

1 HB473

2 136467-1

3 By Representative McCampbell (Constitutional Amendment)

4 RFD: Local Legislation

5 First Read: 06-MAR-12

8 SYNOPSIS: Under existing law, the judge of probate in  
9 Marengo County is compensated at the rate of 90  
10 percent the amount paid a district judge in the  
11 county.

12 This bill would propose an amendment to  
13 Amendment 609 to the Constitution of Alabama of  
14 1901, now appearing as Section 10, Local  
15 Amendments, Marengo County, of the Official  
16 Recompilation of the Constitution of Alabama of  
17 1901, as amended, changing the existing method of  
18 compensating the judge of probate and compensating  
19 the judge of probate based on the population of the  
20 county as provided by general law.

21  
22 A BILL

23 TO BE ENTITLED

24 AN ACT

25  
26 Relating to Marengo County; to propose an amendment  
27 to Amendment 609 of the Constitution of Alabama of 1901, now

1 appearing as Section 10, Local Amendments, Marengo County, of  
2 the Official Recompilation of the Constitution of Alabama of  
3 1901, as amended, to provide that the judge of probate shall  
4 be compensated based on the population of the county as  
5 provided by general law.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7                   Section 1. The following amendment to the  
8 Constitution of Alabama of 1901, is proposed and shall become  
9 valid as a part of the Constitution when all requirements of  
10 this act are fulfilled:

11                   PROPOSED AMENDMENT

12                   "Amendment 609.

13                   "(a) The Judge of Probate of Marengo County shall  
14 receive compensation in the form of an annual salary which  
15 shall be ~~equal to ninety percent of the annual salary~~  
16 ~~compensation paid by the state to the district court judge of~~  
17 ~~the county. The salary shall be paid in lieu of all other~~  
18 ~~fees, allowances, and percentages heretofore provided by law~~  
19 ~~and shall be paid in equal monthly installments out of the~~  
20 ~~general fund of the county treasury calculated as provided by~~  
21 Chapter 2A of Title 11, Code of Alabama 1975.

22                   "(b) All fees, commissions, allowances, percentages,  
23 and other charges heretofore collected for the use of the  
24 Judge of Probate of Marengo County shall continue to be  
25 collected by the judge of probate, but shall be paid into the  
26 county general fund.

"(c) The County Commission of Marengo County shall provide the judge of probate with office personnel, clerks and deputies, and with quarters, books, stationery, furniture, equipment, and other supplies necessary for the proper and efficient conduct of the office of the judge of probate. Compensation of the personnel shall be fixed by the county commission and shall be paid in equal monthly installments out of the General Fund of Marengo County.

"(d) This amendment shall be effective January 1 after its approval. The amendment to this amendment shall become effective beginning with the next term of office following ratification of the amendment."

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

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

"Relating to Marengo County, proposing an amendment to the Constitution of Alabama of 1901, to provide that the judge of probate shall be compensated based on the population

1 of the county as provided by general law instead of at 90  
2 percent of the rate paid a district judge in the county.

3 "Proposed by Act \_\_\_\_\_."

4 This description shall be followed by the following  
5 language:

6 "Yes ( ) No ( )."