PROCLAMATION "A person to fill the at-large position BY THE GOVERNOR on the Board of Trustees of Auburn WHEREAS, the Alabama Legislature at University created upon the vacating of office by the current State Superintenits 2015 Regular Session, 2016 Regular and 1st Special Sessions, ordered an dent of Education. election to be held on certain proposed "(1) Persons to fill an expired or amendments to the Constitution of soon-to-be expired term of office of Alabama of 1901, set out herein as any member of the Board of Trustees Act Nos. 2015-217 (HB551), 2016-145 of Auburn University, including the two five at-large positions initially appointed (SB260), 2015-44 (SB30), 2015-220 (HB193), 2015-200 (SB25), 2015-199 by the Governor "(2) Persons to fill the remainder of a (HB336), 2015-97 (HB459), 2016-86 (HB37), 2016-120 (SB225), 2016-144 partially expired term of office of any (HB339), 2016-267 (HB311), 2016-274 position on the Board of Trustees of (HB510), 2016-429 (HB31), and 2016-Auburn University which has been 430 (SB7), in accordance with the provacated by reason of death, resignavisions of Section 284, as amended by tion, or other cause, including the two Amendment No. 24. Sections 285 and five at-large positions initially appointed 287 of the Constitution of Alabama of by the Governor. 1901, as amended, and the provisions

the provisions of Act Nos. 2015-217 (HB551), 2016-145 (SB260), 2015-44 (SB30), 2015-220 (HB193), 2015-200 (SB25), 2015-199 (HB336), 2015-97 (HB459), 2016-86 (HB37), 2016-120 (SB225), 2016-144 (HB339), 2016-267 (HB311), 2016-274 (HB510), 2016-429 (HB31), and 2016-430 (SB7), to be given by Proclamation of the Governor which Proclamation shall be published once a week for four successive weeks immediately preceding the day appointed for the election in a newspaper qualified to run legal notices in each county of the state. NOW, THEREFORE, I, Robert Bentley as Governor of the State of Alabama,

of Amendment 555 to the Constitution

of Alabama of 1901, as amended, and

the election laws of this state; and

WHEREAS, notice of this election,

ments, is required by law and by

together with these proposed amend-

STATE OF ALABAMA

do hereby give notice, direct and proclaim that on Tuesday, the 8th day of November, 2016, an election will be held in the State of Alabama in the manner and form provided by law upon the following proposed amendments to the Constitution of 1901 of the State of Alabama: HB551

ENROLLED, An Act,

To amend Amendment 161 to the Constitution of Alabama of 1901, as amended by Amendment 670, now appearing as Section 266 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to the Board of Trustees of Auburn University; to establish procedures for automatically adjusting term expiration dates in order to limit the number of terms that expire during the same calendar year to three; and to increase the membership of the board by two atlarge members to enhance the diversity BE IT ENACTED BY THE LEGISLA-

as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287

the Constitution of Alabama of 1901,

Section 1. The following amendment to

TURE OF ALABAMA:

of the Constitution of Alabama of 1901, as amended PROPOSED AMENDMENT

Amendment 161 to the Constitution

of Alabama of 1901, as amended by Amendment 670, now appearing as Section 266 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, is amended to read "Section 266 "Section 1. (a) Auburn University shall

be under the management and control of a board of trustees. The board of trustees shall consist of one member from each of the congressional districts in the state as the same were constituted on the first day of January, 1961, one member from Lee County, two three at-large members both of whom who shall be a resident residents of the continental United States, the state superintendent of education serving on the date this amendatory language is ratified, who shall serve until leaving the office of superintendent, one additional at-large member who shal be a resident of the continental United States, and who shall succeed the current State Superintendent of Education on the board of trustees immediately upon the superintendent leaving office. two additional at-large members who

shall be residents of the continental United States and who shall enhance the diversity of the board of trustees by reflecting the racial, gender, and economic diversity of the state, and the governor Governor, who shall be ex officio president of the board. "(b) The Appointment of the initial two at-large members shall be made by the Governor by and with the advice and consent of the Senate. Otherwise the trustees from each congressional district, from Lee County, and all subsequent at-large trustees, including the at-large position created upon the vacating of office of the current State additional at-large members who shall enhance the diversity of the board, shall be appointed by the appointing

Senate. The appointment of members to fill a vacated position with a partially expired term of office shall also be made by the appointing committee as provided herein <u>"(c)</u> A board of trustees appointing committee is established composed of Board of Trustees of Auburn University

committee created herein, by and with

the advice and consent of the senate

the following members: "(1) The President Pro Tem of the or the designee of the President Pro University.

Tem. The designee shall be a member of the Board of Trustees of Auburn "(2) A member of the Board of Trustees of Auburn University selected by the board of trustees.

"(3) Two members of the Auburn Alumni Association Board of Directors

who are not current employees of Auburn University, selected by the Auburn Alumni Association Board of Directors. <u>"(4)</u> The Governor or a designee of the Governor who is an alumnus of Auburn University but who is not a current member of the Auburn Board of Trustees nor a current member of the Auburn Alumni Association Board of Directors nor a current employee of

Auburn University. "(d) The Governor, or the designee of the Governor, shall serve as chairper son of the appointing committee. If the chairperson fails to call a meeting within 90 days prior to the expiration of the term of a sitting board member or within 30 days following the creation of a vacancy by death, resignation, or other cause, a majority of the committee, in

writing, may call a meeting giving at least 10 days notice. In the absence of the chairperson or another member designated by the chairperson to preside, the majority of the committee shall choose its own chairperson. "(e) When appropriate, the appointing

appointment of any of the following:

committee shall meet to address the

'(f) The appointing committee, by majority vote, shall appoint an individual to fill the respective position on the board of trustees. The committee shall ensure

that appointments are solicited from all constituencies, are inclusive, and reflect the racial, gender, and economic diversity of the state. A person may not be appointed to the Board of Trustees of Auburn University while serving on the appointing committee "(g) A trustee shall hold office for a term of seven years, and may serve no more than two full seven-year terms of office. Appointment and service for a portion of an unexpired term shall not be con-

sidered in applying the two-term limit. (h) For purposes of ensuring that transitions in board membership occur in a stable manner, if the secretary of the board determines that, as of January 1 of any calendar year, four or more members of the board hold seats the terms for which will expire during that calendar year, then the secretary shall provide written notice to the board of such fact and the term of the trustees whose term would otherwise expire during that subject year shall be adjusted in the following manner: The trustee who was first confirmed to a term expiring in the subject year shall have his or her term extended to the same month and day in the first subsequent

year in which there are less than three trustees with terms expiring; if, after making this initial adjustment, there are still four or more trustees with terms expiring during the subject year, then the term of the next trustee or trustees whose terms are to expire during the subject year shall be adjusted, in order of their original confirmation to the term. to expire on the same month and day as their original term but in the next subsequent year or years in which there are less than three trustees with terms expiring that year; term adjustments to the next subsequent year or years in which there are less than three trustees with terms expiring shall occur regardless of whether the expiration is due to an original expiration date or due to an expiration date adjusted under this subsection, but in no case shall the term of more than three trustees expire during the same calendar year; and in making adjustments, the terms of the final three trustees with terms expiring during the subject year shall expire on

the originally established dates. For

purposes of this subsection, if two or

more trustees were confirmed on the

the terms of those trustees shall be

(i) Each member of the board of

trustees as constituted on the date

this amendatory language is ratified

December 13, 2000, may serve the

remainder of his or her current term and

shall be eligible, if otherwise qualified,

same date, then the order of expiration

determined alphabetically by last name.

to serve for no more than two additional seven-year terms "(j) No person shall be appointed as a member of the board of trustees after having reached 70 years of age. "Of the two persons initially appointed by the Governor to serve in the at-large positions, one shall be appointed to serve an initial term of four years and one shall be appointed to serve an initial term of seven years. Thereafter, successors to these positions, who shall be appointed by the appointing committee, shall serve terms of office of the same duration as other members. These initial terms shall be considered as full terms in applying the two-term limit.

of the board shall constitute a quorum, but a smaller number may adjourn from day to day until a quorum is present. "(I) A term shall begin only upon confirmation by the Senate. A member may continue to serve until a successor is confirmed, but in no case for more than one year after completion of a term. "(m) No trustee shall receive any pay or emolument other than his or her actual expenses incurred in the discharge of duties as such. "(n) No employee of Auburn University shall be eligible to serve as a member of the board of trustees.

"(k) One more than half of the members

"(o)(1) The appointing committee, or the Governor, in regard to the two initial at-large appointments, shall submit the name of the persons selected for appointment to the Secretary of the Senate, who shall inform the Senate of the receipt of such submission. If the Senate is in regular session at that time, the submission shall be made by

the conclusion of the next legislative

day following the appointment. If the

Senate is not in regular session at the time of appointment, the submission shall be made before the commencement of the next regular session. "(2) If the entire Senate, by a majority vote, confirms the submission, the appointee shall immediately assume office. An appointee may not begin service prior to Senate confirmation. "(3) If the submission is not confirmed by the entire Senate by a majority vote by the conclusion of the legislative session, the submission shall be considered rejected. "(4) A submission to the Senate may be

withdrawn at any time by the Governor in regard to the two initial at-large appointments made by the Governor. A submission to the Senate may be withdrawn at any time by the appointing committee in regard to appointments made by the committee "(5) Upon the rejection of a submission or the withdrawal of a submission, the appointment and confirmation process

specified in this amendment shall com-"(p) The same name may be submitted to the Senate for the same position on

mence anew. the board more than one time. "(q) Upon the expiration of a term of office, a member of the board of trustees shall continue to serve until a successor is appointed pursuant to this amendment, is confirmed by the entire Senate by majority vote, and assumes office. If a successor is not confirmed by the conclusion of the regular session in which one or more names for the position were initially submitted, the former holder of the position may continue to serve until a successor is appointed and confirmed, but in no case shall this continuation be longer than one year after completion of the term of office. "(r) If any position on the board of trustees becomes vacant during a term

of office by reason of death, resigna-

to fill the remainder of the unexpired term of office pursuant to the procedure provided for other appointments made by the appointing committee. The position shall be considered vacant until a person is confirmed by a majority vote of the entire Senate. "Section 2. Section 266 of article 14 of the Constitution of Alabama 1901 is hereby repealed." Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment: "Proposing an amendment to the Constitution of Alabama of 1901, to establish procedures to ensure that no more than three of the members of the Auburn University Board of Trustees shall have terms that expire in the same calendar year and to add two additional at-large members to the board to enhance diversity on the board. "Proposed by Act This description shall be followed by the following language: "Yes () No ()." SB260

tion, or other cause, a person shall be

appointed by the appointing committee

ENROLLED, An Act, To propose an amendment to the Constitution of Alabama of 1901, to prohibit any monies from the State Parks Fund, the Parks Revolving Fund, or any fund receiving revenues currently deposited in the State Parks Fund or the Parks Revolving Fund, and any monies currently designated under law for use by the state parks system from being transferred to any other public account, fund or entity or used for any purpose other than the support, upkeep, and maintenance of the state parks system; and to propose an amendment to Amendment 617 of the Constitution of Alabama of 1901. now appearing as Section 213.32 of the Official Recompilation of the Constitution of Alabama of 1901, as amended; to provide exceptions to the requirement that all state park system land and facilities be exclusively and solely operated and maintained by the Department of Conservation and Natural Resources. BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 184, 285, and 287 of the Constitution of Alabama of 1901, as amended: PROPOSED AMENDMENT The Legislature shall not pass any law authorizing nor shall any officer, agency, or employee transfer, use,

or pledge any monies from the State Parks Fund, the Parks Revolving Fund, or any fund receiving revenues currently deposited in the State Parks Fund or the Parks Revolving Fund, and any monies currently designated by law and deposited into a public account for the use by the state parks system from being transferred to any other public account, fund or entity or used for any purpose other than the support, upkeep, and maintenance of the state parks system. Notwithstanding, in the event that guest revenues to the State Parks Revolving Fund exceed the threshold of \$50 million (as annually adjusted based on in a fiscal year, the sales and use and cigarette tax revenue distributed to

increases in the consumer price index) benefit the State Parks System shall be reduced in the following fiscal year. The amount of the reduction shall correspond to the amount of guest revenue to the State Parks Revolving Fund exceeding the threshold. The amount of tax revenue not distributed to benefit the State Parks System shall be distributed to the General Fund. Amendment of Amendment 617. The State of Alabama is authorized to become indebted for the purpose of the acquisition, provision, construction, improvement, renovation, equipping, and maintenance of the state parks system, public historical sites, and public historical parks, and in evidence of the indebtedness so incurred to sell and issue bonds, in addition to all other bonds

of the state, not exceeding one hundred ten million dollars (\$110,000,000) in aggregate principal amount. The bonds shall be direct general obligations of the state and the full faith and credit and taxing power of the state are hereby pledged to the prompt and faithful payment of the principal thereof and the interest thereon. One hundred four million dollars (\$104,000,000) of the bonds shall be issued for the state by the Alabama State Parks System Improvement Corporation pursuant to the appropriate resolutions adopted by the board of directors of the corporation and the proceeds thereof shall be appropriated and used exclusively for the purpose of paying the expenses incurred in the sale and issuance of the bonds and for payment of the costs of the acquisition, provision, construction, improvement, renovation, equipping, and maintenance of the state parks system; provided, any lake acquired and/or built with the proceeds thereof by the Department of Conservation and Natural Resources as a part of a state park must have a minimum buffer of six hundred (600) lateral feet between the shoreline and any private property. In the event that the water from any said lake is sold, the cost thereof shall be equal to the periodic costs for that portion of the bond issue incurred by the Alabama State Parks System Improvement Corporation for said lake. and shall be repaid to the Department of Conservation and Natural Resources at the same rate as the debt service on said bond issue. Such acquisition,

provision, construction, improvement,

nance of the state parks system, shall

Alabama State Parks System Improve-

ment Corporation with the advice and

Committee on State Parks, and all state

park system land and facilities, except

for existing concession operations or

other existing permitted operations

state park system land and facilities

at those state parks with either (1) an

ing and eating accommodations are

advertised or held out to be available

establishment where sleeping or sleep-

to transients, including hotel rooms, cot-

tages, and cabins, or (2) a golf course,

and solely operated and maintained by

or both, shall thereafter be exclusively

the Department of Conservation and

concurrence of the Joint Legislative

be completed at the direction of the

renovation, equipping and mainte-

Natural Resources. This provision shall not mandate operations by entities other than the Department of Conservation and Natural Resources but shall be construed to permit such operations. Six million dollars (\$6,000,000) of the bonds shall be issued for the state by the Alabama Public Historical Sites and Parks Improvement Corporation pursuant to the appropriate resolutions adopted by the board of directors of the corporation and the proceeds thereof shall be appropriated and used exclusively for the purpose of paying the expenses incurred in the sale and issuance of the bonds and for the payment of the costs of the acquisition, provision, construction, improvement, renovations, equipping, and maintenance of public historical sites and public historical parks not under the jurisdiction of the Department of Conservation and Natural Resources. Such acquisition, provision, construction, improvement, renovation, equipping, and maintenance of public historical sites and public historical parks shall be completed at the direction of the Alabama Public Historical Sites and Parks Improvement Corporation and shall thereafter be operated by the Alabama Historical Commission, or other entity as authorized by the commission, with the advice and concurrence of the Joint Legislative Committee on State Parks. The State of Alabama is further authorized to become indebted and in evidence thereof to sell and issue one or more series of bonds to refund all or any of the bonds hereinabove authorized by this amendment in such principal amount or amounts, which may exceed the principal amount of the bonds being refunded, and in such manner as may be provided by law duly enacted by the Legislature. The aforesaid corporations are hereby vested with the power and authority to provide for the sale and terms of the bonds hereby authorized and the issuance thereof, subject to the approval of the Governor. The bonds may be sold, executed, and delivered at any time and from time to time,

may be in such forms, denominations series, and numbers, may be of such tenor and maturities, may bear such date or dates, may be payable in such installments and at such place or places, may bear interest at such rate or rates payable and evidenced in such manner, and may contain provisions for redemption at the option of the state to be exercised by the corporations at such date or dates prior to their maturity and upon payment of such redemption price or prices, all as shall be provided by the corporations in the resolution or resolutions whereunder the bonds hereby authorized are issued. The principal of each series of bonds shall mature on such date and in such amounts as shall be specified in the resolution or resolutions of the board of directors of the corporations under which they are issued, the last of which installments shall mature not later than 20 years after the date of the bonds of the same series. All of the bonds, including refunding bonds, shall be sold only at public sale or sales, either on sealed bids or at public auction, after such advertisement as may be prescribed by the corporations, to the bidder whose bid reflects the lowest true interest cost to the state computed to the respective maturities of the bonds sold; provided, that if no bid deemed acceptable by the corporation is received, all bids may be reiected. The bonds shall be signed in the name of the state by the Governor of the

otherwise reproduced thereon and shall be attested by the signature of the Secretary of State of the State of Alabama; provided that facsimile signatures of either or both of the officers may be reproduced on such bonds in lieu of their manually signing the same. All bonds issued under the provisions of this amendment, together with the interest income thereon, shall forever be exempt from all taxation in the state, except inheritance, estate and gift taxes. The proceeds from the sale of the bonds by the Alabama State Parks System Improvement Corporation hereby authorized, other than refunding bonds, after the payment of all expenses of the sale thereof, shall be set apart in a special fund in the State Treasury to be

designated "The Alabama State Parks

System Improvement Fund," and such

proceeds, together with income derived

State of Alabama and the Great Seal

of the State of Alabama or a facsimile

thereof shall be impressed, printed or

from the investment and reinvestment thereof, shall be temporarily invested until needed and disbursed, on order of the aforesaid corporation solely for the purposes, hereinabove described for which the bonds are authorized to be issued. The proceeds from the sale of the bonds by the Alabama Public Historical Sites and Parks Improvement Corporation hereby authorized, other than refunding bonds, after the payment of all expenses of the sale thereof, shall be set apart in a special fund in the State Treasury to be designated "The Alabama Public Historical Sites and Parks Improvement Fund," and such proceeds, together with income derived from the investment and reinvestment thereof, shall be temporarily invested until needed and disbursed, on order of the aforesaid corporation solely for

the purposes, hereinabove described, for which the bonds are authorized to be issued. No further authorization from the Legislature shall be a prerequisite to the validity of any bonds issued hereunder. However, the Legislature shall enact appropriate legislation implementing the provisions hereof, including provisions for the issuance of refunding bonds as hereinabove authorized. The Alabama State Parks System Improvement Corporation and the Alabama Public Historical Sites and Parks Improvement Corporation authorized in this constitutional amendment are strongly encouraged to utilize busi-

nesses and companies in all aspects of the bond and construction portions of this amendment that reflect the racial and ethnic diversity of the state. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended and the election laws of this state. Section 3. The appropriate election official shall assign a ballot number for

the proposed constitutional amendment on the election ballot and shall set forth the following description or subject matter of the proposed constitutional amendment: "Proposing an amendment to the Constitution of Alabama of 1901, to prohibit any monies from the State Parks Fund. the Parks Revolving Fund, or any fund receiving revenues currently deposited in the State Parks Fund or the Parks

Revolving Fund, and any monies cur-

rently designated pursuant to statute for

the use of the state parks system from

Notwithstanding, in the event that guest revenues to the State Parks Revolving Fund exceed the threshold of \$50 million (as annually adjusted based on increases in the consumer price index) in a fiscal year, the sales and use and cigarette tax revenue distributed to benefit the State Parks System shall be reduced in the following fiscal year. The amount of the reduction shall correspond to the amount of quest revenue to the State Parks Revolving Fund exceeding the threshold. The amount of tax revenue not distributed to benefit the State Parks System shall be distributed to the General Fund. Proposing an amendment to Amendment 617 of the Constitution of Alabama of 1901, to allow the Department of Conservation and Natural Resources the option to provide for the operation and management, by non-state entities, of hotels, golf courses, and restaurants at any applicable state parks in Alabama. "Proposed by Act _ This description shall be followed by the following language: "Yes () No ()."

being transferred for another purpose

other than the support, upkeep, and

maintenance of the state parks system.

To repeal Amendments 425 and 555

ENROLLED, An Act

to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to local constitutional amendments, and to a new add Section 284.01 to Article XVIII of the Constitution of Alabama of 1901, providing for local constitutional amendments BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901. as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended: PROPOSED AMENDMENT I. Amendments 425 and 555 to the

Constitution of Alabama of 1901, to read as follows: Section 284.01. (a) The Legislature shall determine whether a proposed constitutional amendment affects or applies to only one county or a political subdivision within one or more counties under the procedures set out herein. If the Legislature determines that a proposed constitutional amendment affects or applies to only one county or a political subdivision within one or more

Constitution of Alabama of 1901, are

II. Section 284.01 is added to the

repealed.

counties, the amendment may be adopted as a valid part of the constitution only by a favorable vote of a majority of the qualified electors of the affected county or, if applicable, the political subdivision and the county or counties in which the political subdivision is located, who vote on the amendment as provided in subsections (b) and (c). If the Legislature fails to determine that a proposed constitutional amendment affects or applies to only one county or a political subdivision within one or more counties pursuant to the procedures set out in subsection (b), the amendment may be adopted as a valid part of the constitution only by a favorable vote of a majority of the qualified electors who vote on the amendment in a statewide referendum, as provided in subsection (d), and a majority of the qualified voters of the affected county or counties voting on the amendments, as provided in subsection (d). (b) To determine whether a proposed amendment shall be placed on the

subdivision within one or more counties and the affected county or counties, as provided in subsection (a), the proposed amendment shall be approved by each house of the Legislature under the following process: (1) The proposed amendment must first be approved, if at all, by at least threefifths of all the members elected to the house in which it originates. (2) Immediately following approval

ballot in only one county or a political

under subdivision (1), the house shall consider a resolution of local application declaring that the proposed amendment affects or applies to only one county or a political subdivision within one or more counties specifying by proper name the county or the political subdivision and the county or counties within which the political subdivision (3) The proposed amendment shall then be sent to the other house for consideration and, if at least three-fifths

of all the members elected to that house vote in favor of the proposed amendment, that house shall likewise immediately proceed to consider a resolution of local application as provided in subdivision (2). In the event that both houses of the Legislature approve the amendment by at least a three-fifths vote of their elected members and also determine by vote without dissent that the proposed amendment affects or applies to only one county or a political subdivision within one or more counties, the proposed amendment shall be placed on the ballot only in the county or political subdivision and county or counties affected. (c) If after having been approved

by at least a three-fifths vote of the elected members of either house of the Legislature, there is at least one dissenting vote cast on the resolution in either house on the question of whether the proposed amendment affects or applies to only one county or only to a political subdivision within one or more counties, the proposed amendment shall automatically be submitted in a statewide referendum in accordance with the procedures for proposed statewide constitutional amendments under Sections 284 and 285 of the Constitution of Alabama of 1901. If the proposed amendment is submitted in a statewide referendum, it shall not become effective unless approved by a majority of the qualified voters voting on the amendment statewide and a majority of the voters of any county or political subdivision named in the resolution voting on the amendment (d) Notice of the election, together with the proposed amendment, shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in each newspaper qualified to run legal notices in the county or counties affected.

Section 2. An election upon the

proposed amendment shall be held

in accordance with Sections 284 and

285 of the Constitution of Alabama of

1901, now appearing as Sections 284

and 285 of the Official Recompilation

of the Constitution of Alabama of 1901,

as amended, and the election laws of

Section 3. The appropriate election offi-

amendment the Legislature determines without a dissenting vote applies to only one county or a political subdivision within one or more counties shall be adopted as a valid part of the constitution by a favorable vote of a majority of the qualified electors of the affected county or the political subdivision and county or counties in which the political subdivision is located, who vote on the amendment. "Proposed by Act This description shall be followed by the following language: "Yes () No ()." <u>HB193</u> ENROLLED, An Act, To propose an amendment to the Con-

cial shall assign a ballot number for the

proposed constitutional amendment on

the election ballot and shall set forth the

following description of the substance

or subject matter of the proposed

"Proposing an amendment to the

Constitution of Alabama of 1901, to

revise the procedure for adoption of

provide that a proposed constitutional

local constitutional amendments to

constitutional amendment:

stitution of Alabama of 1901, that would

permit each county commission in the

relating to the administration of county

state to establish certain programs

affairs and with regard to certain specified county programs or activities BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled: PROPOSED AMENDMENT (a) Except where otherwise provided for or specifically prohibited by the constitution or by general or local law and subject to the limitations set forth herein, the county commission of each county in this state may exercise those powers necessary to provide for the administration of the affairs of the county through the programs, policies, and procedures described in subsection (b), subject to the limitations set forth in subsection (c). (b) Subject to the limitations of subsections (a) and (c), each county commission in the state may establish: (1) Programs, policies, and procedures relating to county personnel, including, but not limited to: Establishment of a county personnel system; the provision of employee benefits; allowing a deputy to be given his or her badge and pistol upon retirement; creating employee incentive programs related to matters such as attendance, performance, and safety; creating incentive programs related to the retirement of county employees; and creating employee recognition and appreciation programs (2) Community programs to provide for clean litter-free roadways and public facilities and public property and to protect citizens from dangerous animal running loose or otherwise creating an imminent threat to persons other than the owner thereof, provided no such programs shall relate to and subject to any limitations in general law, programs related to control of animals and animal nuisances, provided no programs shall: a. result in the destruction of an animal unless required by the public health laws of the state; or b. relate to or restrict the use of animals for hunting purposes or the use of animals being raised for sale or kept for breeding, food or fiber production purposes, or otherwise used in connection with farming, poultry and egg, dairy, livestock,

roads and rights-of-way, provided the programs do not in any way conflict with general law. (4) Programs related to county offices, including, but not limited to, one-stop tag programs; commissaries for inmates at the county jail; disposal of unclaimed personal property in the

operations.

and other agricultural or farming

(3) Programs related to local trans-

portation, including, but not limited to,

programs to encourage safety on public

portation and programs to promote and

public transportation programs and

(3) Programs related to public trans-

encourage safety when using public

roads and rights-of-way.

custody of the county; management of the county highway department; automation of county activities; and establishment of unit or district systems for the maintenance of county roads and bridges. Programs involving the operation of the office of an elected county official may only be established pursuant to this subdivision with the written consent and cooperation of the elected official charged by law with the responsibility for the administration of (5) Emergency assistance programs, including, but not limited to, programs

related to ambulance service and programs to improve county emergency management services. (c) Nothing in this amendment may be construed to provide a county commission any authority to levy or assess a tax or fee or to increase the rate of any tax or fee previously established,

or to establish any program that would

infringe on a citizen's rights with respec

to the use of his or her private property

(e) The provisions of this amendment

shall not apply to Jefferson County.

proposed amendment shall be held

in accordance with Sections 284 and

285 of the Constitution of Alabama of

1901, now appearing as Sections 284

and 285 of the Official Recompilation

of the Constitution of Alabama of 1901,

Section 2. An election upon the

or infringe on a right of a business entity with respect to its private property. Except as authorized in subdivision (4) of subsection (b), nothing in this amendment shall authorize the county commission to limit, alter, or otherwise impact the constitutional, statutory, or administrative duties, powers, or responsibilities of any other elected officials or to establish, increase, or decrease any compensation, term of office, or expense allowance for any elected officials of the county. (d) Any programs, policies, or procedures proposed for adoption by the county commission pursuant to the authority granted under subsection (a) shall only be voted on at a regular meeting of the county commission. Prior to the adoption of the programs, policies, and procedures, the county commission shall provide notice of its intention to consider the matter by announcing at a regular county commission meeting that the matter will be on the agenda at the next regular meet ing of the county commission and that any members of the public desiring to be heard on the matter will be granted that opportunity at the meeting where the matter will be considered. Notice of the meeting at which the matter will be considered by the county commission shall be given in compliance with the notice requirements for county commissions provided in the general law. Nothing herein shall authorize a county commission to supersede, amend, or repel an existing local law.

Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment "Proposing an amendment to the Constitution of Alabama of 1901, to authorize each county commission in the state to establish, subject to certain limitations, certain programs related to the administration of the affairs of the

as amended, and the election laws of

this state

county.

"Proposed by Act This description shall be followed by the following language: "Yes () No ()."

ENROLLED, An Act To propose an amendment to the Constitution of Alabama of 1901, as

amended, to repeal Article III and Amendment 582 of the Constitution of Alabama of 1901, and add Article III to the Constitution of Alabama of 1901, relating to the separation of powers. BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accor-

of the Constitution of Alabama of 1901, as amended PROPOSED AMENDMENT I. Article III of the Constitution of Alabama of 1901, and Amendment 582 of the Constitution of Alabama of 1901, are repealed.

II. Article III is added to the Constitution

dance with Sections 284, 285, and 287

of Alabama of 1901, to read as follows Article III. SEPARATION OF POWERS. Section 42. (a) The powers of the gov ernment of the State of Alabama are legislative, executive, and judicial. (b) The government of the State of Alabama shall be divided into three distinct branches: legislative, executive, and judicial. (c) To the end that the government of

the State of Alabama may be a government of laws and not of individuals, and except as expressly directed or permitted in this constitution, the legislative branch may not exercise the executive or judicial power, the executive branch may not exercise the legislative or judicial power, and the judicial branch may not exercise the legislative or executive power. Section 43. No order of a state court

which requires disbursement of state funds shall be binding on the state or any state official until the order has been approved by a simple majority of both houses of the Legislature. This section shall not apply to orders, judg ments, or decrees requiring payment of compensation for the taking of property by eminent domain or arising out of challenges to taxation or to such other orders, judgments, or decrees as may be otherwise required by statute, or settled principles of Alabama common law as decided by the Alabama appellate courts, not inconsistent with other provisions of this Constitution. Nothing herein shall be construed to preclude a court from making findings of fact or conclusions of law and orders relating thereto, that standards required by the United States Constitution, the Constitution of Alabama of 1901, laws of this state or of the United States, or rules or regulations promulgated pursuant thereto, are not being met, and from ordering the responsible entity or entities to comply with such standards

become operative January 1, 2017. Section 3. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901 as amended, and the election laws of this state Section 4. The appropriate election offi-

Section 2. This amendment sha

cial shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment "Proposing an amendment to the Constitution of Alabama of 1901, to repeal and restate the provisions of Article III of the Constitution of Alabama of 1901

relating to separation of powers to modernize the language without making any substantive change, effective January 1, 2017. "Proposed by Act This description shall be followed by the following language: "Yes () No ()."

HB336

ENROLLED, An Act, To repeal existing Article VII of the Constitution of Alabama of 1901, relating to impeachments, and to add a new Article VII, relating to impeachments BE IT ENACTED BY THE LEGISLA TURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901,

as amended: PROPOSED AMENDMENT I. Article VII of the Constitution of Alabama of 1901, is repealed. II. Article VII is added to the Constitution of Alabama of 1901, to read as follows:

Article VII. Impeachments. Section 173.

(a) The Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, members of the State Board of Education, Commissioner of Agriculture and Industries, and justices of the supreme court may be removed from office for willful neglect of duty, corruption in office, incompetency, or intemperance in the use of intoxicating liquors or narcotics to such an extent, in view of

the dignity of the office and importance of its duties, as unfits the officer for the discharge of such duties for any offense

involving moral turpitude while in office, or committed under color thereof, or connected therewith. (b) The House of Representatives shall present articles or charges of impeachment against those persons identified in subsection (a), specifying the cause

to the Senate (c) The Senate, sitting as a court of im-

peachment, shall take testimony under

oath on articles or charges preferred by the House of Representatives. (d) The Lieutenant Governor shall preside over the Senate when sitting as a court of impeachment, provided however, that if the Governor or Lieutenant Governor is impeached, the

Chief Justice, or if the Chief Justice

be absent or disqualified, then one of the associate justices of the supreme court, to be selected by the court, shall preside over the Senate when sitting as a court of impeachment. No person may be convicted by the Senate sitting as a court of impeachment without the concurrence of two-thirds of the members present. (e) If at any time when the Legislature is not in session, a majority of all the members elected to the House of Representatives shall certify in writing to the Secretary of State their desire to meet to consider the impeachment of the Governor, Lieutenant Governor or other officer administering the office of Governor, it shall be the duty of the

Secretary of State immediately to notify

the Speaker of the House who, within

10 days after receipt of the notice, shall

summon the members of the House

to assemble at the capitol on a day to

be fixed by the Speaker, but not later

than 15 days after receipt of the notice

by the Speaker from the Secretary of

State, to consider the impeachment of

the Governor, Lieutenant Governor, or

other officer administering the office of

(f) If the House of Representatives

prefers articles of impeachment, the

Speaker of the House shall forthwith

notify the Lieutenant Governor, unless

he or she is the officer impeached, in

of the Senate shall be notified, who

shall summon the members of the

after receipt of the notice from the

of hearing and trying the articles of

impeachment against the Governor,

Lieutenant Governor, or other officer

administering the office of Governor

as may be preferred by the House of

The judges of the district and circuit

courts, judges of the probate courts,

and judges of other courts from which

an appeal may be taken directly to the

supreme court, district attorneys, and

any of the causes specified in Section

173 or elsewhere in this constitution,

by the supreme court, or under such

regulations as may be prescribed by

rule of the Supreme Court of Alabama

the impeachment or removal of other

A county officer and officer of an

specified in Section 173 and upon

or law. The Legislature may provide for

officers than those named in this article

incorporated city or town may be tried

for impeachment for any of the causes

conviction be removed from office by

a court having jurisdiction to try felony

cases in the county or circuit in which

The Legislature shall provide by law

the method of proceeding under this

section, provided the right to trial by

jury and appeal in such cases shall be

The penalties in cases arising under

this article does not extend beyond re-

moval from office, and disqualifications

from holding office, under the authority

of this state, for the term for which the

officer was elected or appointed; but

and punishment as prescribed by law. III. This amendment shall become

operative on January 1, 2017.

Section 2. An election upon the

proposed amendment shall be held

in accordance with Sections 284 and

285 of the Constitution of Alabama of

1901, now appearing as Sections 284 and 285 of the Official Recompilation

of the Constitution of Alabama of 1901,

Section 3. The appropriate election offi-

cial shall assign a ballot number for the

proposed constitutional amendment on

the election ballot and shall set forth the

following description of the substance

"Proposing an amendment to the Con-

stitution of Alabama of 1901, to become

and replace Article VII, Impeachments.

This description shall be followed by the

HB459

Constitution of Alabama of 1901, to pro-

vide that the employees of the Office of

Sheriff of Etowah County, except for the

chief deputy, chief of detention, chief

of administration, chief of investigation,

authority of the Personnel Board of the

Office of the Sheriff of Etowah County.

Section 1. The following amendment

to the Constitution of Alabama 1901,

is proposed and shall become valid

as a part of the Constitution when all

requirements of this act are fulfilled:

No later than the first day of the sixth

month after ratification of this amend-

ment, employees of the Office of the

chief deputy, chief of detention, chief

director of communications, and food

service manager, shall be under the

authority of the personnel board of the

office of the sheriff. The provisions of

liability of the employees of the Office of

proposed amendment shall be held in

Constitution of Alabama of 1901, and

Section 3. The appropriate election

on the election ballot and shall set

forth the following description of the

proposed constitutional amendment:

an amendment to the Constitution of

Alabama of 1901, to provide that the

employees of the Office of Sheriff of

Etowah County, except for the chief deputy, chief of detention, chief of

administration, chief of investigation,

director of communications, and food

service manager, shall be under the

of the Office of the Sheriff of Etowah

County."

Proposed by Act

following language: "Yes () No ()."

ENROLLED, An Act,

authority of the of the Personnel Board

This description shall be followed by the

HB37

Proposing an amendment to the

Constitution of Alabama of 1901, as

policy of Alabama that the right of

amended; to declare that it is the public

persons to work may not be denied or

abridged on account of membership

or nonmembership in a labor union

Relating to Etowah County, proposing

substance or subject matter of the

official shall assign a ballot number for the proposed constitutional amendment

accordance with Amendment 555 to the

this amendment shall not affect the

the Sheriff of Etowah County.

the election laws of this state.

Section 2. An election upon the

of administration, chief of investigation,

Sheriff of Etowah County, except for the

PROPOSED AMENDMENT

director of communications, and food

service manager, shall be under the

To propose an amendment to the

operative January 1, 2017, to repeal

or subject matter of the proposed

constitutional amendment:

"Proposed by Act

following language: "Yes () No ()."

ENROLLED, An Act,

as amended, and the election laws of

the accused shall be liable to indictment

the officer holds his or her office.

sheriffs, may be removed from office for

Representatives

Section 174

Section 175.

secured

this state.

Section 176.

Senate to assemble at the capitol on

a specified day not later than 10 days

Speaker of the House, for the purpose

which event the President Pro Tempore

Governor.

from union membership as a condition of employment; and to provide that an employer may not require a person, as a condition of employment or continuation of employment, to pay dues, fees, or other charges of any kind to any labor union or labor organization BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, PROPOSED AMENDMENT (a) It is hereby declared to be the public policy of Alabama that the right of persons to work may not be denied

or abridged on account of membership

or labor organization; to prohibit an

agreement to deny the right to work, or

condition of prospective employment, on account of membership or non-

membership in a labor union or labor

organization; to prohibit an employer

from requiring its employee to abstain

or nonmembership in a labor union or labor organization. (b) An agreement or combination between an employer and labor union or labor organization which provides that a person who is not a member of the union or organization shall be denied the right to work for the employer, or where membership in the union or organization is made a condition of employment or continuation of employment by the employer, or where the union or organization acquires an employment monopoly in any enterprise, is hereby declared to be against public policy and an illegal combination or conspiracy. (c) No person shall be required by an employer to become or remain a member of any labor union or labor organization as a condition of employment or continuation of employment (d) A person may not be required by an employer to abstain or refrain from membership in any labor union or labor organization as a condition of employment or continuation of his or her employment. (e) An employer may not require a person, as a condition of employment or continuation of employment, to pay dues, fees, or other charges of any kind to any labor union or labor organization. (f) This amendment shall not apply to any lawful contract in force on or prior to the date of the ratification of this amendment but it shall apply in all respects to contracts entered into after the date of the ratification of this amendment, and to any renewal or extension of an existing contract. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of

following description of the substance or subject matter of the proposed constitutional amendment: "Proposing an amendment to the Constitution of Alabama of 1901, to declare that it is the public policy of Alabama that the right of persons to work may not be denied or abridged on account of membership or nonmembership in a labor union or labor organization; to prohibit an agreement to deny the right to work, or place conditions on prospective employment, on account of membership or nonmembership in a labor union or labor organization; to prohibit an employer from requiring its employees to abstain from union membership as a condition of employ ment; and to provide that an employer may not require a person, as a condition of employment or continuation of employment, to pay dues, fees, or other charges of any kind to any labor union or labor organization. "Proposed by Act

This description shall be followed by the

Section 3. The appropriate election offi-

cial shall assign a ballot number for the

proposed constitutional amendment on

the election ballot and shall set forth the

following language:

this state

SB225 ENROLLED, An Act, To propose a local constitutional amendment to the Constitution of Alabama of 1901; to provide that a person who is not over the age of 75 at the time of qualifying for election or at the time of his appointment may be elected or appointed to the office of Judge of Probate of Pickens County. BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all

requirements of this act are fulfilled: PROPOSED AMENDMENT Notwithstanding the provision of Section 6.16, as added by Amendment 328 to the Constitution of Alabama of 1901, now appearing as Section 155 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, a person who is not over the age of 75 at the beginning time of qualifying for election or at the time of his or her appointment may be elected or appointed to the office of Judge of Probate of Pickens County. Section 2. An election upon the proposed amendment shall be held in accordance with Amendment 555 to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment: "Relating to Pickens County, proposing an amendment to the Constitution of Alabama of 1901, to provide that a person who is not over the age of 75 at the time of qualifying for election or at the time of his or her appointment may be elected or appointed to the office of Judge of Probate of Pickens County. "Proposed by Act This description shall be followed by the following language: "Yes () No ()."

HB339 ENROLLED, An Act,

To propose an amendment to Constitution of Alabama of 1901, to provide

that any territory located in the county would be subject only to the police jurisdiction and planning jurisdiction of a municipality located wholly or partially in the county.
BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901,

is proposed and shall become valid following language: Yes () No ()." as a part of the Constitution when all requirements of this act are fulfilled: PROPOSED AMENDMENT (a) This amendment shall apply only in ENROLLED, An Act

Calhoun County.
(b) Any territory located in Calhoun County shall be subject only to the police jurisdiction and planning jurisdiction of a municipality located wholly or partially in Calhoun County. Section 2. An election upon the proposed amendment shall be held in accordance with Amendment 555 to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment: "Relating to Calhoun County, proposing an amendment to the Constitution of Alabama of 1901, to provide that any territory located in the county would be subject only to the police jurisdiction and planning jurisdiction of a municipality located wholly or partially in the county. "Proposed by Act This description shall be followed by the

HB311

following language: "Yes () No ()."

ENROLLED, An Act, Proposing an amendment to the Constitution of Alabama of 1901, as amended, to give any municipality or county, or governing body thereof, that has established a tax increment district within a Major 21st Century Manufacturing Zone the sole discretion to determine the amount and type of consideration to be received by such municipality or county for the redevelopment, rehabilitation, or conservation of property disposed of to or for the benefit of private interest with funds collected from such tax increment district and without regard to Sections 93 and 94 of the Constitution of Alabama of 1901, as amended, and to validate and confirm the Major 21st Century Manufacturing Zone Act. BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors of the State voting thereon at an election held in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

Notwithstanding any other provision of the Constitution, public moneys, including ad valorem tax revenues collected within a tax increment district located within a Major 21st Century Manufacturing Zone as defined by law, and proceeds of obligations issued by the municipality or county establishing the district for the purposes of redevel-opment or revitalization of property located therein, may be expended for the acquisition of the property and the redevelopment, rehabilitation, or conservation thereof, and the moneys, property, and proceeds may be disposed of, whether to or for the benefit of private interests or otherwise, for such consideration as shall be determined in the discretion of the governing body of the county or municipality, as the case may be, that established the district and without regard to Sections 93 and 94 of this Constitution. Any obligations of a municipality or county issued for the purposes set forth above shall not be chargeable against the constitutional debt limit of the municipality or county. The exercise of any powers granted in the Major 21st Century Manufacturing Zone Act, Act 2013-51, by any municipality or county, or the governing body thereof, shall not be subject to those limitations or restrictions that would otherwise have been applicable under Section 93 or Section 94 of this Constitution. The Major 21st Century Manufacturing Zone Act, Act 2013-51, is hereby validated and confirmed. Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in every county in the state for four successive weeks next preceding the date appointed for the election, such publication to be made once a week for four consecutive weeks next preceding the day so appointed, in a newspaper published in each such county; provided, that in any county in which there may be no newspaper published the proclamation shall be published by posting, for a period of not less than four consecutive weeks next preceding the day so appointed, a copy of the said proclamation at each courthouse in the said county. A newspaper shall be deemed to be published in a county, within the meaning of this section, if its principal editorial office is located in that county. Section 4. The appropriate election the proposed constitutional amend-

official shall assign a ballot number for ment and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment: Proposing an amendment to the

Constitution of Alabama of 1901, as amended, to give the governing body of a municipality or county that has established a tax increment district within a Major 21st Century Manufacturing Zone the sole discretion to determine the amount and type of consideration to be received by the municipality or county for the redevelopment, rehabilitation, or conservation of property disposed of to or for the benefit of private interest with funds collected from such tax increment district and without regard to Sections-93 and 94 of the Constitution of Alabama of 1901, and to ratify, affirm, and validate the Major 21st Century Manufacturing Zone Act. "Proposed by Act This description shall be followed by the

following language: "Yes () No ()." "Proposing an amendment to the Constitution of Alabama of 1901, as amended, to permit cities and counties, notwithstanding any existing constitutional restrictions, to utilize tax increment district revenues collected within a Major 21st Century Manufacturing

Century Manufacturing Zone Act, Act

No. 2013-51.

Proposed by Act

was adopted. Zone and other moneys to incentivize TURE OF ALABAMA: the establishment and improve various types of manufacturing facilities located or to be located in such Zone, and to validate and confirm the Major 21st

electors voting thereon at the 2016 General Election and in accordance This description shall be followed by the with Sections 284, 285, and 287 of the

To propose a local constitutional

amendment to the Constitution of

Legislature by general or local law

to provide for the incorporation of a

public corporation in any municipality

in the county for the construction and

operation of toll roads and bridges in

the municipality and to authorize the

authority to issue revenue bonds to

BE IT ENACTED BY THE LEGISLA-

finance the projects.

TURE OF ALABAMA:

toll road and bridge authority as a

Alabama of 1901, relating to municipali-

ties in Baldwin County: to authorize the

In Baldwin County, the Legislature may provide by general or local law for any municipality in the county to incorporate a toll road and bridge authority for the construction and operation of toll roads and bridges within the municipality. The authority may issue revenue bonds to finance any projects which bonds shall not constitute a debt or liability of the municipality. The general or local law shall provide for the membership of the authority, the powers and duties of the authority, and any other provisions necessary to effectuate the purpose of this amendment, including providing by local law for criminal penalties for the failure to pay tolls. Notwithstanding the foregoing, Baldwin County, including any entity created by the county; any municipality in Baldwin County; and the State of Alabama, including the State Department of Transportation, may participate in the purposes of the authority and may provide funding to aid in the purposes of the authority. Section 2. An election upon the proposed amendment shall be held in accordance with Amendment 555 to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state. Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendments Relating to municipalities in Baldwin County; proposing an amendment to the Constitution of Alabama of 1901, to authorize the Legislature by general or local law to provide for any municipalities in the county to incorporate a toll road and bridge authority as a public corporation in the municipality for the construction and operation of toll roads and bridges in the municipality and to

This description shall be followed by the

ENROLLED, An Act,

following language:

'Yes () No ()."

To propose an amendment to the

PROPOSED AMENDMENT

of the Constitution of Alabama of 1901,

the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment: Proposing an amendment to the Constitution of Alahama of 1901 to repeal any existing age restriction on the appointment, election, or service of an appointed or elected official, with the exception of persons elected or appointed to a judicial office, and to prohibit the Legislature from enacting any law imposing a maximum age limitation on the appointment, election, or service of any appointed or elected official.

This description shall be followed by the following language: 'Yes () No ().'

<u>SB7</u>

Section 71.01 of the Official Recompila-1901, as amended, to ratify, approve, Legislature before November 8, 2016, Section 1. The following amendment to as amended, is proposed and shall become valid as a part thereof when

approved by a majority of the qualified

Alabama be given by publishing the same in a newspaper published within each county authorized to publish legal IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Alabama to be affixed

by the Secretary of State at the State Capitol in the City of Montgomery on this 15th day of September, 2016.

6 Calut Bentley

ENROLLED, An Act,

Proposed by Act

To propose an amendment to Amendment 448 to the Constitution of Alabama of 1901, now appearing as tion of the Constitution of Alabama of validate, and confirm the application of any budget isolation resolution authorizing the consideration of a bill proposing a local law adopted by the that conformed to the rules of either body of the Legislature at the time it BE IT ENACTED BY THE LEGISLAthe Constitution of Alabama of 1901,

Section 1. The following amendment to item within the scope of the foregoing the Constitution of Alabama of 1901, that is at the time provided for by a continuing appropriation or otherwise) is proposed and shall become valid as a part of the Constitution when all "Budget Period" means a fiscal vear of requirements of this act are fulfilled: PROPOSED AMENDMENT the state or such period other than [a] fiscal year as may hereafter be fixed by law as the period with respect to which

Constitution of Alabama of 1901, as

PROPOSED AMENDMENT

Amendment 448 of the Constitution of

Alabama of 1901, is amended to read

(A) The following words and phrases,

whenever used in this amendment

shall have the following respective

"Basic Appropriations" means, with

respect to any regular session of the

legislature, such appropriations as the

legislature may deem appropriate for

the expenditures by the state during the

ensuing budget period for the ordinary

expenses of the executive, legislative

and judicial departments of the state,

education (excluding, however, any

for payment of the public debt, and for

state budgets are prepared and state

(B) On or before the second legislative

day of each regular session of the legis-

lature, beginning with the first regular session after January 1, 1983, the gov-

ernor shall transmit to the legislature

for its consideration a proposed budget

for the then next ensuing budget period.

"(C) The duty of the legislature at any

regular session to make the basic

that will commence before the first

held after January 1, 1983, no bill (other than a bill making any of the basic appropriations) shall be signed

by either the presiding officer of the

appropriations for the then ensuing

house or senate and transmitted to the

other house until bills making the basic

budget period shall have been signed

by the presiding officer of each house

of the legislature in accordance with

Section 66 of this Constitution and pre

sented to the governor in accordance with Section 125 of this Constitution;

provided, that this paragraph (C) shall

not affect the adoption of resolutions

or the conduct of any other legislative

reading; and provided further, that fol-

lowing adoption, by vote of either house of not less than three-fifths of a quorum

present, of a resolution declaring that

shall not be applicable in that house to

a particular bill, which shall be specified

"(D) Upon the signing and presentation

in said resolution by number and title,

the bill so specified may proceed to

to the governor in accordance with

the said Sections 66 and 125 of bills

making the basic appropriations, the provisions of the foregoing paragraph

in the house and senate (other than

bills making any part of the basic ap-

and shall not be revived or become

again effective as a result of (i) the

(C) prohibiting the final passage of bills

propriations) shall cease to be effective

subsequent legislative history of any bill

so signed and presented, including any

veto, return with executive amendment,

or any other action, or failure to act, by

under the provisions of the said Section

judicial decree or opinion of the justices

either the governor or the legislature

125; or (ii) a determination, by either

of the Alabama Supreme Court, that

any bill so signed and presented is

"(E) The legislature may, by statute

or rule, make such further provisions

for the timely passage of bills making

inconsistent with the provisions of this

"(F) Nothing contained herein shall be

construed as requiring the legislature to

make any appropriation not otherwise

required by this Constitution to be

"(G) Notwithstanding any provision

authorizing the consideration of a bill

proposing a local law adopted before

Legislature at the time it was adopted,

November 8, 2016, that conformed

is ratified, approved, validated, and

confirmed and the application of any

such resolution is effective from the

proposed amendment shall be held

in accordance with Sections 284 and

285 of the Constitution of Alabama of

1901, now appearing as Sections 284

and 285 of the Official Recompilation

of the Constitution of Alabama of 1901

as amended, and the election laws of

Section 3. The appropriate election offi-

cial shall assign a ballot number for the proposed constitutional amendment on

the election ballot and shall set forth the

following description of the substance

"Proposing an amendment to the Con-

stitution of Alabama of 1901, to amend

Amendment 448 to the Constitution of

Section 71.01 of the Official Recompila

tion of the Constitution of Alabama of

1901, as amended, to ratify, approve,

validate, and confirm the application of any budget isolation resolution relating

to a bill proposing a local law adopted

by the Legislature before November

8, 2016, that conformed to the rules of either body of the Legislature at the

"Proposed by Act ____."
This description shall be followed by the

I further direct and proclaim

November, 2016, upon the above set

forth proposed amendments to the

Constitution of 1901 of the State of

that notice of this election to be

held on Tuesday, the 8th day of

time it was adopted.

following language:

"Yes () No ()."

advertisements.

Alabama of 1901, now appearing as

or subject matter of the proposed

constitutional amendment:

date of original adoption."

this state.

Section 2. An election upon the

to the rules of either body of the

of this amendment, any resolution

the basic appropriations as are not

wholly or in part invalid.

Constitution.

final passage therein.

the provisions of this paragraph (C)

functions that do not require a third

appropriations for any budget period

day of any succeeding regular session shall be paramount; and, accordingly,

beginning with the first regular session

appropriations are made.

as follows:

meanings:

'Amendment 448.

authorize the authority to issue revenue bonds to finance the projects. Proposed by Act

Constitution of Alabama of 1901, as amended, to repeal any existing age restriction on the appointment, election, or service of an appointed or elected official, with the exception of persons elected or appointed to a judicial office, currently imposed by a provision of the Constitution or other law; and to prohibit the Legislature from enacting any law imposing a maximum age limitation on the appointment, election, or service of an appointed or elected official. BE IT ENACTED BY THE LEGISLA-TURE OF ALABAMA: Section 1. The following amendment to the Constitution of Alabama of 1901. as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

1. Any provision of the constitution or other law that imposes a maximum age restriction for the appointment, election, or service of an appointed or elected official, with the exception of persons elected or appointed to a judicial office pursuant to Section 155, is repealed.

2. The Legislature may not enact any law imposing a maximum age restriction for the appointment, election, or service of any appointed or elected

Section 2. An election upon the proposed amendment shall be held n accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation as amended, and the election laws of this state.

Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on