

# Simplifying Constitution Confusion

Alabama's Constitution holds an unfortunate superlative as the longest and most amended constitution in the world. This year, voters get a chance to add a few more amendments to the total of 977 already incorporated into the state constitution.

In the interest of clarity, the Chamber has provided this summary of amendments below, as well as the Chamber's position on amendments of importance to the Shoals.

In 2014, the state created the Fair Ballot Commission with the goal of providing unbiased summaries of ballot amendments in laymen's terms. To see these summaries, as well as read the amendment's as they will appear on the ballot, click the titles of any of the amendments listed below.

## Amendment 1: Aniah's Law

Aniah Blanchard was 19-year-old woman from Homewood who was kidnapped and murdered in Macon County 2019 while she was a student at Southern Union Community College. Aniah's killer was out of bail for multiple charges including attempted murder at the time of her murder.

Amendment 1 would allow judges to deny bail to people charged with Class A felonies, which include kidnapping, domestic violence, child abuse, and murder among others. Aniah's Law passed both houses of the legislature unanimously and is cosponsored by several state legislators including Rep. Phillip Pettus locally.

The Shoals Chamber urges members to vote "YES" for Amendment 1.

## Amendment 2: Broadband funds

Broadband expansion has risen to become a priority for state and local governments since 2020 with the pandemic proving the necessity of high-speed internet access. At the moment, state and federal agencies are allowed to award taxpayer funds to private companies to expand broadband access, but cities and counties in Alabama have not been allowed to do the same.

Amendment 2 would allow cities and counties to use public funds to match state and federal funds to expand broadband in the state.

The Chamber urges members to vote "YES" for Amendment 2.

### Amendment 3: Governor's Powers

In Alabama, the Governor has the power to commute a death sentence to life in prison. The last Governor to do so was Fob James in 1999. Amendment 3 would require the Governor to notify the state Attorney General and the victim's family prior to a commutation of a death sentence.

The Shoals Chamber does not hold a position on Amendment 3.

### Amendment 4: Election Laws

If Amendment 4 is ratified, any new state laws related to elections must be passed at least six months before a general election. For example, if a law is meant to go into effect in a general election in November, it must be passed by May at the latest. Any bills passed within 6 months of a general election would not go into effect until the next general election.

The Shoals Chamber does not hold a position on Amendment 4.

### Amendment 5: "Orphan's business"

Voting "yes" on Amendment 5 would delete language in the Alabama Constitution giving probate judges jurisdiction over, "Orphan's business". Alabama's Constitution was written in 1901 and contains many provisions that are now obsolete. The Alabama Law Institute requested the "orphan's business" language be deleted as it is obsolete and would have no substantive impact on state law.

The Shoals Chamber urges members to vote "YES" on Amendment 5.

### Amendment 6: Municipal Debt & Taxes

Some cities in Alabama, including Tuscumbia, Sheffield, and Florence, are required by the Alabama Constitution to use property tax revenue to pay down debt. Amendment 6 would allow these cities to also use property tax revenue to pay for capital improvement projects directly if the funds are available, essentially creating a "pay as you go" option. Amendment 6 was created at the recommendation of the City of Huntsville. The Shoals Chamber urges members to vote "YES" on Amendment 6.

### Amendment 7: County Economic Development Funds

Amendment 7 clarifies that any County in the state may offer economic development incentives. The Association of County Commissions of Alabama is pushing for the change, which they contend makes the legality of economic development for counties simple, and would help save counties money on legal fees when attempting to put together economic development incentive packages.

The Shoals Chamber urges members to vote "YES" on Amendment 7.

### Amendment 8: Shelby County Sewer System

Amendment 8 addresses a local issue in Shelby County only. The amendment would allow the Public Service Commission to regulate sewer rates in the county, unless individual municipalities decided to opt out and self-regulate.

The Shoals Chamber hold no position on Amendment 8.

### Amendment 9: Town of Lake View Sewer

Amendment 9 is the same premise as the Amendment 8, but instead applies to the small town of Lake View in Tuscaloosa County.

The Shoals Chamber holds no position on Amendment 9.

### Amendment 10: Incorporates Amendments

Amendment 10 is a companion amendment that allows any other amendments passed on Nov. 8, 2022 to be incorporated into the Alabama Constitution. If any of the other nine amendments pass, they will need Amendment 10 to be passed as well in order to be incorporated. If Amendment 10 fails, then new amendments will not be added.

The Shoals Chamber urges members to vote "YES" on amendment 10.

