

1 SB336
2 119090-4
3 By Senator Means (Constitutional Amendment)
4 RFD: Governmental Affairs
5 First Read: 02-FEB-10

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To propose an amendment to the Constitution of
12 Alabama of 1901, to authorize a committee of Etowah County
13 officials to establish and reapportion districts, excluding
14 the Cities of Attalla and Gadsden, and provide for the
15 election of the members of the Etowah County Board of
16 Education by the qualified electors of those districts.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. The following amendment to the
19 Constitution of Alabama of 1901, is proposed and shall become
20 valid as a part of the Constitution when all requirements of
21 this act are fulfilled:

22 PROPOSED AMENDMENT

23 (a) The Etowah County Board of Education shall
24 consist of seven members elected by a majority of the
25 respective qualified electors of seven single-member
26 districts, which districts shall exclude the Cities of Attalla
27 and Gadsden. Only the qualified electors residing in a

1 particular district may vote for the member representing that
2 district. The boundaries of the Etowah County Board of
3 Education school districts shall be established by a simple
4 majority of the members of a committee of Etowah County
5 officials, consisting of the Etowah County Judge of Probate,
6 as chair, the sheriff and circuit clerk of the county, the
7 Chair of the Etowah County Democratic Party, and the Chair of
8 the Etowah County Republican Party, or a designee of any of
9 them, based upon the most recent federal decennial census for
10 the county utilizing the principle of equal representation.
11 The committee shall reapportion districts within six months
12 following the publication of the results of each federal
13 decennial census, and at other times as determined necessary
14 by the committee to achieve equal representation on the board.

15 (b) Elections shall be conducted and the members
16 shall take office in the same manner as currently provided by
17 law.

18 (c) Members serving on the board upon the
19 ratification of this amendment shall continue to serve on the
20 board until the term for which they were originally elected
21 expires. If the boundaries of a district change, or if
22 redistricting places an incumbent district board member
23 outside of his or her district, the member shall nevertheless
24 continue to serve the remainder of the term to which he or she
25 was elected.

26 (d) The committee shall take necessary steps to
27 ensure this amendment complies with the Federal Voting Rights

1 Act of 1965, as amended, before any election is conducted
2 pursuant to this amendment.

3 Section 2. An election upon the proposed amendment
4 shall be held in accordance with Amendment 555 to the
5 Constitution of Alabama of 1901, now appearing as Section
6 284.01 of the Official Recompilation of the Constitution of
7 Alabama of 1901, as amended, and the election laws of this
8 state.

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

14 "Relating to Etowah County, proposing an amendment
15 to the Constitution of Alabama of 1901, to authorize a
16 committee consisting of the judge of probate, sheriff, and
17 circuit clerk of the county, the Chair of the Etowah County
18 Democratic Party, and the Chair of the Etowah County
19 Republican Party, or a designee of any of them, to establish
20 and reapportion districts, excluding the Cities of Attalla and
21 Gadsden, and provide for the election of the members of the
22 Etowah County Board of Education by the qualified electors of
23 those districts.

24 "Proposed by Act _____"

25 This description shall be followed by the following
26 language:

27 "Yes () No ()."

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Senate

Read for the first time and referred to
the Senate committee on Governmental Affairs 02-FEB-10

Read for the second time and placed on
the calendar 1 amendment 16-FEB-10

Read for the third time and passed as
amended 04-MAR-10

Yeas 26
Nays 0
Abstaining 1

McDowell Lee
Secretary