1   HB464

2   117120-1

3   By Representatives Page and Ford (Constitutional Amendment)

4   RFD: Local Legislation

5   First Read: 28-JAN-10

1   117120-1:n:01/28/2010:KMS/th LRS2009-5216

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8   SYNOPSIS: Under existing law, the members of the

9   Etowah County Board of Education are elected from

10   the county at large to represent seven

11   single-member districts, excluding the Cities of

12   Atalla and Gadsden, as established by the county

13   board of education.

14   This bill would propose an amendment to the

15   Constitution of Alabama of 1901, to authorize the

16   Etowah County legislative delegation to establish

17   and reapportion districts, excluding the Cities of

18   Atalla and Gadsden, and provide for the election of

19   the members of the Etowah County Board of Education

20   from those districts.

21

22   A BILL

23   TO BE ENTITLED

24   AN ACT

25

26   To propose an amendment to the Constitution of

27   Alabama of 1901, to authorize the Etowah County legislative

1   delegation to establish and reapportion districts, excluding

2   the Cities of Atalla and Gadsden, and provide for the election

3   of the members of the Etowah County Board of Education by the

4   qualified electors of those districts.

5   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6   Section 1. The following amendment to the

7   Constitution of Alabama of 1901, is proposed and shall become

8   valid as a part of the Constitution when all requirements of

9   this act are fulfilled:

10   PROPOSED AMENDMENT

11   (a) The Etowah County Board of Education shall

12 consist of seven members elected by a majority of the

13 respective qualified electors of seven single-member

14 districts, which districts shall exclude the Cities of Attalla

15 and Gadsden. Only the qualified electors residing in a

16 particular district may vote for the member representing that

17 district. The boundaries of the Etowah County Board of

18 Education school districts shall be established by the Etowah

19 County legislative delegation based upon the most recent

20 federal decennial census for the county utilizing the

21 principal of equal representation. The delegation shall

22 reapportion districts within six months following the

23 publication of the results of each federal decennial census,

24 and at other times as determined necessary by the delegation

25 to achieve equal representation on the board.

1   (b) Elections shall be conducted and the members

2 shall take office in the same manner as currently provided by

3 law.

4   (c) Members serving on the board upon the

5 ratification of this amendment shall continue to serve on the

6 board until the term for which they were originally elected

7 expires. If the boundaries of a district change, or if

8 redistricting places an incumbent district board member

9 outside of his or her district, the member shall nevertheless

10 continue to serve the remainder of the term to which he or she

11 was elected.

12   (d) The Etowah County Legislative Delegation shall

13 take necessary steps to ensure this amendment complies with

14 the Federal Voting Rights Act of 1965, as amended, before any

15 election is conducted pursuant to this amendment.

16   Section 2. An election upon the proposed amendment

17 shall be held in accordance with Amendment 555 to the

18 Constitution of Alabama of 1901, now appearing as Section

19 284.01 of the Official Recompilation of the Constitution of

20 Alabama of 1901, as amended, and the election laws of this

21 state.

22   Section 3. The appropriate election official shall

23 assign a ballot number for the proposed constitutional

24 amendment on the election ballot and shall set forth the

25 following description of the substance or subject matter of

26 the proposed constitutional amendment:

1   "Relating to Etowah County, proposing an amendment

2   to the Constitution of Alabama of 1901, to authorize the

3   Etowah County legislative delegation to establish and

4   reapportion districts, excluding the Cities of Atalla and

5   Gadsden, and provide for the election of the members of the

6   Etowah County Board of Education by the qualified electors of

7   those districts.

8   "Proposed by Act _____"

9   This description shall be followed by the following

10   language:

11   "Yes ( ) No ( )."