

1 SB258
2 154607-3
3 By Senator Ward (Constitutional Amendment)
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 21-JAN-14

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8 SYNOPSIS: Article IV of the Constitution of Alabama
9 of 1901 contains provisions relating to the
10 Legislature. Other provisions relating to the
11 Legislature are contained in Article V, Executive
12 Department, and Article XVII, Miscellaneous
13 Provisions, and various amendments adopted since
14 1901.

15 The bill would propose a constitutional
16 amendment to revise and recast the existing
17 provisions of the Constitution relating to the
18 Legislature into a new Article IV by repealing the
19 existing Article IV and previously adopted
20 amendments relating to the Legislature and moving
21 provisions related to the Legislature from Articles
22 V and XVII to the new Article IV and moving some
23 current provisions of Article IV that are unrelated
24 to the Legislature to Article XVII.

25
26 A BILL
27 TO BE ENTITLED

1 AN ACT

2
3 To repeal existing Article IV of the Constitution of
4 Alabama of 1901, relating to the Legislature, and the
5 amendments thereto, to move the provisions of various
6 amendments to Article XVII, and to add a new Article IV
7 relating to the Legislature containing the provisions of
8 existing Article IV revised and recast and provisions in
9 Articles V and XVII relating to the Legislature.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 PROPOSED AMENDMENT

18 I. Article IV of the Constitution of Alabama of
19 1901, Sections 122, 280, 281, and 282 of the Constitution of
20 Alabama of 1901, and Amendments 1, 12, 22, 26A, 39, 40, 49,
21 53, 57, 58, 88, 92, 93, 97, 112, 142, 159, 201, 214, 227, 247,
22 257, 315, 327, 339, 341, 354, 375, 383, 388, 389, 390, 397,
23 400, 401, 411, 427, 428, 443, 448, 449, 451, 452, 453, 454,
24 472, 474, 475, 491, 492, 513, 556, 558, 621, 715, 766, 772,
25 798, and 871 of the Constitution of Alabama of 1901, are
26 repealed.

1 II. Article IV is added to the Constitution of
2 Alabama of 1901, to read as follows:

3 Article IV. The Legislative Department.

4 LEGISLATORS

5 Section 44.

6 The legislative power of this state shall be vested
7 in a Legislature, which shall consist of a Senate and a House
8 of Representatives.

9 Section 45.

10 (a) Senators and Representatives shall be elected
11 for a four-year term on the first Tuesday after the first
12 Monday in November and every fourth year thereafter. The
13 Legislature may change the time of holding elections.

14 (b) The terms of office of the Senators and
15 Representatives shall commence on the 30th day after the
16 general election at which they are elected, and expire on the
17 29th day after the general election in the fourth year after
18 their election, except as otherwise provided in this
19 Constitution. During the period between the date of the
20 general election at which the Senators and Representatives are
21 elected and the date their terms commence, no bill may be
22 enacted without a two-thirds vote of those elected to each
23 house and no official action may be taken by a legislative
24 committee without a two-thirds vote of the members of the
25 committee.

26 (c) Whenever a vacancy occurs in either house of the
27 Legislature, the Governor shall issue a writ of election to

1 fill such vacancy for the remainder of the term. All expenses
2 of the election shall be paid by the state. If a legally
3 qualified candidate for election to the vacancy is unopposed
4 when the last date for filing certificates of nomination has
5 passed, the election shall not be held and a certificate of
6 election shall be issued to the unopposed candidate as
7 prescribed by law. The terms of legislators elected in special
8 elections to fill vacancies shall commence on the 30th day
9 after the special election.

10 (d) The Legislature may provide for the continuity
11 of the Legislature of the State of Alabama and the
12 representation therein of each of the political subdivisions
13 of the state in the event of an attack by an enemy of the
14 United States or disaster occurring in the state, by providing
15 for the selection of emergency interim legislators who shall
16 be designated for temporary succession to the powers and
17 duties of a legislator in case of such emergency. An emergency
18 interim legislator may serve until a successor has been
19 elected and the vote certified in accordance with this
20 section.

21 Section 46.

22 Senators shall be at least twenty-five years of age,
23 and Representatives twenty-one years of age at the time of
24 their election. They shall have been a citizen and resident of
25 this state for three years and a resident of their respective
26 district for one year next before their election, provided the
27 district was established more than a year. If the district was

1 not established for more than one year, they shall have been a
2 resident of the district from which the new district was
3 taken. They shall reside in their respective district during
4 their term of office.

5 Section 47.

6 (a) The Legislature recognizes that the public trust
7 in the legislative body is of paramount importance. The
8 Legislature further recognizes that government transparency
9 and accountability are vital to the preservation of the public
10 trust. To that end, it is the purpose of this amendment to
11 remove the power of determining legislative compensation or
12 expenses from the hands of the Legislature itself, to validate
13 the basis upon which legislative compensation and expenses are
14 established in an objective manner based on measurable
15 standards, and to allow the citizens of Alabama to vote on
16 this issue. It is the will of the Legislature to resolve the
17 issue of legislative compensation and expenses once and for
18 all by providing for compensation and expenses for members of
19 the Legislature and the President of the Senate and by
20 providing for compensation to be paid at the same rate as the
21 median household income in Alabama and expenses in the same
22 amounts and manner as expenses are allowed under law for state
23 employees generally.

24 (b) The annual basic compensation for each member of
25 the Legislature and the President of the Senate shall be the
26 median annual household income in Alabama, as ascertained and

1 adjusted each year by the State Personnel Board to take effect
2 on the first day of January of each year.

3 (c) No member of the Legislature or the President of
4 the Senate may receive reimbursement for any expenses except
5 as provided in this section.

6 (d) Subject to approval by the President of the
7 Senate or by the Speaker of the House for the respective
8 members of their Houses, and except as otherwise provided in
9 subsection (f), a member of the Legislature may be reimbursed
10 for any of the following:

11 (1) Expenses incurred for travel on official
12 business in the same amounts or at the same rates as for state
13 employees traveling in the service of the state under state
14 law, rules, and policies, provided that, for a member of the
15 Legislature, the travel is to a place outside his or her
16 district.

17 (2) Actual expenses other than travel expenses
18 incurred in the performance of official duties.

19 (3) Expenses authorized pursuant to Act 1196 of the
20 1971 Regular Session for the presiding officer of each House.

21 (e) Reimbursement for expenses may only be made
22 under subdivisions (1) and (2) of subsection (d) after a
23 determination of the presiding officer of the member's House
24 that the travel or expense is in the service of the state and
25 on submission of a signed voucher submitted in the same manner
26 as a request for reimbursement of expenses by a state
27 employee.

1 (f) Except for the expenses of transportation, no
2 member of the Legislature who resides less than 50 miles from
3 the seat of government may be reimbursed for any travel
4 expenses for travel between his or her place of residence and
5 the seat of government.

6 (g) In making the determination required by
7 subsection (e), the presiding officer of either house may not
8 determine a particular expense incurred by any member of the
9 Legislature was not in the service of the state on any basis
10 that discriminates between members of the Legislature.

11 (h) Reimbursement for expenses authorized pursuant
12 to this section shall be paid in a timely manner that is
13 consistent with expense reimbursement rules jointly
14 promulgated by the President of the Senate and the Speaker of
15 the House pursuant to the Alabama Administrative Procedure
16 Act. Such rules, to the extent possible, shall mirror similar
17 rules applicable to state employees. The President of the
18 Senate and the Speaker of the House may not discriminate
19 between members of the Legislature regarding the timely
20 reimbursement of authorized expenses.

21 (i) The State Personnel Board may promulgate such
22 rules as it deems necessary to enforce its responsibilities
23 under this amendment and, in conjunction with the Comptroller,
24 shall provide an annual report on compensation and
25 reimbursement of expenses to members of the Legislature.

26 (j) The compensation and reimbursement for expenses
27 provided in this section shall constitute the total amounts

1 payable to the presiding officers and members of the
2 Legislature, beginning with the terms commencing immediately
3 after the 2014 General Election.

4 (k) The Legislature may not increase, supplement, or
5 otherwise enlarge the compensation or reimbursement for
6 expenses payable to its members by this amendment.

7 Section 48.

8 The Legislature shall consist of not more than
9 thirty-five Senators, and not more than one hundred and five
10 Representatives, to be apportioned among the several districts
11 and counties, as prescribed in this Constitution.

12 Section 49.

13 It is made the duty of the Legislature to enact all
14 laws necessary to give effect to this Constitution.

15 LEGISLATION

16 Section 50.

17 (a) Every bill, except general appropriation bills
18 and bills adopting a code, digest, or revision of statutes,
19 shall contain but one subject, which shall be clearly
20 expressed in its title, and no law shall be revived, amended,
21 or the provisions thereof extended or conferred, by reference
22 to its title only, but shall be reenacted and published at
23 length.

24 (b) The general appropriation bill shall embrace
25 nothing but appropriations for the ordinary expenses of the
26 executive, legislative, and judicial departments of the state,
27 for interest on the public debt, for the public schools.

1 (c) The salary of officers or employees may not be
2 increased in an appropriation bill, nor may any appropriation
3 be made therein for any officer or employee except to those
4 for which employment and the amount of salary have previously
5 been provided for by law.

6 (d) All other appropriations shall be made by
7 separate bills, each embracing but one subject.

8 Section 51.

9 (a) A majority of each house shall constitute a
10 quorum to do business; but a smaller number may adjourn from
11 day to day and compel the attendance of absent members, in
12 such manner and under such penalties as each house may
13 provide.

14 (b) Neither house, without consent of the other,
15 shall adjourn for more than three days, nor meet in any place
16 other than that in which they may be sitting except as
17 otherwise provided in this Constitution.

18 Section 52.

19 (a) No bill shall be passed, altered, or amended on
20 its passage through either house as to change its original
21 purpose.

22 (b) No bill shall become law unless prior to its
23 passage:

24 (i) The bill has been referred to a standing
25 committee of each house, acted upon by such committee in
26 session, and returned from the committee, with the committee's
27 action affirmatively appearing upon the journal of each house.

1 (ii) The bill has been read on three different days
2 in each house, and on its final passage it be read at length
3 if requested by any member, provided the member's request is
4 supported by 10 percent of those present and voting in the
5 house in which the request is made.

6 (c) In each house, the names of the members voting
7 for and against recorded in the journals, and a majority of
8 each house shall be recorded thereon as voting in its favor,
9 except as otherwise provided in this Constitution.

10 (d) No amendment to a bill shall be adopted or
11 amended except by a majority of the members in the house in
12 which the amendment is offered. Voting on amendments is the
13 same as otherwise provided for adoption of bills.

14 (e) An amendment to a bill by one house must be
15 concurred in by the other house in the same manner as provided
16 for the adoption of a bill.

17 (f) A report of a conference committee must be
18 adopted in both houses, by a vote taken by yeas and nays, and
19 entered on the journal, in the same manner as provided for the
20 adoption of bills.

21 Section 53.

22 The presiding officer of each house shall sign all
23 bills and joint resolutions passed by the Legislature, which
24 shall be entered upon the journal.

25 Section 54.

1 All bills for raising revenue shall originate in the
2 House of Representatives; but the Senate may propose or concur
3 with amendments as on other bills.

4 No bill for raising revenue may be passed during the
5 last five days of the session.

6 Section 55.

7 No appropriation may be made to any charitable or
8 educational institution not under the absolute control of the
9 state, except by a vote of two-thirds of all the members
10 elected to each house.

11 Section 56.

12 In all elections for legislative officers by the
13 Legislature, the members shall vote viva voce. In all
14 elections by the Legislature, the member's vote shall be
15 publicly cast and entered on the journal.

16 SESSIONS

17 Section 57.

18 (a) All sessions of the Legislature shall be held at
19 the Capitol or other place in Montgomery, as otherwise
20 provided by law, which shall be designated as the Alabama
21 State House. If at any time it should become impossible or
22 dangerous for the Legislature to meet or remain in either the
23 Capitol or the Alabama State House, the Governor may convene
24 the Legislature, or remove it after it has convened, to some
25 other place, as necessity may require.

26 (b) The Legislature shall convene in Organizational
27 Session on the second Tuesday in January following their

1 election and shall remain in session for not longer than ten
2 consecutive calendar days. No business may be transacted at
3 the Organizational Session except:

4 (1) At the beginning of each Organizational Session,
5 and at such other times as may be necessary, the Senate shall
6 elect one of its members as President Pro Tempore, to preside
7 over its deliberations in the absence of the Lieutenant
8 Governor, and the House of Representatives shall elect one of
9 its members as Speaker, to preside over its deliberations. The
10 incumbent President Pro Tempore of the Senate and the Speaker
11 of the House of Representatives shall continue to hold office
12 between the general election and the Organizational Session
13 and carry out the specified duties of the office but no new
14 expenditures may be made until a successor has been elected
15 and qualified.

16 The Clerk of the House and the Secretary of the
17 Senate shall preside at the Organizational Session until the
18 election of the Speaker of the House and President Pro
19 Tempore. The first order of business shall be the election of
20 a Speaker of the House of Representatives and a President Pro
21 Tempore of the Senate.

22 (2) In case of the temporary disability of the
23 Speaker of the House or the President Pro Tempore of the
24 Senate, the house to which the person belongs may elect one of
25 its members to preside over that house and to perform all the
26 duties of such officer during the continuance of the
27 disability. Each house shall choose its own officers and shall

1 judge of the election, returns, and qualifications of its
2 members.

3 (3) The organization of the Legislature, the
4 election of officers, and the appointment of standing
5 committees of the Senate and the House of Representatives for
6 the ensuing four years, provided that appointments may also be
7 made at such other times as may be necessary.

8 (4) The opening and publication of election returns
9 and declaration of the results of the election for state
10 constitutional officers whose terms are concurrent with the
11 Governor, election of officers in the event of a tie vote, the
12 determination of contested elections for these offices, the
13 judging of the election returns and qualification of the
14 members of the Legislature.

15 (c) Regular Sessions of the Legislature shall be
16 held annually on the first Tuesday in February or on such
17 other day as may be prescribed by law, and shall be limited to
18 30 legislative days within 105 calendar days.

19 Section 57.1.

20 (a) The Governor, by proclamation on extraordinary
21 occasions, may convene the Legislature to consider specific
22 legislation as provided in subsection (b) by issuing to the
23 Clerk of the House and the Secretary of the Senate a Special
24 Session Proclamation. The proclamation shall be issued at
25 least two days in advance of the session unless emergency
26 circumstances require otherwise.

1 (b) The Special Session Proclamation shall designate
2 the legislation to be considered. When the Legislature is
3 convened in special session, no legislation upon subjects
4 other than those designated in the proclamation may be
5 enacted, except by a vote of two-thirds of those elected to
6 each house.

7 (c) A special session called pursuant to this
8 section shall be limited to 12 legislative days within 30
9 calendar days.

10 LEGISLATIVE OPERATION

11 Section 58.

12 Each house shall keep a journal of its proceedings
13 and cause the same to be published as soon as practical after
14 its adjournment. A recorded vote of yeas and nays of the
15 members shall be taken and entered on the journal on any
16 question at the request of one-tenth of the members present.
17 Any member of either house shall have the right to dissent
18 from or against any act or resolution, and have the reason for
19 dissent entered on the journal.

20 Section 59.

21 The doors of each house shall be opened except on
22 such occasions as, in the opinion of the house, may require
23 secrecy. Admittance to the floor of each house shall be
24 governed by rules of each house.

25 Section 60.

26 The Legislature shall prescribe by law the number,
27 duties, and compensation of the officers and employees of each

1 house, and no payment shall be made from the State Treasury or
2 be in any way authorized to any person except to an acting
3 officer or employee elected or appointed in pursuance of law.

4 Section 61.

5 No money may be paid out of the State Treasury
6 except appropriations made by law by the proper officer, and
7 on warrant drawn pursuant to law. A periodic statement and
8 account of receipts and expenditures of all public moneys
9 shall be published annually, in such manner as may be provided
10 by law.

11 LOCAL GOVERNMENT PROVISIONS

12 Section 62.

13 The Legislature shall pass general laws under which
14 local and private interests shall be provided for and
15 protected.

16 Section 63.

17 A general law is a law which in its terms and effect
18 applies either to the whole state, or to one or more
19 municipalities of the state less than the whole in a class. A
20 general law applicable to such a class of municipalities shall
21 define the class on the basis of criteria reasonably related
22 to the purpose of the law, provided that the Legislature may
23 also enact and change from time to time a general schedule of
24 not more than eight classes of municipalities based on
25 population according to any designated federal decennial
26 census, and general laws for any purpose may thereafter be
27 enacted for any such class. Any law heretofore enacted which

1 complies with the provisions of this section shall be
2 considered a general law.

3 No general law which at the time of its enactment
4 applies to only one municipality of the state shall be
5 enacted, unless notice of the intention to apply therefor
6 shall have been given and shown as provided in Section 66 for
7 special, private, or local laws; provided, that the notice
8 shall not be deemed to constitute the law a local law.

9 A special or private law is one which applies to an
10 individual, association, or corporation. A local law is a law
11 which is not a general law or a special or private law.

12 Act No. 79-263 (House Bill No. 68) entitled An Act
13 to establish eight classes of municipalities, by population,
14 based on the 1970 Federal decennial census approved June 28,
15 1979, and each and every act of the Legislature thereafter
16 enacted referred or relating to a class of municipalities as
17 established in Act No. 79-263 are hereby in all things
18 ratified, approved, validated, and confirmed as of the date of
19 their enactment, any provision or provisions of the
20 Constitution to the contrary.

21 Section 64.

22 The Legislature shall not pass a special, private,
23 or local law in any of the following cases:

24 (1) Granting a divorce.

25 (2) Relieving any minor of the disabilities of
26 nonage.

1 (3) Changing the name of any corporation,
2 association, or individual.

3 (4) Providing for the adoption or legitimizing of
4 any child.

5 (5) Incorporating a city, town, or village.

6 (6) Granting a charter to any corporation,
7 association, or individual.

8 (7) Establishing rules of descent or distribution.

9 (8) Regulating the time within which a civil or
10 criminal action may be begun.

11 (9) Exempting any individual, private corporation,
12 or association from the operation of any general law.

13 (10) Providing for the sale of the property of any
14 individual or estate.

15 (11) Changing or locating a county seat.

16 (12) Providing for a change of venue in any case.

17 (13) Regulating the rate of interest.

18 (14) Fixing the punishment of crime.

19 (15) Regulating either the assessment or collection
20 of taxes, except in connection with the readjustment, renewal,
21 or extension of existing municipal indebtedness created prior
22 to the ratification of the Constitution of 1875.

23 (16) Giving effect to an invalid will, deed, or
24 other instrument.

25 (17) Authorizing any county, city, town, village,
26 district, or other political subdivision of a county, to issue
27 bonds or other securities unless the issuance of the bonds or

1 other securities shall have been authorized before the
2 enactment of the local or special law, by a vote of the duly
3 qualified electors of the county, township, city, town,
4 village, district, or other political subdivision of a county,
5 at an election held for the purpose, in the manner that may be
6 prescribed by law, provided the Legislature, without such an
7 election, may pass special laws to refund bonds issued before
8 the date of the ratification of this Constitution.

9 (18) Amending, confirming, or extending the charter
10 of any private or municipal corporation, or remitting the
11 forfeiture thereof; provided, this shall not prohibit the
12 Legislature from altering or rearranging the boundaries of the
13 city, town, or village.

14 (19) Creating, extending, or impairing any lien.

15 (20) Chartering or licensing any ferry, road, or
16 bridge.

17 (21) Increasing the jurisdiction and fees of
18 justices of the peace or the fees of constables.

19 (22) Establishing separate school districts.

20 (23) Establishing separate stock districts.

21 (24) Creating, increasing, or decreasing fees,
22 percentages, or allowances of public officers.

23 (25) Exempting property from taxation or from levy
24 or sale.

25 (26) Exempting any person from jury, road, or other
26 civil duty.

1 (27) Donating any lands owned by or under control of
2 the state to any person or corporation.

3 (28) Remitting fines, penalties, or forfeitures.

4 (29) Providing for the conduct of elections or
5 designating places of voting, or changing the boundaries of
6 wards, precincts, or districts, except in the event of the
7 organization of new counties, or the changing of the lines of
8 old counties.

9 (30) Restoring the right to vote to persons
10 convicted of infamous crimes, or crimes involving moral
11 turpitude.

12 (31) Declaring who shall be liners between precincts
13 or between counties. The Legislature shall pass general laws
14 for the cases enumerated in this section, provided that
15 nothing in this section or article shall affect the right of
16 the Legislature to enact local laws regulating or prohibiting
17 the liquor traffic; but no such local law shall be enacted
18 unless notice shall have been given as required in Section 66.

19 Section 65.

20 No special, private, or local law, except a law
21 fixing the time of holding courts, shall be enacted in any
22 case which is provided for by a general law, or when the
23 relief sought can be given by any court of this state; and the
24 courts, and not the Legislature, shall judge as to whether the
25 matter of the law is provided for by a general law, and as to
26 whether the relief sought can be given by any court; nor shall

1 the Legislature indirectly enact any such special, private, or
2 local law by the partial repeal of a general law.

3 Section 66.

4 (1) Prior to the introduction in the Legislature of
5 any bill proposing passage of any special, private, or local
6 law on any subject not enumerated in Section 64, except in
7 reference to fixing the time of holding courts, notice of the
8 intention to introduce such bill shall be published, without
9 cost to the state, as provided in subdivision (2). The notice
10 shall:

11 (A) Set forth the substance of the proposed law
12 which may consist of a statement of the general nature of
13 substantive features of the proposed bill, or of an abstract
14 or essence or compendium of the proposed bill, but need not
15 include details of the proposed bill or the text of the
16 proposed bill in its entirety.

17 (B) Include a statement that the Legislature may
18 offer amendments to the proposed bill as provided in
19 subdivision (4) with specific information detailing how access
20 to any proposed amendment may be obtained by the general
21 public while the amendment is pending under the procedures set
22 out in subdivision (4).

23 (2) The notice required in subdivision (1) shall be
24 published at least once a week for three consecutive weeks
25 prior to introduction of the bill by publication in some
26 newspaper of general circulation published in the county or
27 counties affected, provided that if there is no newspaper of

1 general circulation published in an affected county, notice
2 shall be made by posting the notice for two consecutive weeks
3 at five different places in the county or counties, at least
4 one of which shall be the county courthouse and by publication
5 by electronic or other media as the Legislature may by general
6 law provide.

7 (3) Proof that the notice has been given shall be
8 exhibited to each house of the Legislature through a
9 certification by the Clerk of the House or Secretary of the
10 Senate that notice and proof was attached to the subject local
11 legislation and the notice and proof shall be attached to the
12 original copy of the subject bill and shall be filed in the
13 Department of Archives and History where it shall constitute a
14 public record.

15 (4) A bill proposing passage of a special, private,
16 or local law may be amended by either house of the Legislature
17 as provided in this Constitution; provided the amendment shall
18 first be adopted by a majority of those present and voting and
19 the bill as amended shall not thereafter be subject to final
20 passage until the third legislative day following the adoption
21 of the amendment. Additionally, if an executive amendment or
22 conference committee report to a bill proposing passage of a
23 special, private, or local law or the repeal or amendment of
24 an existing special, private, or local law is adopted by the
25 house of origin, the bill as amended by the executive
26 amendment or conference committee report shall not be
27 transmitted to the other house for final passage until the

1 next legislative day or one calendar week, whichever is last
2 to occur.

3 (5) During any regular session of the Legislature,
4 no bill proposing passage of a special, private, or local law
5 or the repeal of an existing special, private, or local law
6 shall be introduced following the twenty-fifth legislative
7 day.

8 (6) The courts shall pronounce void every special,
9 private, or local law which the journals do not affirmatively
10 show was passed in accordance with this section.

11 Section 67.

12 Any statute that was otherwise valid and
13 constitutional that was enacted before January 13, 1978, by
14 the Legislature and was a general act of local application on
15 a population basis, that applied only to a certain county or
16 counties or a municipality or municipalities of this state,
17 shall not be declared invalid or unconstitutional by any court
18 of this state because it was not properly advertised in
19 compliance with this Constitution.

20 All such population based acts shall forever apply
21 only to the county or counties or municipality or
22 municipalities to which they applied on January 13, 1978, and
23 no other, despite changes in population.

24 The population based acts referred to above shall
25 only be amended by acts which are properly advertised and
26 passed by the Legislature in accordance with this
27 Constitution.

1 Section 68.

2 The Legislature shall not, by a special, private, or
3 local law, repeal or modify any special, private, or local law
4 except upon notice being given and shown as provided in
5 Section 66.

6 Section 69.

7 No bill introduced as a general law in either house
8 of the Legislature shall be so amended on its passage as to
9 become a special, private, or local law.

10 Section 70.

11 The Legislature shall not hereafter by general,
12 special, or local law authorize the state Department of
13 Transportation or any other agency of the State of Alabama,
14 other than a court of county commissioners, board of revenue,
15 or like county governing body, to assume responsibility for
16 the construction, repair, or maintenance of all county roads
17 or bridges within a county unless the assumption of such
18 responsibility by the department or other agency is approved
19 by a vote of the duly qualified electors of the county in
20 which the roads lie at an election held for such purpose, in
21 the manner that may be prescribed by law. Provided, the state
22 Department of Transportation, or other state agency may engage
23 in the construction, repair, or maintenance of a county road
24 or bridge upon written agreement signed by the director and a
25 majority of the members of the county governing body; and
26 provided further that the Legislature is not prohibited from
27 authorizing the Director of Transportation or other state

1 agency to designated certain routes or roads within a county
2 as part of the state highway system.

3 Section 71.

4 The Legislature may pass laws to provide for the
5 termination of alimony upon the remarriage of the spouse
6 receiving the alimony or upon the spouse living openly or
7 cohabiting with a member of the opposite sex. Such laws may be
8 made to apply retrospectively.

9 Section 72.

10 No law, whether general, special, or local, the
11 purpose or effect of which is to provide for a new or
12 increased expenditure of county funds held or disbursed by the
13 county governing body shall become effective as to any county
14 of this state until the first day of the fiscal year next
15 following the passage of the law. The foregoing
16 notwithstanding, a law, whether general, special, or local,
17 whose purpose or effect is to provide for a new or increased
18 expenditure of county funds held or disbursed by the county
19 governing body, shall become effective according to its own
20 terms as any other law if: (1) such law is approved by a
21 resolution duly adopted by and spread upon the minutes of the
22 county governing body of the county affected thereby; or (2)
23 such law (or other law or laws which specifically refer to
24 such law) provides the respective county governing bodies with
25 new or additional revenues sufficient to fund such new or
26 increased expenditures.

27 Section 73.

1 No law, whether general, special, or local, whose
2 purpose or effect is to provide for a new or increased
3 expenditure of municipal funds held or disbursed by the
4 municipal governing body shall become effective as to any
5 municipality of this state until the first day of the fiscal
6 year next following the passage of such law. The foregoing
7 notwithstanding, a law, whether general, special, or local,
8 the purpose or effect of which is to provide for a new or
9 increased expenditure of municipal funds held or disbursed by
10 the municipal governing body, shall become effective according
11 to its own terms as any other law if: (1) Such law is approved
12 by a resolution duly adopted by and spread upon the minutes of
13 the municipal governing body of the municipality affected
14 thereby; or (2) Such law (or other law or laws which
15 specifically refer to such law) provides the respective
16 municipal governing bodies with new or additional revenues
17 sufficient to fund such new or increased expenditures.

18 Section 74.

19 (a) No general law, or state executive order whose
20 purpose or effect is to require a new or increased expenditure
21 of funds held or disbursed by the governing body of a
22 municipality or county, or an instrumentality thereof, shall
23 become effective as to any municipality or county, or an
24 instrumentality thereof, until approved by an ordinance
25 enacted, or a resolution adopted, by the governing authority
26 of the affected municipality, county, or instrumentality or
27 until, and only as long as, the Legislature appropriates funds

1 for the purpose to the affected municipality, county, or
2 instrumentality and only to the extent and amount that the
3 funds are provided, or until a law provides for a local source
4 of revenue within the municipality, county, or instrumentality
5 for the stated purpose and the affected municipality, county,
6 or instrumentality is authorized by ordinance or resolution to
7 levy and collect the revenue and only to the extent and amount
8 of the revenue.

9 (b) This amendment shall not apply to:

10 (1) A local law as defined in Section 63.

11 (2) An act or state executive order requiring
12 expenditures by a school board.

13 (3) An act defining a new crime or amending the
14 definition of an existing crime.

15 (4) An act, statute, executive order enacted,
16 promulgated, or adopted and effective prior to January 6,
17 1999, which by its provisions requires expenditures by the
18 county or municipality at any time after that date.

19 (5) An act enacted, or state executive order
20 promulgated or adopted to comply with a federal mandate, only
21 to the extent of the federal mandate.

22 (6) An act adopted or enacted by two-thirds of those
23 voting in each house of the Legislature and any rule or
24 regulation adopted to implement that act or adopted pursuant
25 thereto.

26 (7) An act determined by the Legislative Fiscal
27 Office to have an aggregate insignificant fiscal impact on

1 affected municipalities, counties, or instrumentalities. For
2 purposes of this subsection, the phrase aggregate
3 insignificant fiscal impact shall mean any impact less than
4 \$50,000 annually.

5 (8) An act of general application prescribing the
6 minimum compensation for public officials.

7 Section 75.

8 No moneys derived from any fees, excises, or license
9 taxes, levied by the state, relating to registration,
10 operation, or use of vehicles upon the public highways except
11 a vehicle-use tax imposed in lieu of a sales tax, and no
12 moneys derived from any fee, excises, or license taxes, levied
13 by the state, relating to fuels used for propelling such
14 vehicles except pump taxes, shall be expended for other than
15 cost of administering such laws, statutory refunds and
16 adjustments allowed therein, cost of construction,
17 reconstruction, maintenance and repair of public highways and
18 bridges, costs of highway rights-of-way, payment of highway
19 obligations, the cost of traffic regulation, and the expense
20 of enforcing state traffic and motor vehicle laws. This
21 section shall not apply to any such fees, excises, or license
22 taxes now levied by the state for school purposes for this
23 whole state or for any county or city board of education
24 therein; and the Legislature may provide for the manufacture,
25 distribution, and use on private passenger or pleasure motor
26 vehicles of personalized license plates or tags, bearing some
27 special letters, figures, mark, or badge of distinction or

1 personal prestige in lieu of the regular license plates or
2 tags, and if it does so, the Legislature must also require
3 that such tags may be procured only by payment of a fee or
4 charge, in addition to the regular fee, excise, or license tax
5 for the registration, operation, or use of such motor vehicles
6 upon the highways. The moneys derived from the additional
7 charge made for such special or distinctive license plates or
8 tags, in excess of the cost of the manufacture and
9 distribution of such plates or tags, may be used in such
10 manner as the Legislature prescribes.

11 Section 76.

12 It shall be the duty of the Legislature to require
13 the several counties of this state to make adequate provision
14 for the maintenance of the poor.

15 Section 77.

16 The Legislature shall not have power to authorize
17 any municipal corporation to pass any laws inconsistent with
18 the general laws of this state.

19 Section 78.

20 (a) The state shall have full and continuing power
21 to do any of the following:

22 (1) When authorized by laws passed by the
23 Legislature, the state may appropriate funds to be applied to
24 the construction, repair, and maintenance of public roads,
25 highways, and bridges in the state.

26 (2) When authorized by laws passed by the
27 Legislature, the state may promote, develop, construct,

1 maintain, and operate harbors and seaports within the state or
2 its jurisdiction; provided, that such harbors or seaports
3 shall always be and remain under the management and control of
4 the state, to own and operate the same directly or through
5 such agency or public corporation as shall be established or
6 provided for by the Legislature.

7 (3) When authorized by laws passed by the
8 Legislature, the state may engage in the construction,
9 improvement, repairs, and maintenance and operation of public
10 airports, air landing fields, and other air navigation
11 facilities in the State of Alabama and may appropriate money
12 or otherwise provide funds for this purpose.

13 (4) The state may acquire, build, establish, own,
14 operate, and maintain hospitals, health centers, sanatoria,
15 and other health facilities, and for such purposes, the
16 Legislature may appropriate public funds and authorize
17 counties, municipalities, and other political subdivisions,
18 any provisions of Section 79 to the contrary notwithstanding,
19 to appropriate their funds, and the state may designate or
20 create an agency or agencies to accept and administer funds
21 appropriated or donated for such purposes by the United States
22 government to the state upon such terms and conditions as may
23 be imposed by the United States government.

24 (b) When authorized by laws passed by the
25 Legislature, the state may engage in works of internal
26 improvement and lend money or its credit in aid of such,
27 except as restricted by this Constitution; but shall not be

1 interested in any private or corporate enterprise, or lend
2 money or its credit to any individual, association, or
3 corporation, except as may be expressly authorized by this
4 Constitution.

5 Section 79.

6 (a) The Legislature may authorize any county, city,
7 town, or other subdivision of this state to lend its credit,
8 or grant public money or thing of value in aid of, or to any
9 individual, association, or corporation or to become a
10 stockholder in any corporation, association, or company, as
11 expressly authorized by subsections (b) through (e) or by any
12 other provision of this Constitution.

13 (b) The governing body of any county, and the
14 governing body of any municipality located therein shall have
15 full and continuing power to do any of the following (which
16 powers shall be supplemental to any conferred by any local
17 constitutional amendment applicable to the county or
18 municipality governing body, and may be exercised as an
19 alternative to, or cumulative with, and in no way restrictive
20 of, powers otherwise granted by law or local constitutional
21 amendment to the county or municipality governing body, and
22 may be exercised as an alternative to, or cumulative with, and
23 in no way restrictive of, powers otherwise granted by law or
24 local constitutional amendment to the county, or to any
25 municipality, or to any agency, board, or authority created
26 pursuant to the laws of this state):

1 (1) Use public funds to purchase, lease, or
2 otherwise acquire real property, buildings, plants, factories,
3 facilities, machinery, and equipment of any kind, or to
4 utilize the properties heretofore purchased or otherwise
5 acquired, and improve and develop the properties for use as
6 sites for industry of any kind or as industrial park projects,
7 including, but not limited to, grading and the construction of
8 roads, drainage, sewers, sewage and waste disposal systems,
9 parking areas, and utilities to serve the sites or projects.

10 (2) Lease, sell, grant, exchange, or otherwise
11 convey, on terms approved by the governing body of the county
12 or the municipality, as applicable, all or any part of any
13 real property, buildings, plants, factories, facilities,
14 machinery, and equipment of any kind or industrial park
15 project to any individual, firm, corporation, or other
16 business entity, public or private, including any industrial
17 development board or other public corporation or authority
18 heretofore or hereafter created by the county or the
19 municipality, for the purpose of constructing, developing,
20 equipping, and operating industrial, commercial, research, or
21 service facilities of any kind.

22 (3) Lend its credit to or grant public funds and
23 things of value in aid of or to any individual, firm,
24 corporation, or other business entity, public or private, for
25 the purpose of promoting the economic and industrial
26 development of the county or the municipality.

1 (4) Become indebted and issue bonds, warrants which
2 may be payable from funds to be realized in future years,
3 notes, or other obligations, or evidences of indebtedness to a
4 principal amount not exceeding 50 percent of the assessed
5 value of taxable property therein as determined for state
6 taxation, in order to secure funds for the purchase,
7 construction, lease, or acquisition of any of the property
8 described in subdivision (1) or to be used in furtherance of
9 any of the other powers or authorities granted in this
10 amendment. The obligations or evidences of indebtedness may be
11 issued upon the full faith and credit of the county or any
12 municipality or may be limited as to the source of their
13 payment.

14 The recital in any bonds, warrants, notes, or other
15 obligations or evidences of indebtedness that they were issued
16 pursuant to this section or that they were issued to provide
17 funds to be used in furtherance of any power or authority
18 authorized in this section shall be conclusive, and no
19 purchaser or holder thereof need inquire further. The bonds,
20 warrants, notes, or other obligations or evidences of
21 indebtedness issued thereunder shall not be considered an
22 indebtedness of the county or any municipality for the purpose
23 of determining the borrowing capacity of the county or
24 municipality under this Constitution.

25 (c) In carrying out the purpose of this section,
26 neither the county nor any municipality located therein shall
27 be subject to Section 78. Each public corporation heretofore

1 created by the county or by any municipality located therein,
2 including specifically any industrial development board
3 incorporated under Article 4 of Chapter 54 of Title 11 of the
4 Code of Alabama 1975, and any industrial development authority
5 incorporated or reincorporated under Chapter 92A of Title 11
6 of the Code of Alabama 1975, and the Shoals Economic
7 Development Authority enacted under Act No. 95-512, 1995
8 Regular Session, are validated and the powers granted to the
9 board or authority under its respective enabling legislation
10 are validated notwithstanding any other provision of law or of
11 this Constitution. The powers granted by this section may be
12 exercised as an alternative to, or cumulative with, and in no
13 way restrictive of, powers otherwise granted by law to the
14 county, or to any municipality, or to any agency, board, or
15 authority created pursuant to the laws of this state.

16 (d) Neither the county nor any municipality located
17 therein shall lend its credit to or grant any public funds or
18 thing of value to or in aid of any private entity under the
19 authority of this section unless prior thereto all of the
20 following are satisfied:

21 (1) The action proposed to be taken by the county or
22 municipality is approved at a public meeting of the governing
23 body of the county or municipality, as the case may be, by a
24 resolution containing a determination by the governing body
25 that the expenditure of public funds for the purpose specified
26 will serve a valid and sufficient public purpose,

1 notwithstanding any incidental benefit accruing to any private
2 entity or entities.

3 (2) At least seven days prior to the public meeting,
4 a notice is published in the newspaper having the largest
5 circulation in the county or municipality, as the case may be,
6 describing in reasonable detail the action proposed to be
7 taken, a description of the public benefits sought to be
8 achieved by the action, and identifying each individual, firm,
9 corporation, or other business entity to whom or for whose
10 benefit the county or the municipality proposes to lend its
11 credit or grant public funds or thing of value.

12 For purposes of the foregoing, any sale, lease, or
13 other disposition of property for a price equal to the fair
14 market value thereof shall not constitute the lending of
15 credit or a grant of public funds or thing of value in aid of
16 a private entity.

17 Nothing in this section shall authorize the county
18 commission to own or operate a cable television system.

19 (e) Except as hereafter provided, subsections (b)
20 through (e) shall have prospective application only from
21 November 24, 2004. Any local constitutional amendments
22 previously adopted and any local law enacted pursuant to such
23 amendment shall remain in full force and effect but from and
24 after 20 years from the date that the ratification of this
25 amendment is declared, further exercise of any powers granted
26 under any such local amendment shall not be authorized,

1 provided that the validity of any actions taken or debt
2 incurred pursuant thereto shall not thereby be affected.

3 (f) Notwithstanding any other provision of this
4 section, local school boards of education may expend public
5 funds for the recognition of significant contributions to
6 education in Alabama and to promote educational excellence by
7 students, faculty, staff, and the public. Recognitions shall
8 be in the form of trophies, plaques, academic banquets, and
9 other honors that promote academic excellence in the public
10 schools of Alabama and recognize special deeds that strengthen
11 public education in Alabama.

12 Section 80.

13 Any other provision of the Constitution heretofore
14 adopted to the contrary notwithstanding, the Legislature is
15 hereby authorized to enact legislation permitting
16 municipalities and counties to establish tax increment
17 districts, as may be defined in such legislation; to authorize
18 the payment to any such municipality or county of the increase
19 in ad valorem taxes resulting from the redevelopment or
20 revitalization of any such district except to the extent that
21 any such payment would jeopardize the payment of any bonded
22 indebtedness secured by any tax applicable in the proposed
23 district; and subject to the mutual agreement of the
24 municipality and county affected thereby to provide that all
25 such increases in ad valorem taxes shall be payable to such
26 municipality or county until the indebtedness or costs
27 incurred for any project have been paid in full; to provide

1 that public moneys, including the proceeds of obligations
2 issued by the municipality or county for such purposes, may be
3 expended for the acquisition of property and the
4 redevelopment, rehabilitation or conservation thereof which
5 may be disposed of to or for the benefit of private interest
6 for compensation established by the governing body of county
7 or municipality, as the case may be which established such
8 district, but for not less than the fair market value thereof
9 determined by one or more independent appraisals of such
10 property; and to provide that any such obligations shall not
11 be chargeable against the constitutional debt limit of the
12 issuer unless such obligations shall be general obligations of
13 the issuer in addition to being payable from such increases in
14 property taxes. Any legislation passed at the same session of
15 the Legislature at which this amendment is proposed, which
16 shall be in furtherance of or in implementation of the
17 authority hereby granted is hereby validated and confirmed.

18 Section 81.

19 (a) The Legislature may form or provide for the
20 formation of drainage districts for establishing and
21 maintaining drainage systems; and provide for the assessment
22 of the whole or part of the cost of such improvements against
23 the lands and property in such district to the extent of the
24 increased value thereof by reason of special benefits derived
25 from such improvements and may provide for the issuance of
26 bonds for such districts with or without an election.

1 (b) This section shall be retroactive and
2 retrospective and shall operate to ratify, confirm, and
3 validate the act of the Legislature of Alabama, which act
4 provided for the drainage of farm, wet, swamp, and overflow
5 lands in the State of Alabama and authorized the organization
6 of drainage districts, conferred the right of eminent domain
7 to the extent necessary to carry out the purpose of the act
8 and provided for raising of revenues by bond issue or
9 otherwise to pay the cost and expense of installing and
10 maintaining drainage systems so as to promote the public
11 health and general welfare and, which act was approved March
12 4, 1915; and this amendment shall operate to confirm and
13 validate all corporate organizations under authority of such
14 law, all procedure had, all acts done, all bonds issued,
15 contracts entered into, and assessments made by such
16 corporations under authority of such law.

17 Section 82.

18 The Legislature, by general, special, or local laws,
19 may authorize the formation of a body corporate for the
20 development of one or more irrigation districts for the
21 purposes of providing irrigation and water conservation in the
22 State of Alabama, and may authorize the counties and
23 municipalities lying within the boundaries of such district or
24 districts to contribute public funds to such body corporate,
25 and may authorize such body corporate to enter into contract
26 with the government of the United States or any agency
27 thereof, and with other states or political subdivisions

1 thereof, and with other bodies corporate organized within this
2 or other states for the development of one or more irrigation
3 districts in the State of Alabama, and may authorize such body
4 corporate to issue revenue bonds payable solely out of
5 revenues accruing to such body corporate, and may authorize
6 such body corporate to do and perform all other such acts
7 necessary and proper for the full development of the Alabama
8 irrigation district or districts; provided, however, nothing
9 herein shall authorize any such public corporation to engage
10 in or finance, or directly or indirectly, the production,
11 transmission, or sale of electric power.

12 Section 83.

13 The Legislature by general law may provide for the
14 creation and organization of a commission charged with the
15 responsibility of improving soil and water conservation and
16 forestry practices within the state, and in order to further
17 the carrying out of that responsibility the Legislature may
18 appropriate moneys to such commission for the purpose of
19 meeting to the expenses of the commission and to allow the
20 commission to share, through a cost-sharing award or grant
21 program, the costs of soil conservation projects and
22 practices, water quality improvements, reforestation projects
23 and improved forestry practices on or with respect to
24 agricultural or timber lands in the state owned or operated by
25 individuals or other types of persons specified by the
26 Legislature, Sections 78 and 79, to the contrary
27 notwithstanding. In any law enacted by the Legislature

1 respecting soil and water conservation cost-sharing grants as
2 contemplated hereby, the Legislature shall provide for the
3 powers of the commission and for the receipt, withdrawal,
4 disbursement, and expenditure by such commission of any
5 appropriated moneys and other funds received by the commission
6 to fund its expenses and cost-sharing programs. The
7 Legislature shall provide that such commission shall consist
8 of such citizens of the state as may be designated by law by
9 the Legislature, provided that the Legislature may designate
10 as ex officio members of the commission persons who are
11 holders of other public offices or officers of such private
12 organizations and associations as the Legislature may
13 designate that are interested in agricultural or timber
14 property and soil and water conservation practices related
15 thereto. Moneys appropriated to such commission for
16 cost-sharing grants to be made pursuant to criteria provided
17 by the Legislature or promulgated by the commission pursuant
18 to legislative delegation of the power so to do, shall be
19 invested by the commission at its direction, or retained in
20 the State Treasury as the commission shall determine, until
21 expended at the direction of the commission, provided that
22 none of such appropriated moneys shall revert to the fund or
23 funds from which they were appropriated in the event such
24 moneys remain undisbursed or unencumbered on the last day of
25 the fiscal year of the state in which they were appropriated
26 to the commission, but rather shall remain available for

1 disbursement by the commission in its programs in subsequent
2 fiscal years.

3 Section 84.

4 The Legislature, by general, special, private, or
5 local laws, may authorize the formation in any manner of a
6 public corporation for the development of Bear Creek, its
7 tributaries, and watershed, for the purposes of navigation,
8 water conservation, and supply, flood control, irrigation,
9 industrial development, public recreation, and related
10 purposes, and may authorize the counties of Marion, Colbert,
11 Franklin, and Winston and all municipalities lying within
12 Marion, Colbert, Franklin, and Winston counties to donate or
13 contribute public funds to such public corporation and may
14 authorize such public corporation to enter into contracts with
15 the United States of America or any agency thereof, and with
16 the several states or political subdivisions thereof, and with
17 other public or private corporations organized within any of
18 the several states, for the development of the Bear Creek
19 watershed, and may authorize such public corporation to
20 acquire by purchase, construction, lease, gift, condemnation,
21 or otherwise property of any kind, real, personal, or mixed,
22 to mortgage or sell its property and to issue revenue bonds
23 and other revenue securities payable solely out of revenues
24 accruing to such public corporation, and may exempt such
25 public corporation from all taxation in the State of Alabama,
26 and may grant such public corporation all other powers and
27 privileges which may be necessary and proper for the full

1 development of the Bear Creek watershed. The provisions of
2 Sections 66, 222, and 225 of the Constitution of Alabama shall
3 not apply to any public corporation which may be organized
4 pursuant to enabling legislation herein authorized or to any
5 revenue bonds and other revenue securities at any time issued
6 by such public corporation. Such public corporation shall be
7 deemed a political subdivision of the State of Alabama.
8 Nothing herein shall authorize any such public corporation to
9 engage in or finance, directly or indirectly, the production,
10 transmission, or sale of electric power. The area comprising
11 the Bear Creek watershed shall include such land defined in
12 enabling legislation herein authorized as shall lie within the
13 counties of Marion, Colbert, Franklin, and Winston.

14 Section 85.

15 (a) The Legislature may provide for the formation of
16 water management districts for the establishment of works of
17 improvement for the drainage of wet, swamp, and overflowed
18 lands of the state, and for flood prevention or the
19 conservation, development, utilization, and disposal of water
20 within the state; confer the right of eminent domain for such
21 purposes, provide for the taxing of the whole or part of the
22 cost of such improvements against the lands and property in
23 such district to the extent of the increased value thereof by
24 reason of special benefits derived from such improvements; and
25 provide for the issuance of bonds for such districts with or
26 without an election; provided, however, that nothing herein
27 shall authorize any such water management districts to engage

1 in or finance, directly or indirectly, the production,
2 transmission or sale of electric power.

3 (b) The provisions of this section are cumulative
4 and shall not be construed to repeal amendment XV [Baldwin
5 County 7 and Mobile County 18] or Section 81.

6 Section 86.

7 The Legislature shall not enact any law not
8 applicable to all the counties in the state, regulating costs
9 and charges of courts, or fees, commissions or allowances of
10 public officers.

11 Section 87.

12 The Legislature, from time to time, by general or
13 local law applicable to the various counties of this state,
14 may establish the salaries, fees, commissions, or allowances
15 to be charged or received by the tax assessors, tax
16 collectors, license commissioners, revenue commissioners, or
17 other officials charged with the assessing and collecting of
18 ad valorem taxes in the various counties of this state,
19 including changing the method and basis of their compensation;
20 and may place any or all of such officials on a salary and
21 further provide for disposition of the fees, commissions,
22 allowances, or other compensation theretofore paid to such
23 officials; and may provide that the salaries of such officials
24 may be paid from the ad valorem taxes assessed and collected
25 by them on a pro rata basis from the various funds receiving
26 such ad valorem taxes; provided, however, that following the
27 effective date of any general law passed pursuant to this

1 section, the Legislature may not thereafter either increase or
2 decrease the salaries of such officials during any term for
3 which such officials have been elected or appointed, and in
4 the case of such officials who were converted from a fee basis
5 to a salary basis of compensation, the Legislature may not
6 decrease the salaries of such officials during any term for
7 which such officials have been elected or appointed or may be
8 thereafter reelected or reappointed. The Legislature may by
9 local act provide for the abolishment, combination, or other
10 alteration of the offices of tax assessor, tax collector, or
11 license commissioner with approval of a majority of voters in
12 the county affected.

13 Section 88.

14 No obligation or liability of any person,
15 association, or corporation held or owned by this state, or by
16 any county or other municipality thereof, shall ever be
17 remitted, released, or postponed, or in any way diminished, by
18 the Legislature; nor shall such liability or obligation be
19 extinguished except by payment thereof; nor shall such
20 liability or obligation be exchanged or transferred except
21 upon payment of its face value; provided, that this section
22 shall not prevent the Legislature from providing by general
23 law for the compromise of doubtful claims.

24 ETHICS

25 Section 89.

26 (a) Each house shall have power to determine the
27 rules of its proceedings and to punish its members and other

1 persons for contempt or disorderly behavior in its presence;
2 to enforce obedience to its processes; to protect its members
3 against violence, or offers of bribes or corrupt
4 solicitations; and with the concurrence of two-thirds of the
5 house, to expel a member, but not a second time for the same
6 offense. A member of the Legislature expelled for corruption
7 shall not thereafter be eligible to either house, and
8 punishment for contempt or disorderly behavior shall not bar
9 an indictment for the same offense.

10 (b) Members of the Legislature, in all cases, except
11 treason, felony, violation of their oath of office, and breach
12 of the peace, shall be privileged from arrest during their
13 attendance at the session of their respective houses, and in
14 going to and returning from the same; and for any speech or
15 debate in either house shall not be questioned in any other
16 place.

17 Section 90.

18 (a) No Senator or Representative, during the term
19 for which elected, shall be appointed to any office of profit
20 under this state, which shall have been created, or the
21 emoluments of which shall have been increased, during such
22 term, except such offices as may be filled by election by the
23 people. A cost-of-living adjustment of the salary attached to
24 an office, permitted by the provisions of this Constitution,
25 shall not be considered an increase in the emoluments of such
26 office.

1 (b) No person convicted of a felony involving moral
2 turpitude whose civil and political rights have not been
3 restored shall be eligible to hold any office of trust or
4 profit in this state.

5 (c) A member of the Legislature who has a personal
6 or private interest in any measure or bill proposed or pending
7 before the Legislature shall disclose the fact to the house of
8 which he or she is a member, and shall not vote thereon.

9 Section 91.

10 The Legislature shall have no power to grant or to
11 authorize or require any county or municipal authority to
12 grant, nor shall any county or municipal authority have power
13 to grant any extra compensation, fee, or allowance to any
14 public officer, servant, or employee, agent, or contractor,
15 after service shall have been rendered or contract made, nor
16 to increase or decrease the fees and compensation of such
17 officer during their terms of office; nor shall any officer of
18 the state bind the state to the payment of any sum of money
19 but by authority of law; provided this section shall not apply
20 to allowances made by commissioners' courts or boards of
21 revenue to county officers for ex officio services, nor
22 prevent the Legislature from increasing or diminishing at any
23 time the allowance to sheriffs or other officers for feeding,
24 transferring, or guarding prisoners.

25 Section 92.

26 (a) The Legislature shall not increase or decrease
27 the compensation of any officer holding any office of profit

1 under this state (or authorize any such action), who is
2 elected or appointed for a fixed term, whether the officer may
3 be removed at the pleasure of the authority electing or
4 appointing the officer or only upon impeachment, during the
5 term for which elected or appointed, either by the imposition
6 of new, different, and additional duties, or otherwise.

7 (b) The expense allowance of any such officer shall
8 not be increased or decreased during the elected term except
9 by the general law applying to all similar public officers.

10 (c) Any increase or decrease in the compensation of
11 any such officers who are members of any court, board,
12 commission, council, or similar body, whose terms do not run
13 concurrently, shall become effective as to all such members
14 thereof immediately after the expiration of the term or terms
15 of office of the member or members whose term or terms first
16 expire.

17 Section 93.

18 (a) A member of the Legislature who shall solicit,
19 demand, or receive, or consent to receive, directly or
20 indirectly, for the member or for another, from any company,
21 corporation, association, or person, any money, office,
22 appointment, employment, reward, thing of value, or enjoyment,
23 or of personal advantage or promise thereof, for the member's
24 vote or official influence, or for withholding the same; or
25 with an understanding, expressed or implied, that the member's
26 vote or official action shall be in any way influenced
27 thereby; or who shall solicit or demand any such money or

1 other advantage, matter, or thing, for another as the
2 consideration for the member's vote, or influence, or for
3 withholding the same; or shall give or withhold the member's
4 vote or influence in consideration of the payment or promise
5 of such money, advantage, matter, or thing to another, shall
6 be guilty of bribery and shall incur such additional
7 punishment as may be provided by law.

8 (b) Any person who, directly or indirectly, shall
9 offer, give, or promise any money, or thing of value,
10 testimonial, privilege, or personal advantage, to any public
11 officer, of this state or any municipality or political
12 subdivision of the state to influence such person in the
13 performance of any such person's public or official duties,
14 shall be guilty of bribery, and be punished in such manner as
15 may be provided by law.

16 Section 94.

17 It shall be the duty of the Legislature to regulate
18 by law the cases in which deduction shall be made from the
19 salaries or compensation of public officers for neglect of
20 duty in their official capacities, and the amount of such
21 deduction.

22 Section 95.

23 No state or county official, at any time during the
24 term of office, shall accept, either directly or indirectly,
25 any fee, money, office, appointment, employment, reward, or
26 thing of value, or of personal advantage, or the promise
27 thereof, to lobby for or against any measure pending before

1 the Legislature, or to give or withhold the official's
2 influence to secure the passage or defeat of any such measure.

3 Section 96.

4 No person holding an office of profit under the
5 United States, during continuance in such office, shall hold
6 any office of profit under this state; nor shall any person,
7 except a constable or notary public, hold two offices of
8 profit at one and the same time under this state.

9 The following shall not be considered offices of
10 profit:

11 (1) service of a delegate to a constitutional
12 convention;

13 (2) service as a member of a statutory body having
14 only advisory powers; or

15 (3) persons in the state military forces or in the
16 military service of the United States.

17 III. Sections 283.1, 283.2, 283.3, 283.4, 283.5,
18 283.6, 283.7, 283.8, 283.9, 283.10, 283.11, 283.12, 283.13,
19 283.14, 283.15, 283.16, 283.17, 283.18, and 283.19 are added
20 to Article XVII of the Constitution of Alabama of 1901, to
21 read as follows:

22 Section 283.1.

23 The Legislature shall have no power to authorize
24 lotteries or gift enterprises for any purposes, and shall pass
25 laws to prohibit the sale in this state of lottery or gift
26 enterprise tickets, or tickets in any scheme in the nature of
27 a lottery; and all acts, or parts of acts heretofore passed by

1 the Legislature of this state, authorizing a lottery or
2 lotteries and all acts amendatory thereof, or supplemental
3 thereto, are hereby avoided.

4 Section 283.2.

5 The Legislature shall not tax the property, real or
6 personal, of the state, counties, or other municipal
7 corporations, or cemeteries; nor lots in incorporated cities
8 and towns, or within one mile of any city or town to the
9 extent of one acre, nor lots one mile or more distant from
10 such cities or towns to the extent of five acres, with the
11 buildings thereon, when same are used exclusively for
12 religious worship, for schools, or for purposes purely
13 charitable.

14 Section 283.3.

15 The Legislature shall by law prescribe such rules
16 and regulations as may be necessary to ascertain the value of
17 real and personal property exempted from sale under legal
18 process by this Constitution, and to secure the same to the
19 claimant thereof as selected.

20 Section 283.4.

21 The Legislature may hereafter, by general law,
22 provide for the promotion of the production, distribution,
23 improvement, marketing, use, and sale of catfish. The
24 Legislature may provide for the promotion of catfish and
25 catfish products by research, education, advertising, and
26 other methods, and the Legislature is further authorized to
27 provide means and methods for the financing of any such

1 promotional activity by prescribing a procedure whereby
2 producers of catfish by referendum among such producers levy
3 upon themselves and collect assessments, fees, or charges upon
4 the purchase of catfish feed for the financing of any such
5 promotional program or activity in cooperation with buyers,
6 processors, dealers, distributors of catfish feed, and
7 handlers of catfish. The Legislature may make provisions for
8 the nonpayment of assessments by catfish producers and shall
9 make provisions for the refund of assessments to any purchaser
10 of catfish feed who does not desire to participate in an
11 assessment program.

12 The Legislature shall provide for the collection,
13 disbursement, distribution, or expenditure of assessments or
14 charges authorized hereunder and to provide penalties for
15 failure to make collection and distribution of assessments.
16 The Legislature shall provide for the designation of a
17 nonprofit association or organization for the promotion and
18 betterment of catfish and catfish products to administer and
19 carry out such promotional program which shall include the
20 conducting of elections or referendums among producers of
21 catfish. The Legislature may provide the manner by which such
22 referendum is held, including the procedure for application
23 for approval to conduct the referendum, the appropriate action
24 to be taken by the State Board of Agriculture and Industries
25 on such application, the requirements and eligibility of the
26 association or organization which will conduct such
27 referendum, the procedures for voting and eligibility to vote

1 in such referendum, and the details of the conduct of such
2 referendum. The Legislature shall further provide for the
3 deposit, withdrawal, disbursement, and expenditure by the
4 designated association of any funds received subject to the
5 supervision and control of the activities as authorized herein
6 by the Department of Agriculture and Industries and the State
7 Board of Agriculture and Industries. The Legislature shall
8 further provide a procedure whereby the association or
9 organization is bonded, for the examination and auditing of
10 the association or organization, and for reasonably necessary
11 rules and regulations to be adopted by the State Board of
12 Agriculture and Industries to effectively carry out the intent
13 and purposes herein enumerated. Assessments, fees, or other
14 charges collected as authorized by any legislative act adopted
15 under authority hereof shall not be considered as a tax within
16 the meaning of this Constitution or any provision thereof. Any
17 uniformity requirements of this Constitution shall be
18 satisfied by the application of the program upon catfish.

19 Section 283.5.

20 Notwithstanding any other provision of this
21 Constitution, the Legislature may hereafter, by general law,
22 provide for the promotion of the production, distribution,
23 marketing, use, improvement, and sale of cattle. The
24 Legislature may provide for the promotion of cattle and the
25 cattle industry by research, education, advertising, and other
26 methods, and the Legislature is further authorized to provide
27 means and methods for the financing of any such promotional

1 activity by prescribing a procedure whereby owners of cattle
2 may by referendum held among owners of cattle in this state
3 levy upon themselves and collect assessments, fees, or charges
4 upon the sale of cattle for the financing of any promotional
5 program or activity in cooperation with processors, dealers,
6 and handlers of cattle. The Legislature shall make provisions
7 for the nonpayment of assessments by cattle owners, and for
8 the refund of assessments to any cattle owner dissatisfied
9 with the assessment program. The Legislature shall provide for
10 the collection and distribution of any such assessments or
11 charges by dealers, handlers, processors, and purchasers of
12 cattle and provide penalties for failure to make collection
13 and distribution of such assessments. The Legislature shall
14 provide for the designation of a nonprofit association or
15 organization organized for the promotion and betterment of
16 cattle and beef products to administer and carry out such
17 promotional program which shall include the conducting of
18 elections or referendums among cattle owners. The Legislature
19 shall further provide for the deposit, withdrawal,
20 disbursement, and expenditure by the designated association of
21 any funds received subject to the supervision and control of
22 the activities authorized herein by the Department of
23 Agriculture and Industries and the State Board of Agriculture
24 and Industries. Assessments, fees, or other charges collected
25 as authorized by any legislative act adopted in pursuance
26 hereof shall not be considered as a tax within the meaning of
27 this Constitution or any provision thereof. Any uniformity

1 requirements of this Constitution shall be satisfied by the
2 application of the program upon cattle and beef products.

3 Section 283.6.

4 Notwithstanding any other provision of this
5 Constitution, the Legislature may hereafter, by general law,
6 provide for the eradication or control of the boll weevil in
7 cotton. The Legislature may provide for and is authorized to
8 provide means and methods for the financing of this activity
9 by prescribing a procedure whereby cotton growers may, by
10 referendum held among such growers in this state, levy upon
11 themselves and collect assessments, fees, and charges, based
12 upon the amount of acreage of cotton planted. The Legislature
13 is authorized to make provisions for nonpayment of the
14 assessments. The Legislature shall provide for the collection
15 and distribution of assessments or charges authorized
16 hereunder and to provide penalties for failure to pay the
17 assessments. The Legislature shall provide for the designation
18 of a nonprofit organization which has been organized for the
19 purpose of eradicating or controlling the boll weevil in
20 cotton; to administer and carry out the eradication or control
21 program; to also include conducting elections or referendums
22 among cotton growers.

23 The Legislature shall further provide for the
24 deposit, withdrawal, disbursement, and expenditure by the
25 designated organization of any funds received, subject to the
26 supervision and control of the activities authorized herein by
27 the Department of Agriculture and Industries and the State

1 Board of Agriculture and Industries. Assessments, fees, or
2 other charges collected as authorized by any legislative act
3 adopted under authority hereof shall not be considered as a
4 tax within the meaning of this Constitution or any provision
5 thereof. The Legislature shall further provide a procedure for
6 the examination and auditing of the organization and for
7 reasonable rules and regulations to be adopted by the State
8 Board of Agriculture and Industries; to effectively carry out
9 the intent and purposes herein enumerated. Any uniformity
10 requirements of this Constitution shall be satisfied by the
11 application of the program to eradicate or control the boll
12 weevil in cotton.

13 Section 283.7.

14 The Legislature may hereafter, by general law,
15 provide for the promotion of the production, distribution,
16 improvement, marketing, use, and sale of wheat and other feed
17 grains as defined and authorized by the Legislature. The
18 Legislature may provide for the promotion of wheat and other
19 feed grains and wheat and other feed grain products by
20 research, education, advertising, and other methods. The
21 Legislature is further authorized to provide means and methods
22 for the financing of any such promotional activity by
23 prescribing a procedure whereby producers of wheat and other
24 feed grains may by referendum among such producers levy upon
25 themselves and collect assessments, fees, or charges upon the
26 sale of wheat and other feed grains for the financing of any
27 such promotional program or activity in cooperation with

1 buyers, processors, dealers, and handlers of wheat and other
2 feed grains. The Legislature may make provisions for the
3 nonpayment of assessments by wheat and other feed grain
4 producers, and shall make provisions for the refund of
5 assessments to any wheat and other feed grain producers who do
6 not desire to participate in an assessment program. The
7 Legislature shall provide for the collection, disbursement,
8 distribution, or expenditure of assessments or charges
9 authorized hereunder and to provide penalties for failure to
10 make collection and distribution of assessments. The
11 Legislature shall provide for the designation of a nonprofit
12 association or organization for the promotion and betterment
13 of wheat and other feed grains and wheat and other feed grain
14 products to administer and carry out such promotional program
15 which shall include the conducting of elections or referendums
16 among producers of wheat and other feed grains. The
17 Legislature may provide the manner by which such referendum is
18 held, including the procedure for application for approval to
19 conduct the referendum, the appropriate action to be taken by
20 the State Board of Agriculture and Industries on such
21 application, the requirements and eligibility of the
22 association or organization which will conduct such
23 referendum, the procedures for voting and eligibility to vote
24 in such referendum, and the details of the conduct of such
25 referendum. The Legislature shall further provide for the
26 deposit, withdrawal, disbursement, and expenditure by the
27 designated association of any funds received subject to the

1 supervision and control of activities as authorized herein by
2 the Department of Agriculture and industries and the State
3 Board of Agriculture and Industries. The Legislature shall
4 further provide a procedure whereby the association or
5 organization is bonded, for the examination and auditing of
6 the association or organization, and for reasonably necessary
7 rules and regulations to be adopted by the State Board of
8 Agriculture and Industries to effectively carry out the intent
9 and purposes herein enumerated. Assessments, fees, or other
10 charges collected as authorized by any legislative act adopted
11 under authority hereof shall not be considered as a tax within
12 the meaning of the Constitution or any provision thereof. Any
13 uniformity requirements of this Constitution shall be
14 satisfied by the application of the program upon wheat and
15 other feed grains.

16 Section 283.8.

17 The Legislature may hereafter, by general law,
18 provide for an indemnification program to peanut farmers for
19 losses incurred as a result of *Aspergillus flavus* and freeze
20 damage in peanuts. The Legislature is further authorized to
21 provide means and methods for the financing of any such
22 indemnification program by prescribing a procedure whereby
23 peanut growers may by referendum among such growers levy upon
24 themselves and collect assessments, fees, or charges upon the
25 sale of peanuts for the financing of any such indemnification
26 program in cooperation with buyers, processors, dealers, and
27 handlers of peanuts; provided, no assessment levied hereunder

1 shall exceed five dollars per ton on any peanuts sold by
2 peanut growers. The Legislature shall provide for the
3 collection and distribution of any such assessments and
4 provide penalties for fraud in the collection or distribution
5 of such assessments. The Legislature shall provide for the
6 designation of a nonprofit association or organization
7 organized for the promotion and betterment of peanut
8 production to administer and carry out such indemnification
9 program which shall include the conducting of elections or
10 referendums among peanut growers and to cooperate with
11 underwriters in executing a contract or contracts to cover
12 claims for crop damage due to *Aspergillus flavus* or freeze
13 damage. Assessments, fees, or other charges collected or
14 disbursed as authorized by any legislative act adopted in
15 pursuance hereof shall not be considered as a tax within the
16 meaning of this Constitution or any provision thereof.

17 Section 283.9.

18 The Legislature may hereafter, by general law,
19 provide for the promotion of the production, distribution,
20 improvement, marketing, use and sale of peanuts, milk, and
21 cotton. The Legislature may provide for the promotion of
22 peanuts, milk, and cotton and peanut, milk, and cotton
23 products by research, education, advertising, and other
24 methods, and the Legislature is further authorized to provide
25 means and methods for the financing of any such promotional
26 activity by prescribing a procedure whereby growers of peanuts
27 and producers of milk and cotton may by referendum among such

1 growers and producers levy upon themselves and collect
2 assessments, fees, or charges upon the sale of peanuts, milk,
3 and cotton for the financing of any such promotional program
4 or activity in cooperation with buyers, processors, dealers,
5 and handlers of peanuts, milk, and cotton. The Legislature may
6 make provisions for the nonpayment of assessments by peanut
7 growers and milk and cotton producers, and shall make
8 provisions for the refund of assessments to any peanut growers
9 and milk or cotton producers who do not desire to participate
10 in an assessment program. The Legislature shall provide for
11 the collection, disbursement, distribution, or expenditure of
12 assessments or charges authorized hereunder and to provide
13 penalties for failure to make collection and distribution of
14 assessments. The Legislature shall provide for the designation
15 of a nonprofit association or organization for the promotion
16 and betterment of peanuts, milk, and cotton and peanut, milk,
17 and cotton products to administer and carry out such
18 promotional program which shall include the conducting of
19 elections or referendums among growers of peanuts and
20 producers of milk and cotton. The Legislature may provide the
21 manner by which such referendum is held, including the
22 procedure for application for approval to conduct the
23 referendum, the appropriate action to be taken by the State
24 Board of Agriculture and Industries on such application, the
25 requirements and eligibility of the association or
26 organization which will conduct such referendum, the
27 procedures for voting and eligibility to vote in such

1 referendum and the details of the conduct of such referendum.
2 The Legislature shall further provide for the deposit,
3 withdrawal, disbursement, and expenditure by the designated
4 association of any funds received subject to the supervision
5 and control of the activities as authorized herein by the
6 Department of Agriculture and Industries and the State Board
7 of Agriculture and Industries. The Legislature shall further
8 provide a procedure whereby the association or organization is
9 bonded, for the examination and auditing of the association or
10 organization, and for reasonably necessary rules and
11 regulations to be adopted by the State Board of Agriculture
12 and Industries to effectively carry out the intent and
13 purposes herein enumerated.

14 Section 283.10.

15 Notwithstanding any other provision of this
16 Constitution, the Legislature may hereafter, by general law,
17 provide for the promotion of the production, distribution,
18 marketing, and use of poultry and poultry products. The
19 Legislature may provide for the promotion of poultry and
20 poultry products and the poultry industry by research,
21 education, advertising, and other methods, and the Legislature
22 is further authorized to provide means and methods for the
23 financing of any such promotional activity by prescribing a
24 procedure whereby producers, owners, or growers of poultry may
25 by referendum held among such producers, owners, or growers of
26 poultry in this state levy upon themselves and collect
27 assessments, fees, or charges upon the sale of poultry and

1 poultry products for the financing of any such promotional
2 program or activity in cooperation with processors, dealers,
3 handlers, and other buyers of poultry and poultry products.
4 Provided, no assessment levied hereunder shall exceed two and
5 one-half cents per hen or other domesticated fowl or any other
6 classes of poultry sold by producers thereof. The Legislature
7 is authorized to make provisions for nonpayment and for the
8 refund of assessments levied upon owners, producers, or
9 growers of poultry to any such person who does not desire to
10 participate in the promotional program. The Legislature shall
11 provide for the collection and distribution of assessments or
12 charges authorized hereunder and to provide penalties for
13 failure to make such collection and distribution of
14 assessments. The Legislature shall provide for the designation
15 of a nonprofit association or organization organized for the
16 promotion and betterment of poultry and poultry products in
17 Alabama to administer and carry out such promotional program
18 which shall include conducting elections or referendum among
19 producers, owners, or growers of poultry. The Legislature
20 shall further provide for the deposit, withdrawal,
21 disbursement, and expenditure by the designated association of
22 any funds received subject to the supervision and control of
23 the activities authorized herein by the Department of
24 Agriculture and Industries and the State Board of Agriculture
25 and Industries. Assessments, fees, or other charges collected
26 as authorized by any legislative act adopted under authority
27 hereof shall not be considered as a tax within the meaning of

1 this Constitution or any provision thereof. Any uniformity
2 requirements of this Constitution shall be satisfied by the
3 application of the program upon poultry and poultry products.

4 Section 283.11.

5 The Legislature may hereafter, by general law,
6 provide for the promotion of the production, distribution,
7 improvement, marketing, use, and sale of soybeans. The
8 Legislature may provide for the promotion of soybeans and
9 soybean products by research, education, advertising, and
10 other methods, and the Legislature is further authorized to
11 provide means and methods for the financing of any such
12 promotional activity by prescribing a procedure whereby
13 producers of soybeans may by referendum among such producers
14 levy upon themselves and collect assessments, fees, or charges
15 upon the sale of soybeans for the financing of any such
16 promotional program or activity in cooperation with buyers,
17 processors, dealers, and handlers of soybeans. The Legislature
18 may make provisions for the nonpayment of assessments by
19 soybean producers, and shall make provisions for the refund of
20 assessments to any soybean producer who does not desire to
21 participate in an assessment program. The Legislature shall
22 provide for the collection, disbursement, distribution, or
23 expenditure of assessments or charges authorized hereunder and
24 to provide penalties for failure to make collection and
25 distribution of assessments. The Legislature shall provide for
26 the designation of a nonprofit association or organization for
27 the promotion and betterment of soybeans and soybean products

1 to administer and carry out such promotional program which
2 shall include the conducting of elections or referendums among
3 producers of soybeans. The Legislature may provide the manner
4 by which such referendum is held, including the procedure for
5 application for approval to conduct the referendum, the
6 appropriate action to be taken by the State Board of
7 Agriculture and Industries on such application, the
8 requirements and eligibility of the association or
9 organization which will conduct such referendum, the
10 procedures for voting and eligibility to vote in such
11 referendum, the details of the conduct of such referendum. The
12 Legislature shall further provide for the deposit, withdrawal,
13 disbursement, and expenditure by the designated association of
14 any funds received subject to the supervision and control of
15 the activities as authorized herein by the Department of
16 Agriculture and Industries and the State Board of Agriculture
17 and Industries. The Legislature shall further provide a
18 procedure whereby the association or organization is bonded,
19 for the examination and auditing of the association or
20 organization, and for reasonably necessary rules and
21 regulations to be adopted by the State Board of Agriculture
22 and Industries to effectively carry out the intent and
23 purposes herein enumerated. Assessments, fees, or other
24 charges collected as authorized by any legislative act adopted
25 under authority hereof shall not be considered as a tax within
26 the meaning of this Constitution or any provision thereof. Any

1 uniformity requirements of this Constitution shall be
2 satisfied by the application of the program upon soybeans.

3 Section 283.12.

4 Notwithstanding any other provision of this
5 Constitution, the Legislature may hereafter, by general law,
6 provide for the promotion of, the production, research,
7 distribution, marketing, use, improvement, and sale of swine
8 and swine products. The Legislature may provide for the
9 promotion of swine and the swine industry by research,
10 education, advertising, and other methods, and the Legislature
11 is further authorized to provide means and methods for the
12 financing of any such promotional activity by prescribing a
13 procedure whereby producers of swine may by referendum held
14 among the swine producers in this state levy upon themselves
15 and collect assessments, fees, or charges upon the sale of
16 swine for the financing of any promotional program or activity
17 in cooperation with processors, dealers, and handlers of swine
18 and swine products. The Legislature may make provisions for
19 the nonpayment of assessments by swine producers and shall
20 make provisions for the refund of assessments to any swine
21 producer dissatisfied with the assessment program. The
22 Legislature shall provide for the collection and distribution
23 of any such assessments or charges by dealers, handlers,
24 processors, and purchasers of swine and swine products and
25 provide penalties for failure to make collection and
26 distribution of such assessments. The Legislature shall
27 provide for the designation of a nonprofit association or

1 organization organized for the promotion and betterment of
2 swine and swine products to administer and carry out such
3 promotional program which shall include the conducting of
4 elections or referendums among swine producers. The
5 Legislature may provide the manner by which such referendum is
6 held, including the procedure for application for approval to
7 conduct the referendum, the appropriate action to be taken by
8 the State Board of Agriculture and Industries on such
9 application, the requirements and eligibility of the
10 association or organization which will conduct such
11 referendum, the procedures for voting and eligibility to vote
12 in such referendum, and the details of the conduct of such
13 referendum. The Legislature shall further provide for the
14 deposit, withdrawal, disbursement, and expenditure by the
15 designated association of any funds received subject to the
16 supervision and control of the activities as authorized herein
17 by the Department of Agriculture and Industries and the State
18 Board of Agriculture and Industries. The Legislature shall
19 further provide a procedure whereby the association or
20 organization is bonded, for the examination and auditing of
21 the association or organization, and for reasonably necessary
22 rules and regulations to be adopted by the State Board of
23 Agriculture and Industries to effectively carry out the intent
24 and purposes herein enumerated. Assessments, fees, or other
25 charges collected as authorized by any legislative act adopted
26 in pursuance hereof shall not be considered as a tax within
27 the meaning of this Constitution or any provision thereof. Any

1 uniformity requirements of this Constitution shall be
2 satisfied by the application of the program upon swine and
3 swine products.

4 Section 283.13.

5 The Legislature, by general law, may provide for
6 the promotion of the production, distribution, improvement,
7 marketing, use, and sale of sheep or goats. The Legislature
8 may provide for the promotion of sheep and goats and their
9 products by research, education, advertising, and other
10 methods. The Legislature may provide means and methods for the
11 financing of any promotional activity by prescribing a
12 procedure whereby producers of sheep and goats may levy upon
13 themselves and collect assessments, fees, or charges upon the
14 sale of sheep and goats for the financing of any promotional
15 program or activity in cooperation with buyers, processors,
16 dealers, distributors, and handlers of sheep and goats. The
17 Legislature may make provisions for the nonpayment of
18 assessments by sheep and goat producers and shall make
19 provisions for the refund of assessments to any producer of
20 sheep or goats who does not desire to participate in an
21 assessment program. The Legislature shall provide for the
22 collection, disbursement, distribution, or expenditure of
23 assessments or charges authorized by this amendment and
24 provide penalties for failure to make the collection and
25 distribution of assessments. The Legislature shall provide for
26 the designation of a nonprofit association or organization for
27 the promotion and betterment of sheep and goats and their

1 products to administer and carry out any promotional program
2 which shall include the conducting of elections or referendums
3 among producers of sheep and goats. The Legislature may
4 provide the manner by which a referendum is held, including
5 the procedure for application for approval to conduct the
6 referendum, the appropriate action to be taken by the State
7 Board of Agriculture and Industries on an application, the
8 requirements and eligibility of the association or
9 organization which will conduct the referendum, the procedures
10 for voting and eligibility to vote in the referendum, and the
11 details of the conduct of the referendum. The Legislature
12 shall further provide for the deposit, withdrawal,
13 disbursement, and expenditure by the designated association of
14 any funds received subject to the supervision and control of
15 the activities as authorized by the Department of Agriculture
16 and Industries and the State Board of Agriculture and
17 Industries. The Legislature shall further provide a procedure
18 for the association or organization to be bonded, for the
19 examination and auditing of the association or organization,
20 and for reasonably necessary rules and regulations to be
21 adopted by the State Board of Agriculture and Industries to
22 effectively carry out the intent and purposes of this
23 amendment. Assessments, fees, or other charges collected as
24 authorized by any legislative act adopted under authority of
25 this amendment are not to be considered a tax within the
26 meaning of this Constitution or any other provisions. Any
27 uniformity requirements of this Constitution shall be

1 satisfied by the application of the program upon the sheep and
2 goat industry.

3 Section 283.14.

4 The Legislature, by general law, may provide for the
5 promotion of the production, distribution, improvement,
6 marketing, use and sale of shrimp and seafood. The Legislature
7 may provide for the promotion of shrimp and seafood and shrimp
8 and seafood products by research, education, advertising, and
9 other methods, and the Legislature is further authorized to
10 provide the means and methods for the financing of any
11 promotional activity by prescribing a procedure whereby
12 producers of shrimp and seafood by referendum among such
13 producers levy upon themselves and collect assessments, fees,
14 or charges upon the sale of shrimp and seafood or upon diesel
15 fuel purchased for use in any commercial shrimp boat licensed
16 to do business in this state for the financing of any
17 promotional program or activity in cooperation with buyers,
18 processors, dealers, distributors, and handlers of shrimp and
19 seafood. The Legislature may make provisions for the
20 nonpayment of assessments by shrimp and seafood producers and
21 shall make provisions for the refund of assessments to any
22 handlers of shrimp or seafood who do not desire to participate
23 in an assessment program.

24 The Legislature shall provide for the collection,
25 disbursement, distribution, or expenditure of assessments or
26 charges authorized hereunder and provide penalties for failure
27 to make collection and distribution of assessments. The

1 Legislature shall provide for the designation of a nonprofit
2 association or organization for the promotion and betterment
3 of shrimp and seafood products to administer and carry out
4 such promotional program which shall include the conducting of
5 elections or referendums among producers of shrimp and
6 seafood. The Legislature may provide the manner by which the
7 referendum is held, including the procedure for application
8 for approval to conduct the referendum, the appropriate action
9 to be taken by the State Board of Agriculture and Industries
10 on an application, and the requirements and eligibility of
11 the association or organization which will conduct the
12 referendum. The Legislature shall further provide for the
13 deposit, withdrawal, disbursement, and expenditure by the
14 designated association of any funds received subject to the
15 supervision and control of the activities as authorized herein
16 by the Department of Agriculture and Industries and the State
17 Board of Agriculture and Industries. The Legislature shall
18 further provide a procedure whereby the association or
19 organization is bonded, for the examination and auditing of
20 the association or organization, and for reasonably necessary
21 rules and regulations to be adopted by the State Board of
22 Agriculture and Industries to effectively carry out the intent
23 and purposes herein enumerated. Assessments, fees, or other
24 charges collected as authorized by any legislative act adopted
25 under authority hereof shall not be considered as a tax within
26 the meaning of this Constitution and shall be satisfied by the
27 application of the program upon shrimp or seafood.

1 Section 283.15.

2 There can be no law of this state impairing the
3 obligation of contracts by destroying or impairing the remedy
4 for their enforcement; and the Legislature shall have no power
5 to revive any right or remedy which may have become barred by
6 lapse of time, or by any statute of this state. After suit has
7 been commenced on any cause of action, the Legislature shall
8 have no power to take away such cause of action, or destroy
9 any existing defense to such suit.

10 Section 283.16.

11 (a) Appointments and promotions in the civil service
12 of this state shall be made according to merit, fitness, and
13 efficiency, to be determined, so far as practicable, by
14 examination, which, so far as practicable, shall be
15 competitive under such laws as the Legislature may enact.

16 (b) It shall be the duty of the Legislature to
17 maintain laws necessary to implement, and to provide adequate
18 financial support for, a positive program of personnel
19 management in the state service.

20 (c) All state personnel laws now in effect that are
21 not in conflict with this article shall continue in effect
22 until they are amended or repealed as provided by law. Civil
23 service status acquired by employees under existing statutes
24 shall not be affected by the provisions of this article.

25 Section 283.17.

26 (a) The State of Alabama, through the Alabama State
27 Docks Department, is authorized to convey, without

1 consideration, title to its real property, equipment, and
2 facilities located in Lauderdale County, Alabama, and known as
3 the Alabama State Docks to the Florence-Lauderdale County Port
4 Authority, a public corporation, but subject to existing
5 leases and other contractual agreements now in effect. Any
6 laws or parts of laws or any provisions of this Constitution
7 which are in conflict with this amendment are hereby revised,
8 superseded, and repealed to the extent they are in conflict
9 with this amendment.

10 (b) The State of Alabama, through the Alabama State
11 Docks Department, is authorized to convey, without
12 consideration, title to its real property, equipment and
13 facilities located in Morgan County, Alabama, and known as the
14 Alabama State Docks to the Decatur-Morgan County Port
15 Authority, a public corporation, and in Walker County,
16 Alabama, known as the State Docks in Cordova in Walker County
17 to the Walker County Commission, but subject to existing
18 leases and other contractual agreements now in effect. Any
19 laws or parts of laws or any provisions of this Constitution
20 which are in conflict with this amendment are hereby revised,
21 superseded, and repealed to the extent they are in conflict
22 with this amendment. The provisions herein shall be
23 self-executing.

24 (c) The State of Alabama, through the Alabama State
25 Docks Department, may convey, without consideration, title to
26 its real property, equipment, and facilities located in
27 Madison County, Alabama, and known as the Alabama State Docks,

1 to the Huntsville-Madison County Marina and Port Authority, a
2 public corporation. The conveyance shall be subject to
3 existing leases and other contractual agreements now in
4 effect. Any laws or parts of laws, or any provisions of this
5 Constitution are revised, superseded, and repealed to the
6 extent they are in conflict with this amendment.

7 Section 283.18.

8 All of the assets, proceeds, or income of the
9 teachers', employees', state police, public, and judicial
10 retirement systems of Alabama, or any successor systems
11 thereto, and all contributions and payments made to such
12 systems to provide for retirement and related benefits
13 thereunder, shall be held, invested as authorized by law, or
14 disbursed as in trust for the exclusive purpose of providing
15 for such benefits, refunds, and administrative expenses under
16 the management of the boards of control of the aforementioned
17 retirement systems; and, none of such assets, proceeds,
18 income, contributions, or payments shall be used, loaned,
19 encumbered, or diverted to or for any other purpose
20 whatsoever.

21 Section 283.19.

22 All of the assets, proceeds, and income of the
23 Alabama Retired State Employees' Health Care Trust and the
24 Alabama Retired Education Employees' Health Care Trust, or any
25 successor or assignee of the trust, and all contributions and
26 payments made to the trustees of the trusts, shall be held,
27 invested, as authorized by law, and disbursed for the

1 exclusive purposes of providing for administrative expenses of
2 the respective trust and health care benefits under the
3 management of the trustees of the respective trust in
4 accordance with the terms of its trust agreement. None of the
5 assets, proceeds, income, contributions, or payments shall be
6 used, loaned, encumbered, or diverted to or for any other
7 purpose whatsoever, except, that (a) a trust may be
8 terminated, if the state has no obligation to provide
9 post-employment health care benefits for which the trust was
10 established to such persons, and, in that event, the remaining
11 assets of the trust shall revert to the State Treasury to and
12 for the credit of the State Employees' Insurance Board, the
13 Public Education Employees' Health Insurance Board, or its
14 successor or assign, as the case may be, related to the
15 terminated trust or (b) if in response to a petition of the
16 trustees of a trust requesting that the respective trust
17 agreement be amended, a court of competent jurisdiction
18 determines that the amendment proposed by the trustees is
19 necessary or otherwise advisable to accomplish one or more
20 purposes of the act authorizing and directing the creation of
21 the trusts.

22 IV. This amendment shall become operative January 1,
23 2017.

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

1 Alabama of 1901, as amended, and the election laws of this
2 state.

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

8 "Proposing an amendment to the Constitution of
9 Alabama of 1901, to become operative January 1, 2017, to
10 revise and restate the provisions of Article IV relating to
11 the Legislature and related amendments by repealing and adding
12 Article IV, moving some provisions of existing Article IV and
13 various amendments to Article XVII and provisions in existing
14 Article V relating to special sessions of the Legislature and
15 provisions in Article XVII relating to operations of the
16 Legislature and ethics to Article IV.

17 "Proposed by Act _____."

18 This description shall be followed by the following
19 language:

20 "Yes () No ()."