

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

1 SB336

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4 ENROLLED, An Act,

5 To propose an amendment to the Constitution of  
6 Alabama of 1901, to authorize a committee of Etowah County  
7 officials to establish and reapportion districts, excluding  
8 the Cities of Attalla and Gadsden, and provide for the  
9 election of the members of the Etowah County Board of  
10 Education by the qualified electors of those districts.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The following amendment to the  
13 Constitution of Alabama of 1901, is proposed and shall become  
14 valid as a part of the Constitution when all requirements of  
15 this act are fulfilled:

16 PROPOSED AMENDMENT

17 (a) The Etowah County Board of Education shall  
18 consist of seven members elected by a majority of the  
19 respective qualified electors of seven single-member  
20 districts, which districts shall exclude the Cities of Attalla  
21 and Gadsden. Only the qualified electors residing in a  
22 particular district may vote for the member representing that  
23 district. The boundaries of the Etowah County Board of  
24 Education school districts shall be established by a simple  
25 majority of the members of a committee of Etowah County

1 officials, consisting of the Etowah County Judge of Probate,  
2 as chair, the sheriff and circuit clerk of the county, the  
3 Chair of the Etowah County Democratic Party, and the Chair of  
4 the Etowah County Republican Party, or a designee of any of  
5 them, based upon the most recent federal decennial census for  
6 the county utilizing the principle of equal representation.  
7 The committee shall reapportion districts within six months  
8 following the publication of the results of each federal  
9 decennial census, and at other times as determined necessary  
10 by the committee to achieve equal representation on the board.

11 (b) Elections shall be conducted and the members  
12 shall take office in the same manner as currently provided by  
13 law.

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

22 (d) The committee shall take necessary steps to  
23 ensure this amendment complies with the Federal Voting Rights  
24 Act of 1965, as amended, before any election is conducted  
25 pursuant to this amendment.

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

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

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

22           "Proposed by Act \_\_\_\_\_"

23           This description shall be followed by the following  
24 language:

25           "Yes ( ) No ( )."

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President and Presiding Officer of  
the Senate

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Speaker of the House of Representa-  
tives

SB336  
Senate 04-MAR-10  
I hereby certify that the within Act originated in  
and passed the Senate, as amended.

McDowell Lee  
Secretary

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House of Representatives  
Passed: 23-MAR-10

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By: Senator Means