Carolina legislature, while both houses of the North Carolina legislature are controlled by Democrats. All of these are up for election in 2010.

The previous information was compiled by the National Conference of State Legislatures and may be found on their Web site, www.NCSL.org.

With the elections now eminent, candidates cannot solicit or receive contributions beginning the first day of the legislature—January 12, 2010 (Section 17-5-7(b)(2)). Republican and Democratic parties will end state qualifying on April 2, 2010.

Alabama has no limitation on the number of terms a person may serve in the legislature. Sixteen states do have such a limit and six more, at one time, had term limits that have since been repealed. The dean of the senate, Senator Bobby Denton, first elected in 1978, will be retiring, while the dean of the house, Alvin Holmes, was first elected in 1974 and is again seeking reelection. Approximately half of the members of the house have been legislators for less than ten years, while approximately one-third of the senate has served for less than ten years.

Nationally, the pay of state legislators varies greatly from a low of \$100 a year in New Hampshire to a high of \$116,000 in California. Alabama is in the middle with compensation of approximately \$47,000. This includes expenses since their legislative salary of \$10 a day was set in the 1901 Constitution.



Two EXPERTLY FITTED Suits \$865

Two tropical-weight wool suits from Graham & Gunn. Made in the USA with outstanding quality and ideal for year round wear. Choose from seven patterns of solids and stripes. Save \$125 and ask about our 90-day no interest account.

Nothing compares to the look and feel of quality clothing and nothing compares to the style and affordability of the Locker Room's Suit Package.

THE LOCKER ROOM
TLRCLOTHIERS.COM

1717 CARTER HILL ROAD MON-SAT 9AM-6PM 334.262.1788

THE SUIT FITS
Wear it. Wear both.

Law Institute legislative presence

The Law Institute has proposed for the 2010 legislature the following acts:

Alabama Trademark Act Amendments
Adult Guardianship Jurisdiction Act
Child Abduction Protective Proceedings Act
Residential Mortgage Satisfaction Act

Summaries of these acts can be found in the September and November 2009 editions of *The Alabama Lawyer*. Copies of these acts and the commentary can be found on the Alabama Law Institute's Web site at www.ali.state.al.us

Assisting in the legislature this year are the following lawyers who serve as counsel to the house of representative's committees:

Bill Messer, Montgomery
Samuel A. Rumore, Jr., Birmingham
Al Vance, Birmingham
Karen Mastin-Laneaux, Montgomery
Charlanna W. Spencer, Montgomery

Trina S. Williams, Montgomery
Sandra Lewis, Montgomery
Scott T. McArdle, Montgomery
Charles Prince, II, Birmingham
Bill Espy, Montgomery
Fred Gray, Sr., Tuskegee
William B. Sellers, Montgomery
Bob McCurley, Tuscaloosa
LaVeeda M. Battle, Birmingham
Brandi C. Williams, Birmingham

Also serving as counsel to the senate are the following lawyers:

Bill Messer, Montgomery
Teresa Norman, Montgomery
Misha Mullins Whitman, Montgomery
LaVeeda Battle, Birmingham
Pat Rumore, Birmingham
Scott T. McArdle, Montgomery

The institute is also providing 16 interns to the house and senate during the session. These students must be at least juniors in college and will provide constituent services and legislative assistance to members of the legislature. ▲▼▲



You won't regret backing up your data off-site with CoreVault.™

CoreVault will make sure your critical data is secure, encrypted and automatically backed up off-site every day to its two private data centers.

Member Benefit - Alabama State Bar

Special pricing as low as \$19.95/mo.

866-981-5945 | corevault.com/asb