

1 SB336  
2 117120-1  
3 By Senator Means (Constitutional Amendment)  
4 RFD: Governmental Affairs  
5 First Read: 02-FEB-10

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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 ( )."