

1 HB432  
2 175661-1  
3 By Representative Beckman (Constitutional Amendment)  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 17-MAR-16

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, the elected  
9 constitutional offices in the Executive Department  
10 include the Governor, Lieutenant Governor,  
11 Attorney General, State Auditor, Secretary of  
12 State, State Treasurer, and Commissioner of  
13 Agriculture and Industries.

14 This bill would propose an amendment to the  
15 Constitution of Alabama of 1901, to make the State  
16 Auditor and the Commissioner of Agriculture and  
17 Industries positions that are appointed by the  
18 Governor.

19  
20 A BILL  
21 TO BE ENTITLED  
22 AN ACT

23  
24 Proposing an amendment to the Constitution of  
25 Alabama of 1901; to make the State Auditor and the  
26 Commissioner of Agriculture and Industries positions that are  
27 appointed by the Governor.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

7 PROPOSED AMENDMENT

8 (a) The State Auditor shall be appointed by the  
9 Governor and serve at his or her pleasure. The State Auditor  
10 shall receive an annual salary which shall be fixed by the  
11 Legislature and shall be paid from the State Treasury in  
12 installments as the salaries of other state officers are paid.  
13 The qualifications and the authority and duties of the State  
14 Auditor shall be in accordance with the Constitution of  
15 Alabama of 1901, as amended and in accordance with state law.

16 (b) The Commissioner of Agriculture and Industries  
17 shall be appointed by the Governor and serve at his or her  
18 pleasure. The Commissioner of Agriculture and Industries shall  
19 receive an annual salary which shall be fixed by the  
20 Legislature and shall be paid from the State Treasury in  
21 installments as the salaries of other state officers are paid.  
22 The qualifications and the authority and duties of the  
23 Commissioner of Agriculture and Industries shall be in  
24 accordance with state law.

25 Section 2. An election upon the proposed amendment  
26 shall be held in accordance with Sections 284 and 285 of the  
27 Constitution of Alabama of 1901, now appearing as Sections 284

1 and 285 of the Official Recompilation of the Constitution of  
2 Alabama of 1901, as amended, and the election laws of this  
3 state.

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

9 "Proposing an amendment to the Constitution of  
10 Alabama of 1901, to make the positions of State Auditor and  
11 Commissioner of Agriculture and Industries positions appointed  
12 by the Governor rather than elected positions.

13 "Proposed by Act \_\_\_\_\_."

14 This description shall be followed by the following  
15 language:

16 "Yes ( ) No ( )."