



Discussing the Impact of Proposed
Constitutional Amendments

3, 4 & 14



Association of County Commissions of Alabama

100 North Jackson Street
Montgomery, Alabama 36104
o: 334-263-7594 | f: 334-263-7678
www.alabamacounties.org



As Election Day draws near, Alabamians are gearing up to vote for a new President along with other local elected positions. But of equal, if not greater importance, to our day-to-day lives are 14 proposed amendments to the Alabama Constitution that will also appear on the November ballot. Three of the amendments – 3, 4 and 14 – would significantly improve county governments' ability to serve their communities. It is vitally important that county leaders educate citizens about these proposed amendments.

Below are brief talking points designed to help county leaders explain the impact and significance of these amendments. The talking points are a quick reference point for county officials and employees when speaking with members of the community, including members of the media, about how voting YES on 3, 4 and 14 would benefit all Alabama citizens.

KEEP IN MIND:

- When talking to local citizens or members of the media, keep the message simple. Stay away from governmental “lingo” and complex discussions of the issue because most citizens are not familiar with structure of the Alabama Constitution.
- Don't be afraid to say, “I don't know.” If you are asked a question you are not comfortable answering, you might respond by saying: *“That's a great question. Let me connect you with the Association of County Commissions of Alabama to provide you more information.”*
- If a member of the media asks for more detailed information, refer them to www.alabamacounties.org/voteyes.
- When possible, use real-life and/or local examples to communicate the cause and effect of these ballot initiatives.
- Use these talking points when talking with your family, friends, church members, and civic club associates. Also, utilize them when crafting social media posts.

AMENDMENT #3



Ballot Language: "Proposing an amendment to the Constitution of Alabama of 1901, to revise the procedure for adoption of local constitutional amendments to provide that a proposed constitutional amendment the Legislature determines without a dissenting vote applies to only one county or a political subdivision within one or more counties shall be adopted as a valid part of the constitution by a favorable vote of a majority of the qualified electors of the affected county or the political subdivision and county or counties in which the political subdivision is located, who vote on the amendment."

HOW TO EXPLAIN IT:

--Amendment 3 is about allowing local citizens to make decisions on local issues.

--Right now, if a proposed constitutional amendment that applies to only one county gets EVEN ONE "NO" VOTE in the Legislature, it is subject to a statewide vote.

--This creates situations where voters outside a county can undermine the voice of citizens within the county.

--**EXAMPLE:** There are 4 issues on the November ballot that only effect one county. These local issues will be decided by the entire state of Alabama because at least one legislator voted NO on the issue. For example, the entire state vote on the age limit to run for Probate Judge in Pickens County – a decision best made by the citizens of Pickens County who are more informed about this matter.

--Voting **YES** for Amendment 3 would create a two-step voting process for Legislators voting on these local issues, designed to make it more difficult for local issues to be decided by the entire state.

--It also puts the question of passing local amendments in the hands of local voters. So even if a statewide vote is required, the proposed amendment could only be approved if the local voters support the amendment. In other words, statewide voters could no longer overrule the will of local voters.

AMENDMENT #4



Ballot Language: "Proposing an amendment to the Constitution of Alabama of 1901, to authorize each county commission in the state to establish, subject to certain limitations, certain programs related to the administration of the affairs of the county."

HOW TO EXPLAIN IT:

--Right now, county governments must get permission from the State Legislature to make many routine management and administrative decisions.

--**EXAMPLE:** A county cannot give a retiring sheriff's deputy his badge and gun upon retirement without passing a local law in Montgomery.

--This often clogs the legislative process, and makes it difficult for county leaders to make timely administrative and management decisions for the benefit of local citizens

--Voting **YES** for Amendment 4 would only allow county governments to carry out specified management and administration activities in the following 5 areas:

- County personnel programs;
- Community programs for litter-free public roadways and facilities;
- Public Transportation and the promotion of safety on public roads;
- County office operations; and
- Emergency assistance programs

To be very clear, there are several things Amendment 4 **DOES NOT DO**:

- It **DOES NOT** grant "Home Rule" powers to counties.
- It **DOES NOT** allow counties to levy taxes or fees.
- It **DOES NOT** allow counties to create any programs that would infringe on a citizen's property rights.
- It **DOES NOT** allow the county commission to alter or in any way interfere with the duties of other elected officials.

AMENDMENT #14



Ballot Language: "Proposing an amendment to the Constitution of Alabama of 1901, to amend Amendment 448 to the Constitution of Alabama of 1901, now appearing as Section 71.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to ratify, approve, validate, and confirm the application of any budget isolation resolution relating to a bill proposing a local law adopted by the Legislature before November 8, 2016, that conformed to the rules of either body of the Legislature at the time it was adopted."

HOW TO EXPLAIN IT:

--A technical issue with how the Alabama House of Representatives has handled a routine, procedural vote poses a threat to hundreds of local laws that Alabamians rely on to support vital public institutions like school systems, volunteer firefighters, and community hospitals.

--Amendment 14 would correct this technical issue by affirming all the local laws that have been passed by the Legislature since 1984.

--**EXAMPLE****: Last month, Chilton County held a dedication for its new hospital. It marks the first time in three years that Chilton County residents have a hospital within the county borders. In 2014, 80% of Chilton County voters approved a local sales tax to finance the construction of this new hospital. If Amendment 14 were to fail, Chilton County's investment in this new hospital facility could be at risk.

****NOTE:** Please visit www.alabamacounties.org/amendment14 (password: amendment14) to find local examples of how Amendment 14 impacts YOUR county. Make it personal!

--Voting **YES** on Amendment 14 simply affirms the local laws *already passed* by the Alabama Legislature. Passage of Amendment 14 doesn't change anything and it **DOES NOT** create any new fees or regulations.

--If the Amendment fails to pass, the consequences would be long-term and detrimental for all 67 Alabama counties. It could trigger costly lawsuits, back-log the legislative process for years, and cost millions in taxpayer dollars for the Legislature to "re-pass" these vital local laws.